

**74th OREGON LEGISLATIVE ASSEMBLY - 2007 Regular Session**  
**STAFF MEASURE SUMMARY**  
**Senate Committee on Rules**

**MINORITY REPORT**

**MEASURE:** HB 2595 B  
**CARRIER:** Sen. Kruse

**REVENUE:** No revenue impact  
**FISCAL:** Fiscal statement issued

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**Action:** Do Pass as Amended and Be Printed Engrossed  
**Signers on the Report:** Senators Ferrioli and Kruse  
**Prepared By:** Marjorie Taylor, Administrator  
**Meeting Dates:** 6/16, 6/19

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**WHAT THE MINORITY REPORT DOES:** Sets 60-day deadline for Government Standards and Practices Commission (GSPC) to respond to requests for Commission advisory opinions. Prohibits penalizing public official if official acted in compliance with GSPC advisory opinion. Sets 30-day deadline for GSPC director to respond to requests for staff advisory opinions. Increases maximum civil penalty for violation of government ethics law from \$1,000 to \$5,000. Provides re-write and re-organization of GSPC procedure and rulemaking authority. Extends maximum time for preliminary review from 90 days to 135 days. Extends maximum time for investigation from 120 days to 180 days. Deletes local government exceptions to statements of economic interest filing requirement. Requires GSPC to make ethics manual and advisory opinions available electronically. Prohibits public official from hiring, appointing or promoting relatives unless the public official complies with conflict of interest requirements. Provides that a public body is not prohibited from hiring the relative of a public official serving in the public body. Prohibits public official from directly supervising a relative or member of the household. Provides exceptions allowing members of the Legislative Assembly to hire or supervise relatives and allowing any public official to hire or supervise a relative who is an unpaid volunteer. Changes the names of the Oregon Government Standards and Practices Commission to Oregon Government Ethics Commission. Declares emergency, effective July 1, 2007. Allows a person subject to a contested case proceeding by the Government Standards and Practices Commission to request that the commission file a lawsuit against the person in Marion County Court in lieu of the contested case proceeding. Requires a decision by an administrative law judge in a contested case hearing to be final.

**ISSUES DISCUSSED:**

- Recommendations of the Oregon Law Commission
- Contested case proceedings
- Cost of the complaint process to all parties
- Reversal of decisions made by Administrative Law Judges

**EFFECT OF MINORITY AMENDMENT:** Prohibits public official from hiring, appointing or promoting relatives unless the public official complies with conflict of interest requirements. Provides that a public body is not prohibited from hiring the relative of a public official serving in the public body. Prohibits public official from directly supervising a relative or member of the household. Authorizes public bodies to adopt local policies allowing public officials to supervise relatives and members of the household. Changes the names of the Oregon Government Standards and Practices Commission to Oregon Government Ethics Commission. Clarifies specific notice provisions. Clarifies specific actions of the Government Standards and Practices Commission. Allows a person subject to a contested case proceeding by the Government Standards and Practices Commission to request that the commission file a lawsuit against the person in Marion County Court in lieu of the contested case proceeding. Requires a decision by an administrative law judge in a contested case hearing to be final.

**BACKGROUND:** The 2005 Legislative Assembly funded the Oregon Law Commission to conduct a comprehensive ethics review and to prepare legislative recommendations to address lobbying, campaign finance, and funding of the administration of Oregon's government ethics laws. HB 2595B implements Oregon Law Commission's Government Ethics Work Group recommendations on GSPC organization and structure, violations, and penalties, as well as the generation and use of GSPC advisory opinions. HB 2595B also adds provisions from four other 2007 session Oregon Law Commission recommended measures: HB 2596, SB 495, SB 496, and SB 497.

HB 2595B also returns the Government Standards and Practices Commission to its original name, the Oregon Government Ethics Commission. In 1974, when voters approved creation of the commission, it was called the Oregon Government Ethics Commission. The name was changed by the legislature in 1993.

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***This summary has not been adopted or officially endorsed by action of the committee.***