

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 2 - 1

Yeas: Buckley, Hunt, Roblan, Rosenbaum

Nays: Berger, Esquivel

Exc.: Thatcher

Prepared By: Jim Stembridge, Administrator

Meeting Dates: 6/24

WHAT THE MEASURE DOES: Makes changes to government ethics laws. Establishes funding system for Government Standards and Practices Commission (GSPC), assessing state agencies and local government entities. Requires quarterly filing of expenditure statements by lobbyists and directs the commission to make the statements publicly available on the Internet. Increases penalties from \$1000 to \$5000 for violations of lobbying or government ethics law. Prohibits former legislators from lobbying during the first regular session out of the Legislative Assembly and defines regular session. Sets monetary limit on gifts received by public officials from people with legislative or administrative interests of \$50. Exempts certain food, beverage, travel, lodging, and receptions from the definition of gift. Exempts judges and the judicial department from gift limits. Modifies requirements for contents of statement of economic interest. Requires public officials and candidates to report specified information quarterly. Modifies reporting requirements for honoraria. Authorizes public official to establish legal expense trust fund to defray certain legal expenses upon approval of GSPC. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Application to school boards
- Judicial Department exemption and Code of Judicial Conduct
- Offensive legal actions that could be deemed defensive use of legal trust fund
- Various gift scenarios involving state and local government activities
- Work of the Oregon Law Commission on ethics reform

EFFECT OF COMMITTEE AMENDMENT: Eliminates unpaid volunteers from GSPC assessment formula. Eliminates exemption of gifts from friends. Exempts, from definition of gift, expenses received during officially-designated negotiations. Prohibits private use of confidential information for two years. Prohibits gift of entertainment expense except incidental or ceremonial entertainment. Makes judicial exception to gift limits applicable only to those subject to the Code of Judicial Conduct. Limits use of legal expense trust funds to defending the public official. Clarifies definition of "member of the household".

BACKGROUND: In 1974, voters approved Ballot Measure 14 establishing statutes relating to Public Officials' Financial Ethics and Reporting. Provisions in ORS chapter 244 and related statutes generally prohibit the use of office for financial gain; require filing of statements of economic interest; require disclosure of conflicts of interest; provide procedures for enforcement of violations; and provide sanctions for violations. ORS 244.020 (15) defines "public official" as any person who is serving the State of Oregon or any political subdivisions or any other public body of the state as an officer, employee, agent, or otherwise. ORS 244.020(10) defines "legislative or administrative interest" as an economic interest, distinct from that of the general public, in one or more bills, resolutions, regulations, proposals, or other matters subject to the action or vote of a public official.

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