

## HOUSE AMENDMENTS TO RESOLVE CONFLICTS TO B-ENGROSSED SENATE BILL 456

By JOINT COMMITTEE ON WAYS AND MEANS

June 25

1 On page 1 of the printed B-engrossed bill, line 2, after “officials;” insert “creating new pro-  
2 visions;” and after “292.425” insert “and section 10, chapter \_\_, Oregon Laws 2007 (Enrolled Senate  
3 Bill 700); repealing section 8, chapter \_\_, Oregon Laws 2007 (Enrolled Senate Bill 700)”.

4 On page 3, after line 3, insert:

5 **“SECTION 5a. If Senate Bill 994 becomes law, sections 1 (amending ORS 292.405), 2**  
6 **(amending ORS 292.410), 3 (amending ORS 292.415) and 4 (amending ORS 292.425) of this 2007**  
7 **Act are repealed.**

8 **“SECTION 5b. If Senate Bill 700 becomes law, section 8, chapter \_\_, Oregon Laws 2007**  
9 **(Enrolled Senate Bill 700) (amending ORS 171.072), is repealed and ORS 171.072, as amended**  
10 **by section 5 of this 2007 Act, is amended to read:**

11 “171.072. (1) A member of the Legislative Assembly shall receive for services an annual salary  
12 [*that is equal to that provided for one step below the maximum of Salary Range 1 in the Management*  
13 *Service Compensation Plan in the executive department as defined in ORS 174.112]* **established as**  
14 **provided in ORS 292.907 to 292.930.**

15 “(2)(a) The President of the Senate and the Speaker of the House of Representatives each shall  
16 receive for services, as additional salary, an amount equal to the [*sum*] **salary** allowed each of them  
17 as a member under subsection (1) of this section.

18 **“(b) The Majority Leader and Minority Leader of the Senate and the Majority Leader and**  
19 **Minority Leader of the House of Representatives each shall receive for services, as additional**  
20 **salary, an amount determined as provided in ORS 292.907 to 292.930.**

21 “(3) A member of the Legislative Assembly shall receive, as an allowance for expenses not oth-  
22 erwise provided for, a per diem determined as provided in subsection (9) of this section for each day  
23 within the period that the Legislative Assembly is in session, to be paid with the salary provided for  
24 in subsection (1) of this section. Pursuant to procedures determined by the Legislative Adminis-  
25 tration Committee, a member may draw from an accrued allowance.

26 “(4) A member of the Legislative Assembly shall receive, as an allowance for expenses incurred  
27 in the performance of official duties during periods when the legislature is not in session, \$400 for  
28 each calendar month or part of a calendar month during those periods, to be paid monthly, and  
29 subject to approval of the President of the Senate or Speaker of the House of Representatives,  
30 mileage expenses and a per diem determined as provided in subsection (9) of this section for each  
31 day a member is engaged in the business of legislative interim and statutory committees, including  
32 advisory committees and subcommittees of advisory committees, and task forces and for each day  
33 a member serves on interstate bodies, advisory committees and other entities on which the member  
34 serves ex officio, whether or not the entity is a legislative one.

35 “(5) In addition to the mileage and per diem expense payments provided by this section, a

1 member of the Legislative Assembly may receive reimbursement for actual and necessary expenses,  
2 subject to approval by the President of the Senate or Speaker of the House of Representatives, for  
3 legislative business outside of the state.

4 “(6) The President of the Senate and **the** Speaker of the House of Representatives may delegate  
5 to the chairpersons of interim and statutory committees and task forces the approval authority  
6 granted to *[them]* **the President and the Speaker** by subsection (4) of this section, with respect to  
7 expenses incurred in attending any meeting of a particular committee or task force.

8 “(7) Amounts received under subsections (3) to (5) of this section are excluded from gross income  
9 and expenditures of the amounts are excluded in computing deductions for purposes of ORS chapter  
10 316. If there is attached to the personal income return a schedule of all ordinary and necessary  
11 business expenses paid during the tax year as a member of the Legislative Assembly, a deduction  
12 may be claimed on the return for legislative expenses paid in excess of the amounts received under  
13 subsections (3) to (5) of this section. Expenses of members of the Legislative Assembly *[that]* **who**  
14 are reimbursed by the state for actual expenses for meals and lodging associated with state travel  
15 for the same period during which a legislator receives per diem *[is]* **are** subject to state income tax.

16 “(8) For periods when the Legislative Assembly is not in session, the Legislative Administration  
17 Committee shall provide for a telephone and an expense allowance for members of the Legislative  
18 Assembly that is in addition to the amount allowed under subsection (4) of this section. In deter-  
19 mining the amount of allowance for members, the committee shall consider the geographic area of  
20 the member’s district. The additional allowance shall reflect travel expenses necessary to communi-  
21 cate in districts of varying sizes.

22 “(9) The per diem allowance referred to in subsections (3) and (4) of this section shall be the  
23 amount fixed for per diem allowance that is authorized by the United States Internal Revenue Ser-  
24 vice to be excluded from gross income without itemization.

25 “**SECTION 5c.** If Senate Bill 700 becomes law, section 10, chapter \_\_\_, Oregon Laws 2007 (En-  
26 rolled Senate Bill 700), is amended to read:

27 “**Sec. 10.** The *[amendments to ORS 171.072 by section 8 of this 2007 Act and the]* repeal of stat-  
28 utes by section 11 *[of this 2007 Act]*, **chapter \_\_\_, Oregon Laws 2007 (Enrolled Senate Bill 700)**,  
29 become operative on July 1, 2009.

30 “**SECTION 5d.** **The amendments to ORS 171.072 by section 5b of this 2007 Act become**  
31 **operative on July 1, 2009.”**