

Enrolled
Senate Bill 5

Sponsored by Senator COURTNEY

CHAPTER

AN ACT

Relating to the legislative committees; amending ORS 171.555, 171.580, 171.852, 171.857, 173.191 and 173.730.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 171.555 is amended to read:

171.555. (1) *[The President of the Senate, upon election as President, shall appoint a committee of ways and means consisting of eight members. The Speaker of the House of Representatives, upon election as Speaker, shall appoint a committee of ways and means consisting of eight members.]* **Upon election, the President of the Senate and the Speaker of the House of Representatives shall appoint a Joint Committee on Ways and Means.** At least two of the members appointed from each house shall have had previous experience on the **Joint Committee [of] on Ways and Means.** If the Speaker of the House of Representatives or the President of the Senate is a member, either may designate from time to time an alternate from among the members of the respective house to exercise powers as a member of the committee except that the alternate shall not preside if the Speaker or President is *[chairperson]* **chair.** *[As soon as practicable after their appointment, the committees shall meet jointly,]* **The President of the Senate shall appoint one cochair for the joint committee and the Speaker of the House of Representatives shall appoint one cochair for the joint committee.** The *[chairpersons]* **cochairs** of the *[respective committees alternating]* **joint committee shall alternate** as presiding officers.

(2) The *[chairpersons]* **cochairs** of the Joint Committee **on Ways and Means** are authorized to cause to be investigated, either through the whole of the committee or by a selected subcommittee, any complaints about the management or conduct of any of the state institutions, departments, officers or activities for the support of which state money has been appropriated, or for which appropriations may hereafter be made.

(3) **The Joint Committee on Ways and Means may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.**

(4) **Action by the Joint Committee on Ways and Means requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.**

SECTION 2. ORS 171.852 is amended to read:

171.852. (1) There is hereby created a Joint Legislative Committee on Information Management and Technology *[consisting of four members appointed by the Speaker of the House of Representatives, at least two of whom shall have served on the Joint Ways and Means Committee, and three members of the Senate appointed by the President of the Senate, at least one of whom shall have served on the*

Joint Ways and Means Committee]. **The President of the Senate and the Speaker of the House of Representatives shall appoint the members of the committee.**

(2) The committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof, and in the interim between sessions.

(3) The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, until such vacancy is filled, the membership of the committee shall be deemed not to include the vacant position for the purpose of determining whether a quorum is present and a quorum is a majority of the remaining members.

(4) Members of the committee shall receive an amount equal to that authorized under ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent in the performance of their duties as members of the committee or any subcommittee thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in out-of-state travel, members shall be entitled to receive their actual and necessary expenses therefor in lieu of the amount authorized by this subsection. Payment shall be made from funds appropriated to the Legislative Fiscal Office.

[(5) Action of the committee shall be taken only upon the affirmative vote of the majority of members of the committee.]

(5) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

[(6)] (7) The Legislative Fiscal Office shall furnish to the committee such services of personnel and such other facilities as are necessary to enable the committee to carry out its functions as provided by law.

SECTION 3. ORS 171.857 is amended to read:

171.857. (1) The President of the Senate and the Speaker of the House of Representatives shall jointly appoint a special legislative committee to issue a report pursuant to section 8, Article VIII of the Oregon Constitution.

(2) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(3) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

[(2)] (4) The Legislative Assembly in the report shall:

(a) Demonstrate that the amount within the budget appropriated for the state's system of kindergarten through grade 12 public education is the amount of moneys as determined by the Quality Education Commission established by ORS 327.500 that is sufficient to meet the quality goals; or

(b) Identify the reasons that the amount appropriated for the state's system of kindergarten through grade 12 public education is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the ability of the state's system of kindergarten through grade 12 public education to meet the quality goals. In identifying the impact of the insufficiency, the Legislative Assembly shall include in the report how the amount appropriated in the budget may affect both the current practices and student performance identified by the commission under ORS 327.506 (4)(a) and the best practices and student performance identified by the commission under ORS 327.506 (4)(b).

[(3)(a)] **(5)(a)** Notwithstanding subsection *[(2)]* (4) of this section, the Legislative Assembly may make a determination that the report of the Quality Education Commission should not be used as the basis for carrying out the reporting requirements of section 8, Article VIII of the Oregon Con-

stitution, and subsection [(2)] (4) of this section. If the report is not used, the Legislative Assembly shall identify the reasons for not using the report to meet the reporting requirements and shall outline an alternative methodology for making the findings required by section 8, Article VIII of the Oregon Constitution.

(b) The alternative methodology shall be based on:

(A) Research, data and public values; and

(B) The performance of successful schools, professional judgment or a combination of the performance of successful schools and professional judgment.

(c) The Legislative Assembly shall include in the report that uses the alternative methodology a determination of how the amount appropriated may affect the ability of the state's system of kindergarten through grade 12 public education to meet quality goals established by law, including expected student performance against those goals.

[(4)] (6) The Legislative Assembly shall identify in the report whether the state's system of post-secondary public education has quality goals established by law. If there are quality goals, the Legislative Assembly shall include in the report a determination that the amount appropriated in the budget is sufficient to meet those goals or an identification of the reasons the amount appropriated is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the ability of the state's system of post-secondary public education to meet those quality goals.

[(5)] (7) The report shall be issued within 180 days after the regular session of the Legislative Assembly adjourns sine die.

[(6)] (8) The Legislative Assembly shall provide public notice of the report's issuance, including posting the report on the Internet and providing a print version of the report upon request.

SECTION 4. ORS 173.191 is amended to read:

173.191. (1) The Legislative Counsel Committee shall consist of the Speaker of the House of Representatives, the President of the Senate, [*five*] members of the House appointed by the Speaker[,] and [*four*] members of the Senate appointed by the President. The Speaker of the House of Representatives and the President of the Senate may each designate from among the members of the appropriate house an alternate to exercise powers as a member of the committee. The appointing authorities shall appoint members of a new committee within 30 days after the convening of the Legislative Assembly in regular session.

(2) The term of a member of the committee shall expire upon the convening of the Legislative Assembly in regular session next following the member's appointment. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(3) The committee has a continuing existence and may meet, act and conduct its business during the sessions of the Legislative Assembly or any recess thereof, and in the interim period between sessions but the committee has no authority to affect the rules of either house.

(4) The **Legislative Counsel** Committee may appoint advisory committees or subcommittees. Except as otherwise provided in this subsection, individuals other than members of the Legislative Assembly may serve on such advisory committees or subcommittees. A member of such committee or subcommittee who is not a member of the Legislative Assembly shall be compensated and reimbursed in the manner provided in ORS 292.495. An advisory committee or subcommittee appointed to assist the **Legislative Counsel** Committee in review of state agency rules may consist only of two or more members of the Legislative Assembly.

(5) The Legislative Counsel Committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

SECTION 5. ORS 173.730 is amended to read:

173.730. (1) The Legislative Administration Committee shall consist of the Speaker of the House of Representatives, the President of the Senate, [*four*] members of the House appointed by the

Speaker[,] and *[three]* members of the Senate appointed by the President. The Speaker of the House of Representatives and the President of the Senate may each designate an alternate from time to time from among the members of the house over which that person presides to exercise the powers, except as cochairperson, as a member of the committee. No more than three House members of the committee shall be of the same political party. No more than three Senate members of the committee shall be of the same political party.

(2) The committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof, and in the interim period between sessions.

(3) The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, until such vacancy is filled, the membership of the committee shall be deemed not to include the vacant position for the purpose of determining whether a quorum is present and a quorum is a majority of the remaining members.

(4) The presiding officers shall act as cochairpersons and may alternate at succeeding meetings as presiding chairperson of the committee and vice chairperson thereof. The cochairpersons, jointly or singly, may, in addition to other acts authorized, approve voucher claims.

[(5) Action of the committee shall be taken only upon the affirmative vote of the majority of members from each house who serve as members of the committee.]

(5) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

SECTION 6. ORS 171.580 is amended to read:

171.580. (1) There is created a Joint Legislative Audit Committee consisting of the *[chair of the House Ways and Means Committee, the chair of the Senate Ways and Means Committee]* **cochairs of the Joint Committee on Ways and Means**, *[four]* members of the House of Representatives appointed by the Speaker and *[four]* members of the Senate appointed by the President.

(2) The committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof and in the interim between sessions.

(3) The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, until such vacancy is filled, the membership of the committee shall be considered not to include the vacant position for the purpose of determining whether a quorum is present and a quorum is a majority of the remaining members.

(4) Members of the committee shall receive an amount equal to that authorized under ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent in the performance of their duties as members of the committee or any subcommittee thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in out-of-state travel, members shall be entitled to receive their actual and necessary expenses therefor in lieu of the amount authorized by this subsection. Payment shall be made from funds appropriated to the Legislative Assembly.

[(5) Action of the committee shall be taken only upon the affirmative vote of the majority of members of the committee.]

(5) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

[(6)] (7) The Legislative Fiscal Office shall furnish to the committee such services of personnel and such other facilities as are necessary to enable the committee to carry out its functions as directed by law, with such assistance as the Division of Audits and Oregon Department of Administrative Services can provide.

Passed by Senate April 9, 2007

Repassed by Senate June 26, 2007

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Secretary of Senate

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President of Senate

Passed by House June 26, 2007

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Speaker of House

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State