

Senate Bill 912

Sponsored by Senator G GEORGE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits member of Legislative Assembly, while in office, from receiving consideration for lobbying or accepting appointment to position in executive department.

Prohibits former member of Legislative Assembly from being compensated lobbyist or from accepting appointment to position in executive department during period beginning on date person ceases being member and ending on date of adjournment sine die of next regular legislative session.

Applies prohibition to terms of office beginning on or after effective date of Act.

A BILL FOR AN ACT

1
2 Relating to government ethics; creating new provisions; and amending ORS 171.756 and 244.045.

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

4 **SECTION 1.** ORS 171.756 is amended to read:

5 171.756. (1) A lobbyist may not instigate the introduction of any legislative action for the pur-
6 pose of obtaining employment to lobby in opposition to the legislative action.

7 (2) A lobbyist may not attempt to influence the vote of any member of the Legislative Assembly
8 by the promise of financial support of the candidacy of the member, or by threat of financing oppo-
9 sition to the candidacy of the member, at any future election.

10 (3) A person may not lobby or offer to lobby for consideration any part of which is contingent
11 upon the success of any lobbying activity.

12 (4) **If an individual is a legislative official other than a member of the Legislative Assembly**
13 **or an executive official, the individual may [not] receive consideration [other than] for lobbying**
14 **only from the State of Oregon for acting as a lobbyist in Oregon.**

15 **SECTION 2.** Section 3 of this 2007 Act is added to and made a part of ORS chapter 244.

16 **SECTION 3.** A member of the Legislative Assembly may not:

17 (1) **Receive consideration for acting as a lobbyist as defined in ORS 171.725.**

18 (2) **Accept appointment to a position for which the appointing authority is an officer or**
19 **entity in the executive department as defined in ORS 174.112.**

20 **SECTION 4.** ORS 244.045 is amended to read:

21 244.045. (1) A person who has been a Public Utility Commissioner, the Director of the Depart-
22 ment of Consumer and Business Services, the Administrator of the Division of Finance and Corpo-
23 rate Securities, the Administrator of the Insurance Division, the Administrator of the Oregon Liquor
24 Control Commission or the Director of the Oregon State Lottery [*shall*] **may not:**

25 (a) Within one year after the public official ceases to hold the position become an employee of
26 or receive any financial gain, other than reimbursement of expenses, from any private employer
27 engaged in the activity, occupation or industry over which the former public official had authority;

28 or

29 (b) Within two years after the public official ceases to hold the position:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (A) Be a lobbyist for or appear as a representative before the agency over which the person
2 exercised authority as a public official;

3 (B) Influence or try to influence the actions of the agency; or

4 (C) Disclose any confidential information gained as a public official.

5 (2) A person who has been a Deputy Attorney General or an assistant attorney general *[shall]*
6 **may** not, within two years after the person ceases to hold the position, lobby or appear before an
7 agency that the person represented while employed by the Department of Justice.

8 (3) A person who has been the State Treasurer or the Chief Deputy State Treasurer *[shall]* **may**
9 not, within one year after ceasing to hold office:

10 (a) Accept employment from or be retained by any private entity with whom the office of the
11 State Treasurer or the Oregon Investment Council negotiated or to whom either awarded a contract
12 providing for payment by the state of at least \$25,000 in any single year during the term of office
13 of the treasurer;

14 (b) Accept employment from or be retained by any private entity with whom the office of the
15 State Treasurer or the Oregon Investment Council placed at least \$50,000 of investment moneys in
16 any single year during the term of office of the treasurer; or

17 (c) Be a lobbyist for an investment institution, manager or consultant, or appear before the of-
18 fice of the State Treasurer or Oregon Investment Council as a representative of an investment in-
19 stitution, manager or consultant.

20 (4) A public official who as part of the official's duties invested public funds *[shall]* **may** not
21 within two years after the public official ceases to hold the position:

22 (a) Be a lobbyist or appear as a representative before the agency, board or commission for which
23 the former public official invested public funds;

24 (b) Influence or try to influence the agency, board or commission; or

25 (c) Disclose any confidential information gained as a public official.

26 (5)(a) A person who has been a member of the Department of State Police, who has held a po-
27 sition with the department with the responsibility for supervising, directing or administering pro-
28 grams relating to gaming by a Native American tribe or the Oregon State Lottery and who has been
29 designated by the Superintendent of State Police by rule *[shall]* **may** not, within one year after the
30 member of the Department of State Police ceases to hold the position:

31 (A) Accept employment from or be retained by or receive any financial gain related to gaming
32 from the Oregon State Lottery or any Native American tribe;

33 (B) Accept employment from or be retained by or receive any financial gain from any private
34 employer selling or offering to sell gaming products or services;

35 (C) Influence or try to influence the actions of the Department of State Police; or

36 (D) Disclose any confidential information gained as a member of the Department of State Police.

37 (b) This subsection does not apply to:

38 (A) Appointment or employment of a person as an Oregon State Lottery Commissioner or as a
39 Tribal Gaming Commissioner or regulatory agent thereof;

40 (B) Contracting with the Oregon State Lottery as a lottery game retailer;

41 (C) Financial gain received from personal gaming activities conducted as a private citizen; or

42 (D) Subsequent employment in any capacity by the Department of State Police.

43 (c) As used in this subsection, "Native American tribe" means any recognized Native American
44 tribe or band of tribes authorized by the Indian Gaming Regulatory Act of October 17, 1988 (Public
45 Law 100-497), 25 U.S.C. 2701 et seq., to conduct gambling operations on tribal land.

1 **(6) A person who has been a member of the Legislative Assembly may not, during the**
2 **period beginning on the date the person ceases to be a member of the Legislative Assembly**
3 **and ending on the date of adjournment sine die of the next regular session of the Legislative**
4 **Assembly that begins after the date the person ceases to be a member of the Legislative**
5 **Assembly:**

6 **(a) Use or attempt to use the person’s position as a former member of the Legislative**
7 **Assembly to obtain financial gain as a lobbyist as defined in ORS 171.725; or**

8 **(b) Accept appointment to a position for which the appointing authority is an officer or**
9 **entity in the executive department as defined in ORS 174.112.**

10 **SECTION 5.** **Section 3 of this 2007 Act and the amendments to ORS 244.045 by section 4**
11 **of this 2007 Act apply to members of the Legislative Assembly whose terms of office begin**
12 **on or after the effective date of this 2007 Act.**

13 _____