

House Bill 2241

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Board of Chiropractic Examiners)

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**.

Increases amount certain health professional regulatory boards may provide to board members for time spent in performance of official duties to amount fixed for per diem allowance authorized by United States Internal Revenue Service to be excluded from gross income without itemization. Excludes Oregon Medical Board and Oregon State Board of Nursing.

A BILL FOR AN ACT

1
2 Relating to compensation paid to members of state boards or commissions; creating new provisions;
3 and amending ORS 292.495 and 687.115.

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

5 **SECTION 1.** ORS 292.495 is amended to read:

6 292.495. (1)(a) Subject to the availability of funds [*therefor*] in the budget of the state board or
7 commission, and except as otherwise provided by law, any member of a state board or
8 commission[, *other than a member who is employed in full-time public service,*] who is authorized by
9 law to receive compensation for time spent in performance of official duties[,] shall receive a pay-
10 ment of \$30 for each day or portion [*thereof*] **of each day** during which the member is actually en-
11 gaged in the performance of official duties.

12 **(b) Except as provided in ORS 677.280 and 678.150, for a health professional regulatory**
13 **board as defined in ORS 676.160, subject to the availability of funds in the budget of the**
14 **board, any member of the board who is authorized by law to receive compensation for time**
15 **spent in performance of official duties shall receive a payment of the amount fixed for per**
16 **diem allowance that is authorized by the United States Internal Revenue Service to be ex-**
17 **cluded from gross income without itemization for each day or portion of each day during**
18 **which the member is actually engaged in the performance of official duties.**

19 **(c) A member of a state board or commission who is employed in full-time public service**
20 **may not receive compensation under this subsection.**

21 (2)(a) Except as otherwise provided by law, [*all members of state boards and commissions, in-*
22 *cluding those*] **any member of a state board or commission, including a member who is em-**
23 **ployed in full-time public service, may receive actual and necessary travel or other expenses**
24 **actually incurred in the performance of [*their*] official duties within the limits provided by law or**
25 **by the Oregon Department of Administrative Services under ORS 292.210 to 292.250.**

26 [(3)] **(b) As used in this subsection [(2) of this section], "other expenses" includes expenses in-**
27 **curring by a member of a state board or commission in employing a substitute to perform duties,**
28 **including personal, normally performed by the member [*which*] that the member is unable to perform**
29 **because of the performance of official duties and [*which*] that by the nature of [*such*] the duties**
30 **cannot be delayed without risk to health or safety.**

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 **(3) [No] A member [shall] of a state board or commission may not** be reimbursed for expenses
2 incurred in employing a substitute in excess of \$25 per day.

3 **SECTION 2.** ORS 687.115 is amended to read:

4 687.115. (1) The State Board of Massage Therapists shall operate as a semi-independent state
5 agency subject to ORS 182.456 to 182.472, for purposes of carrying out the provisions of ORS 687.011
6 to 687.250, 687.895 and 687.991. The board shall be composed of seven members, four of whom shall
7 be licensed massage therapists and three of whom shall be members of the public, including one
8 public member selected from a health related field, who shall be appointed by the Governor for
9 terms of four years. Members serve at the option of the Governor.

10 (2) Members are entitled to compensation and expenses as [*determined by the board*] **provided**
11 **in ORS 292.495.**

12 (3) The board may:

13 (a) Hold meetings at times and locations determined by the board.

14 (b) Hire, define the duties and fix the salary of an administrator who may hire and define the
15 duties and provide supervision and evaluation of other employees as necessary to carry out the
16 provisions of ORS 687.011 to 687.250, 687.895 and 687.991. The administrator, with approval of the
17 board, may also employ special consultants. All salaries, compensation and expenses incurred or
18 allowed shall be paid out of funds received by the board.

19 **SECTION 3. The amendments to ORS 292.495 and 687.115 by sections 1 and 2 of this 2009**
20 **Act apply to compensation for time spent in performance of official duties that occurs on**
21 **or after the effective date of this 2009 Act.**