

75th OREGON LEGISLATIVE ASSEMBLY – 2010 Special Session
STAFF MEASURE SUMMARY
House Committee on Rules

**** CORRECTED ****
MEASURE: HB 3638 A
CARRIER: Rep. Hanna
Rep. Nolan

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 1
Yeas:	Berger, Edwards, Garrard, Garrett, Gelser, Hanna, Nolan, Read, Roblan
Nays:	0
Exc.:	Jenson
Prepared By:	Cheyenne Ross, Administrator
Meeting Dates:	2/8, 2/16

WHAT THE MEASURE DOES: Prohibits former members of Legislative Assembly from employment as public officials in state government for one year from time their legislative service ends, unless position is advertised, minimum qualifications do not include legislative service, and employer considers other qualified applicants. Does not apply to judicial office and positions subject to Senate confirmation. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Response to perception of impropriety, rather than actual or existing problem
- Broad definition of “public official”
- Possibility of carving-out exceptions for non-lobbying positions for those returning to previous employment after legislative service, and an exception so as not to interfere with an elected official’s ability to select cabinet

EFFECT OF COMMITTEE AMENDMENT: Excepts elected positions and appointments to judicial office and positions subject to Senate confirmation; changes period of prohibition to one year; and allows former member to take a position in state government so long as recruitment for position is advertised, minimum qualifications do not include legislative service, and employer considers other qualified applicants.

BACKGROUND: Current law (ORS 244.045) already prohibits a former member of the Legislative Assembly from receiving money or other consideration for lobbying from the time their legislative service ends until the adjournment sine die of the next regular legislative session following their departure. House Bill 3638A similarly prohibits former members from accepting positions in state government for a year, unless the hiring process is open and competitive with the public.

2/26/2010 11:42:00 AM

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

Committee Services Form – 2010 Special Session