

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 1
Yeas:	Berger, Edwards, Garrard, Garrett, Gelser, Hanna, Jenson, Read, Roblan
Nays:	0
Exc.:	Nolan
Prepared By:	Cheyenne Ross, Administrator
Meeting Dates:	2/19, 2/22

WHAT THE MEASURE DOES: Allows state boards and commissions to meet by telephone or other electronic means. Clarifies that members who participate by phone or other electronic means are not entitled to compensation or reimbursement for expenses. Provides discretion to give per diem to nonelected members of boards and commissions, not employed in public service full time, who participate in official duties by telephone or other electronic means. Increases Oregon State Board of Pharmacy to eight members and adds one licensed pharmacy technician. Repeals Pacific Fisheries Legislative Task Force, Columbia River Resource Task Force, and Healthy Streams Partnership. Allows appointment of up to two educators to Board of Education. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Cleanup measure to extinguish finished and inactive task forces, codify current practice and make uniform

EFFECT OF COMMITTEE AMENDMENT: Allows appointment of up to two educators to Board of Education.

BACKGROUND: Most major state agencies and departments are headed by policy-making boards and commissions many of the boards and commissions governing statutes are silent as to whether legislative members can receive per diem compensation or mileage reimbursement related to their participation. For those lacking statutory clarity, Senate Bill 1014B specifies whether legislators are eligible based on the board or commission's current practice, and whether its non-legislative members receive per diem compensation or mileage reimbursement.

ORS 192.670 requires that meetings of a state board or commission conducted by telephone or other electronic communication be conducted in accordance with public meeting laws. However, current law is unclear whether state boards and commissions have the authority to meet by telephone or electronic means. Senate Bill 1014B clarifies that they may and that members who participate by such means do not receive compensation or reimbursement.

ORS 292.495 allows nonelected members of state boards or commissions who are not full-time public servants to receive per diem compensation when engaged in the performance of official duties. There are boards and commissions that require members to participate in meetings that last an entire business day or that occur over multiple business days to receive per diem?. These meetings require a substantial commitment by members, whether participation occurs by phone or in person. Senate Bill 1014B provides state boards and commissions with the discretion to give nonelected members per diem compensation for the performance of official duties by telephone or other electronic means, provided they are not full-time public servants.

House Bill 2058 (2009) and House Bill 2118 (2009) amended different provisions of the statutes governing the membership, qualifications, and terms of the Oregon State Board of Pharmacy (OSBP). However, the measures were not reconciled and only the provisions in House Bill 2058 were codified. Senate Bill 1014B corrects this oversight by adding one licensed pharmacy technician to the OSBP.

2/22/2010 6:38:00 PM

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