

REVENUE: No revenue impact

FISCAL: No fiscal impact

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Action:	Do Pass
Vote:	5 - 0 - 0
Yeas:	Atkinson, Burdick, Ferrioli, Metsger, Devlin
Nays:	-
Exc.:	-
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	2/15

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**WHAT THE MEASURE DOES:** Allows legislative staff to explain vote of legislator on measures referred to voters. Declares emergency; effective upon passage.

**ISSUES DISCUSSED:**

- Provisions of the measure

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** ORS 260.432 prohibits a public employee from promoting or opposing the adoption of a measure “while on the job during working hours.” When a measure passed by the Legislative Assembly is submitted to the people for their approval or rejection at an election, a public employee is prohibited from utilizing work time to support or oppose the measure. Subsequently, legislative staff may only respond to inquiries about potential or certified ballot measures with factual information regarding the measure or the potential effects of the measure if the measure is approved. Members of the Legislative Assembly, as elected officials, are not bound by the restrictions of ORS 260.432 and are required to respond to any inquiries related to promoting or opposing the adoption of a ballot measure.

ORS 260.432 prohibits a staff member of an elected official from responding to constituent questions, directly or on the behalf of the official, when they are related to the political nature of possible or certified legislative referrals. Legislative assistants are prohibited from participating in any communications with constituents when asked why an elected official voted for or against a measure referred to voters. Any participation in addressing such a question, even in course of their daily responsibilities as staff to an elected official, would be prohibited because the response would not be completely impartial.

Senate Bill 1043 permits legislative staff to explain the vote of a legislator on measures referred to voters.