

# House Bill 2752

Sponsored by Representative CLEM (at the request of Marcia Kelley) (Pre-session filed.)

## 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**.

Requires employees of Department of Transportation who perform functions concerning economic regulation of railroads to file statement regarding holdings of employee and certain others of any pecuniary interest in any business or activity subject to department's economic regulation of railroads.

Becomes operative January 1, 2012.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to statement of holdings made by Department of Transportation employees; creating new  
3 provisions; amending ORS 823.007; and declaring an emergency.

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

5 **SECTION 1.** ORS 823.007 is amended to read:

6 823.007. (1) Each employee of the Department of Transportation who performs functions con-  
7 cerning economic regulation of motor carriers **or railroads** shall file with the department a state-  
8 ment regarding holdings of the employee and the holdings of the employee's spouse and minor  
9 children of any pecuniary interest in any business or activity subject to the department's economic  
10 regulation of motor carriers **or railroads**. Supplementary statements shall be filed as such  
11 pecuniary interests are acquired or divested. The statements shall be in such form as the department  
12 prescribes. If the department determines that an employee or spouse or minor child of the employee  
13 holds any such pecuniary interest that may interfere with the impartial discharge of the employee's  
14 duties, the department shall order divestiture of the interest.

15 (2) The department shall determine by rule what constitutes a function concerning economic  
16 regulation of motor carriers **or railroads** for purposes of this section.

17 (3) Nothing in subsections (1) and (2) of this section is intended to authorize any act otherwise  
18 prohibited by law.

19 (4) **As used in this section, "railroad" has the meaning given that term in ORS 824.020.**

20 **SECTION 2.** The amendments to ORS 823.007 by section 1 of this 2011 Act become oper-  
21 ative January 1, 2012.

22 **SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public  
23 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect  
24 on its passage.  
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**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.