

**PRELIMINARY STAFF MEASURE SUMMARY****CARRIER:**

House Committee on Consumer Protection and Government Effectiveness

**REVENUE: No revenue impact****FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO: None****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Wendy Simons, Administrator**Meeting Dates:**

**WHAT THE MEASURE DOES:** Expands membership of Oregon Government Ethics Commission (OGEC) from seven to nine members on July 1, 2016. Specifies method for selecting members. Provides procedure for executive director of commission to conduct Preliminary Review Phase of ethics complaints and limits period of time for review to 30 days. Requires commission to make complaints filed, motions acted upon and findings issued searchable on Internet on or after January 1, 2017, for actions other than dismissal of complaint, rescission of motion or continuation of investigation. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:****EFFECT OF COMMITTEE AMENDMENT:**

Proposed -3 amendment: Provides that Governor will appoint eight members of OGEC from persons recommended by the Legislative Assembly, two each by leadership of Democratic and Republican parties in each house. Remaining member appointed by Governor without leadership recommendation. Requires no more than three members of OGEC may be members of same political party. Clarifies that executive session to hear results of Preliminary Phase Review and make determination as to whether there is cause to undertake investigation is not required to be held within 30 day time limit. Provides that if the commission does not affirmatively vote to undertake an investigation, dismiss the complaint or rescind its motion, the nonaction shall be considered a dismissal of the complaint or a rescission of its motion.

**BACKGROUND:** Currently the Oregon Government Ethics Commission is made up of seven members, four of which are appointed by the Governor from persons recommended by the leadership of the Democratic and Republican parties in each house of the Legislative Assembly. The other three members are appointed by the Governor without leadership recommendation, with no more than two members being members of the same political party.

After receiving a complaint or deciding to proceed on its own motion regarding a possible ethics violation, the commission is required to notify the subject of the complaint within two business days and the executive director of the commission must undertake a Preliminary Review Phase to determine whether there is cause to undertake an investigation. Currently, the Preliminary Review Phase is limited to 135 days, with provision for a candidate for election to request a delay if the candidate is the subject of a complaint within 61 days before the election. The results of the Preliminary Review Phase are considered in an executive session meeting of the OGEC, at which the commission makes a final determination about whether to undertake an investigation. House Bill 2019 expands the membership of the OGEC from seven to nine members, and limits the Preliminary Review Phase to 30 days.

4/13/2015 4:48:00 PM \*

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

Committee Services Form – 2015 Regular Session