

STAFF MEASURE SUMMARY

House Committee On Consumer Protection and Government Effectiveness

Fiscal: Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 04/21/15**Action:** Do Pass As Amended, Be Printed Engrossed, And Bill Be Referred To Ways And Means.**Meeting Dates:** 04/14, 04/16, 04/21**Vote:**

Yeas: 7 - Buehler, Fagan, Holvey, McLain, Nearman, Rayfield, Stark

Prepared By: Wendy Simons, Committee Administrator**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. Removes requirement for OGEC to suspend investigation if criminal investigation commences relating to same issues or conduct. Requires Commission to make certain information searchable online on or after January 1, 2017. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Governor's package of government ethics bills
- Length of time necessary for conducting Preliminary Review Phase
- Effect of shortening length of Preliminary Review Phase

EFFECT OF COMMITTEE 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 chamber, and remaining member appointed by Governor without leadership recommendation. Requires that no more than three members of OGEC be members of same political party. Clarifies that executive session to hear results of Preliminary Phase Review and make determination 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, non-action shall be considered dismissal or rescission.

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 chamber 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 the provision allowing 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-A expands the membership of the OGEC from seven to nine members, and limits the Preliminary Review Phase to 30 days.