

SENATE AMENDMENTS TO SENATE BILL 43

By COMMITTEE ON RULES

May 12

1 On page 1 of the printed bill, line 2, after “provisions;” delete the rest of the line and insert
2 “amending ORS 171.735, 171.740 and 171.745; repealing section 3, chapter 701, Oregon Laws 2013;
3 and declaring an emergency.”.

4 Delete lines 4 through 29.

5 On page 2, delete lines 1 through 8 and insert:

6 “**SECTION 1.** ORS 171.735 is amended to read:

7 “171.735. (1) **Except as provided in subsections (2) and (3) of this section, ORS 171.740 and**
8 **171.745 apply to any person who is a lobbyist and who:**

9 “(a) **Agrees to provide personal services for money or any other consideration for the**
10 **purpose of lobbying in this state;**

11 “(b) **Is not subject to paragraph (a) of this subsection, but who provides personal services**
12 **as a representative of a corporation, association, organization or other group, for the pur-**
13 **pose of lobbying in this state and who:**

14 “(A) **Receives compensation as defined in ORS 292.951, money or any other consideration,**
15 **for lobbying;**

16 “(B) **Spends an aggregate amount of more than 24 hours lobbying in a calendar quarter;**
17 **or**

18 “(C) **Spends an aggregate amount of more than \$100 lobbying legislative officials or**
19 **executive officials during a calendar quarter; or**

20 “(c) **Is also a public official serving a public body as defined in ORS 174.109, and who:**

21 “(A) **Holds a position with a written job description that includes lobbying;**

22 “(B) **Spends an aggregate amount of more than 24 hours lobbying in a calendar quarter;**

23 **or**

24 “(C) **Spends an aggregate amount of more than \$100 lobbying legislative officials or**
25 **executive officials during a calendar quarter.**

26 “(2) **In determining whether the criteria set forth in subsection (1)(b)(A), (1)(b)(C) or**
27 **(1)(c)(C) of this section have been satisfied, the reimbursement or amounts expended for**
28 **personal living and travel expenses and office overhead, including salaries and wages paid for**
29 **staff and secretarial assistance, and maintenance expenses, shall be excluded.**

30 “(3) **ORS 171.740 and 171.745 do not apply to the following persons:**

31 “[1] (a) **News media, or their employees or agents, that in the ordinary course of business di-**
32 **rectly or indirectly urge legislative action but that engage in no other activities in connection with**
33 **the legislative action.**

34 “[2] (b) **Any legislative official acting in an official capacity.**

35 “[3] (c) **Any person who does not meet the definition of lobbyist set forth in ORS 171.725**

1 **(9), including an individual meeting with a member of the Legislative Assembly in a personal**
2 **capacity or an** individual who does not receive compensation or reimbursement of expenses for
3 lobbying, who limits lobbying activities solely to formal appearances to give testimony before public
4 sessions of committees of the Legislative Assembly, or public hearings of state agencies, and who,
5 when testifying, registers an appearance in the records of the committees or agencies.

6 “[*(4) A person who does not:*]

7 “[*(a) Agree to provide personal services for money or any other consideration for the purpose of*
8 *lobbying;*]

9 “[*(b) Spend more than an aggregate amount of 24 hours during any calendar quarter lobbying;*
10 *and*]

11 “[*(c) Spend an aggregate amount in excess of \$100 lobbying during any calendar quarter.*]

12 “[*(5)*” **(d)** The Governor, chief of staff for the Governor, deputy chief of staff for the Governor,
13 legal counsel to the Governor, deputy legal counsel to the Governor, Secretary of State, Deputy
14 Secretary of State appointed pursuant to ORS 177.040, State Treasurer, Deputy State Treasurer ap-
15 pointed pursuant to ORS 178.060, chief of staff for the office of the State Treasurer, Attorney Gen-
16 eral, Deputy Attorney General appointed pursuant to ORS 180.130, Deputy Superintendent of Public
17 Instruction appointed pursuant to ORS 326.300, Commissioner of the Bureau of Labor and Industries,
18 deputy commissioner of the Bureau of Labor and Industries appointed pursuant to ORS 651.060,
19 members and staff of the Oregon Law Commission who conduct the law revision program of the
20 commission or any judge.

21 **“(e) An elected public official:**

22 **“(A) Who is elected to serve a:**

23 **“(i) Local government;**

24 **“(ii) Local service district as defined in ORS 174.116; or**

25 **“(iii) Special government body as defined in ORS 174.117; and**

26 **“(B) Whose lobbying activities are limited to lobbying in the public official’s official ca-**
27 **capacity as an elected official.**

28 **“(f) A representative of a corporation, association, organization or other group who is**
29 **responsible for supervising lobbying activities of the corporation, association, organization**
30 **or other group in this state or other states, but who does not spend an aggregate amount**
31 **of more than 24 hours lobbying in this state during a calendar quarter.”.**

32 In line 14, delete “(5)” and insert “(1)” and after “lobbyist” insert “who is not exempt from filing
33 a statement under ORS 171.735 (2) or (3)”.

34 On page 3, after line 10, insert:

35 **“SECTION 3.** ORS 171.745, as amended by section 2, chapter 701, Oregon Laws 2013, is
36 amended to read:

37 **“171.745. (1) A lobbyist registered with the Oregon Government Ethics Commission or required**
38 **to register with the commission shall, according to the schedule described in ORS 171.752, file with**
39 **the commission a statement showing for the applicable reporting period:**

40 **“(a) The total amount of all moneys expended for food, refreshments and entertainment by the**
41 **lobbyist for the purpose of lobbying.**

42 **“(b) The name of any legislative official or executive official to whom or for whose benefit, on**
43 **any one occasion, an expenditure is made for the purposes of lobbying, and the date, name of payee,**
44 **purpose and amount of that expenditure. This paragraph applies if the total amount expended on the**
45 **occasion by one or more persons exceeds \$50.**

1 “(2) Statements required by this section need not include:

2 “(a) Amounts expended by the lobbyist for personal living and travel expenses and office over-
3 head, including salaries and wages paid for staff and secretarial assistance, and maintenance
4 expenses[.]; or

5 “(b) Amounts expended by the lobbyist on lobbying another lobbyist who is registered
6 with the commission or required to register with the commission, or on lobbying any person
7 on whose behalf a lobbyist is registered or required to register. This paragraph does not ap-
8 ply if the person lobbied is a legislative official, an executive official or a member of a state
9 board or commission.

10 “(3) If the amount of any expenditure required to be included in a statement is not accurately
11 known at the time the statement is required to be filed, an estimate of the expenditure shall be
12 submitted in the statement and designated as an estimate. The exact amount expended for which
13 a previous estimate was made shall be submitted in a subsequent report when the information is
14 available.

15 “(4) A statement required by this section shall include a copy of any notice provided to a public
16 official or candidate under ORS 244.100.

17 “**SECTION 4. Section 3, chapter 701, Oregon Laws 2013, is repealed.**

18 “**SECTION 5. If this 2017 Act does not become effective until after June 30, 2017, the re-
19 peal of section 3, chapter 701, Oregon Laws 2013, by section 4 of this 2017 Act revives section
20 1, chapter 701, Oregon Laws 2013. If this 2017 Act does not become effective until after June
21 30, 2017, this 2017 Act shall be operative retroactively to that date, and the operation and
22 effect of section 1, chapter 701, Oregon Laws 2013, shall continue unaffected from June 30,
23 2017, to the effective date of this 2017 Act and thereafter. Any otherwise lawful action taken
24 or otherwise lawful obligation incurred under the authority of section 1, chapter 701, Oregon
25 Laws 2013, after June 30, 2017, and before the effective date of this 2017 Act, is ratified and
26 approved.”.**

27 In line 11, delete “3” and insert “6”.

28 After line 14, insert:

29 “**SECTION 7. This 2017 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
31 on its passage.”.**

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