

Requested by Senator BOQUIST

**PROPOSED AMENDMENTS TO
SENATE BILL 43**

1 On page 1 of the printed bill, line 2, after “provisions;” delete the rest
2 of the line and insert “amending ORS 171.735, 171.740 and 171.745; repealing
3 section 3, chapter 701, Oregon Laws 2013; 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**
8 **section, ORS 171.740 and 171.745 apply to any person who is a lobbyist**
9 **and who:**

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

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

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

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

20 **“(C) Spends an aggregate amount of more than \$100 lobbying legis-**
21 **lative officials or executive officials during a calendar quarter; or**

1 “(c) Is also a public official serving a public body as defined in ORS
2 174.109, and who:

3 “(A) Holds a position with a written job description that includes
4 lobbying;

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

7 “(C) Spends an aggregate amount of more than \$100 lobbying legis-
8 lative officials or executive officials during a calendar quarter.

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

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

16 “[(1)] (a) News media, or their employees or agents, that in the ordinary
17 course of business directly or indirectly urge legislative action but that en-
18 gage in no other activities in connection with the legislative action.

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

20 “[(3)] (c) Any person who does not meet the definition of lobbyist set
21 forth in ORS 171.725 (9), including an individual meeting with a mem-
22 ber of the Legislative Assembly in a personal capacity or an individual
23 who does not receive compensation or reimbursement of expenses for lobby-
24 ing, who limits lobbying activities solely to formal appearances to give tes-
25 timony before public sessions of committees of the Legislative Assembly, or
26 public hearings of state agencies, and who, when testifying, registers an ap-
27 pearance in the records of the committees or agencies.

28 “[(4) A person who does not:]

29 “[(a) Agree to provide personal services for money or any other consider-
30 ation for the purpose of lobbying:]

1 “[(b) Spend more than an aggregate amount of 24 hours during any calen-
2 dar quarter lobbying; and]

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

5 “[(5)] **(d)** The Governor, chief of staff for the Governor, deputy chief of
6 staff for the Governor, legal counsel to the Governor, deputy legal counsel
7 to the Governor, Secretary of State, Deputy Secretary of State appointed
8 pursuant to ORS 177.040, State Treasurer, Deputy State Treasurer appointed
9 pursuant to ORS 178.060, chief of staff for the office of the State Treasurer,
10 Attorney General, Deputy Attorney General appointed pursuant to ORS
11 180.130, Deputy Superintendent of Public Instruction appointed pursuant to
12 ORS 326.300, Commissioner of the Bureau of Labor and Industries, deputy
13 commissioner of the Bureau of Labor and Industries appointed pursuant to
14 ORS 651.060, members and staff of the Oregon Law Commission who conduct
15 the law revision program of the commission or any judge.

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

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

18 **“(i) Local government;**

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

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

21 **“(B) Whose lobbying activities are limited to lobbying in the public**
22 **official’s official capacity as an elected official.**

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

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

30 On page 3, after line 10, insert:

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

3 “171.745. (1) A lobbyist registered with the Oregon Government Ethics
4 Commission or required to register with the commission shall, according to
5 the schedule described in ORS 171.752, file with the commission a statement
6 showing for the applicable reporting period:

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

9 “(b) The name of any legislative official or executive official to whom or
10 for whose benefit, on any one occasion, an expenditure is made for the pur-
11 poses of lobbying, and the date, name of payee, purpose and amount of that
12 expenditure. This paragraph applies if the total amount expended on the oc-
13 casion by one or more persons exceeds \$50.

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

15 “(a) Amounts expended by the lobbyist for personal living and travel ex-
16 penses and office overhead, including salaries and wages paid for staff and
17 secretarial assistance, and maintenance expenses[.]; **or**

18 **“(b) Amounts expended by the lobbyist on lobbying another lobbyist**
19 **who is registered with the commission or required to register with the**
20 **commission, or on lobbying any person on whose behalf a lobbyist is**
21 **registered or required to register. This paragraph does not apply if the**
22 **person lobbied is a legislative official, an executive official or a mem-**
23 **ber of a state board or commission.**

24 “(3) If the amount of any expenditure required to be included in a state-
25 ment is not accurately known at the time the statement is required to be
26 filed, an estimate of the expenditure shall be submitted in the statement and
27 designated as an estimate. The exact amount expended for which a previous
28 estimate was made shall be submitted in a subsequent report when the in-
29 formation is available.

30 “(4) A statement required by this section shall include a copy of any no-

1 tice provided to a public official or candidate under ORS 244.100.

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

3 **“SECTION 5. If this 2017 Act does not become effective until after**
4 **June 30, 2017, the repeal of section 3, chapter 701, Oregon Laws 2013,**
5 **by section 4 of this 2017 Act revives section 1, chapter 701, Oregon**
6 **Laws 2013. If this 2017 Act does not become effective until after June**
7 **30, 2017, this 2017 Act shall be operative retroactively to that date, and**
8 **the operation and effect of section 1, chapter 701, Oregon Laws 2013,**
9 **shall continue unaffected from June 30, 2017, to the effective date of**
10 **this 2017 Act and thereafter. Any otherwise lawful action taken or**
11 **otherwise lawful obligation incurred under the authority of section 1,**
12 **chapter 701, Oregon Laws 2013, after June 30, 2017, and before the ef-**
13 **fective date of this 2017 Act, is ratified and approved.”.**

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

15 After line 14, insert:

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

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