



# MEMORANDUM

Prepared for: Oregon State Senate  
Date: May 28, 2020  
By: Tyler Larson, Analyst  
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

## OREGON GOVERNMENT ETHICS COMMISSION

The Governor has appointed the following individual to the Oregon Government Ethics Commission subject to Senate confirmation.<sup>1</sup>

### Appointees

Amber Hollister of Portland, New Appointment

### Term

July 1, 2020 – June 30, 2024

### Appointment/Confirmation Authority

[ORS 244.250 \(2019\)](#)

### Statement of Economic Interest<sup>2</sup>

Required.

### Statutory Requirements<sup>3</sup>

The commission consists of nine members appointed by the Governor and subject to confirmation by the Senate.<sup>4</sup> Eight members must be appointed by the Governor from among persons recommended by legislative leadership: two recommendations each by the leadership of the Democratic and Republican parties in each chamber of the Legislative Assembly. The remaining member is appointed by the Governor without legislative leadership recommendation (FISKUM, non-affiliated).

- House Democrat recommendations (SORTUN, democrat; SOSA, democrat);
- House Republican recommendations (MASON, republican; O'DAY, republican);
- Senate Democrat recommendation (EDWARDS, non-affiliated; **HOLLISTER**, democrat); and
- Senate Republican recommendation (BURKE, libertarian; STARR, republican).

<sup>1</sup> See [Or. Const. art. III sect. 4](#), [ORS 171.562 \(2019\)](#), [ORS 171.565 \(2019\)](#).

<sup>2</sup> See [ORS 244.050 \(2019\)](#).

<sup>3</sup> See [ORS 182.100 \(2019\)](#) for affirmative action policy and [ORS 236.115 \(2019\)](#) for diversity criteria.

<sup>4</sup> [ORS 244.250 \(2019\)](#).

A person who holds any public office for which a statement of economic interest is required, except as a member of the commission, may not be appointed to the commission. No more than three members may be members of the same political party.

Members serve four-year terms and may not serve more than one full term. The commission shall elect a chairperson and vice chairperson for such terms and duties as the commission may require. A quorum consists of five members, but a final decision may not be made without an affirmative vote of a majority of the members appointed to the commission.

## **Duties and Authority**

The commission administers and enforces Oregon's government ethics laws, lobby regulation laws, and the executive session provisions of Oregon's public meetings laws.

The commission must:<sup>5</sup>

- administer statement of economic interest requirements for specified public officials, candidates, and participating political subdivisions;
- develop a filing, coding, and cross-indexing system consistent with the purposes of Oregon government ethics laws;
- receive and review conflict of interest records submitted by a public body;
- receive and review rules or policies adopted by a state agency or statewide public association that interpret provisions of Oregon government ethics laws;
- administer legal expense trust fund requirements for public officials;
- estimate operating expenses for each biennium and assess specified public bodies an appropriate portion of those expenses;
- receive, review, investigate, and report findings on ethics complaints filed by any person with the commission;
- accept and file any information voluntarily supplied that exceeds the requirements of Oregon government ethics laws;
- prepare and publish reports the commission finds are necessary;
- make statements and other information filed with the commission available for public inspection and copying during regular office hours;
- not later than February 1 of each odd-numbered year, report to the Legislative Assembly on any recommended changes to the statutes administered by the commission;
- adopt rules necessary to carry out statutory duties, including the annual review of existing rules and consideration of new rules necessary to implement or interpret government ethics provisions of general interest to public officials or candidates or that staff regularly address;
- administer an electronic filing system for the filing of statements required under Oregon government ethics laws;
- make statements filed with the commission, advisory opinions issued by the commission or the executive director of the commission, findings of a violation of

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<sup>5</sup> [ORS 244.050 to 244.340 \(2019\)](#), [171.740 to 171.778 \(2019\)](#), [192.685 \(2019\)](#).

Oregon government ethics laws, and lobbyist registration statements searchable via the internet;

- appoint an executive director to serve at the pleasure of the commission;
- prepare, publish, and distribute a manual on government ethics that explains the requirements of Oregon government ethics laws and the commission's interpretation of those requirements;
- prepare and present a program of continuing education for public officials;
- annually report to the Legislative Equity Officer on training attended by registered lobbyists; and
- administer lobbyist registration requirements.

The commission may:<sup>6</sup>

- retain or appoint qualified legal counsel when the Attorney General concurrently represents more than one public official or agency in any matter before the commission and certain criteria are met;
- issue and publish written advisory opinions on the application of Oregon government ethics laws to any proposed transaction or action or any actual or hypothetical circumstance; and
- impose civil penalties and issue written letters of reprimand, explanation, or education for specified violations.

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<sup>6</sup> [ORS 244.250 to 244.390 \(2019\)](#).

## Executive Appointments Board Roster

### Government Ethics Commission, Oregon

Agency: None

Authorization: ORS 244.250, HB 2019

Members: Min: 9 Max: 9

Term Length: 4 years Limit: 1

Senate confirmation required? Yes

**Policy Area:** Intergovernmental Relat

**Board Contact:**

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### Current Appointments:

#### Member Name and Address (Alphabetical)

Richard P Burke

Senate Republican Recommendation; Libertarian

Term(s): 09-23-2016 - 09-22-2020

Position Number: 8

Karly A Edwards

Senate Democratic Recommendation; Non-Affiliated

Term(s): 05-25-2018 - 09-22-2020

Position Number: 9

David M Fiskum

Governor's Appointee; Non-Affiliated

Term(s): 05-03-2017 - 05-02-2021

Position Number: 2

Amber A Hollister

Senate Democrats Recommendation, Democrat

Term(s): 07-01-2020 - 06-30-2024

Position Number: 6

Alison R Kean, JD

Senate Democrat Recommendation, Democrat

Term(s): 02-17-2016 - 02-16-2020

Position Number: 6

Daniel C Mason

House Republican Recommendation; Republican

Term(s): 07-01-2017 - 06-30-2021

Position Number: 3

Sean E O'Day

House Republican Recommendation; Republican

Term(s): 06-01-2018 - 05-31-2022

Position Number: 5

Anna K Sortun

House Democrat Recommendation, Democrat

Term(s): 11-25-2019 - 09-24-2021

Position Number: 1

Nathan Sosa

House Democratic Recommendation; Democrat

Term(s): 03-15-2017 - 03-14-2021

Position Number: 4

## Executive Appointments Board Roster

### Government Ethics Commission, Oregon

**Member Name and Address** (Alphabetical)

**Policy Area:** Intergovernmental Relat

Charles L Starr, Senator

Senate Republican Recommendation, Republican

Term(s): 06-01-2017 - 05-31-2021

Position Number: 7