House Bill 3179

Sponsored by Representatives MORGAN, LEVY; Senator THATCHER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires legislative committees to consist of equal members of majority party and of minority party.

A BILL FOR AN ACT


Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, “committee” means a standing, special, joint, conference, interim or legislative statutory committee, or any subcommittee thereof.

(2) A committee must consist of equal members of the majority party and the minority party.

SECTION 2. ORS 171.555 is amended to read:

171.555. (1) Upon election and in compliance with section 1 of this 2021 Act, the President of the Senate and the Speaker of the House of Representatives shall appoint a Joint Committee on Ways and Means. At least two of the members appointed from each house shall have had previous experience on the Joint Committee on Ways and Means. If the Speaker of the House of Representatives or the President of the Senate is a member, either may designate from time to time an alternate from among the members of the respective house to exercise powers as a member of the committee except that the alternate shall not preside if the Speaker or President is chair. The President of the Senate shall appoint one cochair for the joint committee and the Speaker of the House of Representatives shall appoint one cochair for the joint committee. The cochairs of the joint committee shall alternate as presiding officers.

(2) The cochairs of the Joint Committee on Ways and Means are authorized to cause to be investigated, either through the whole of the committee or by a selected subcommittee, any complaints about the management or conduct of any of the state institutions, departments, officers or activities for the support of which state money has been appropriated, or for which appropriations may hereafter be made.

(3) The Joint Committee on Ways and Means may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(4) Action by the Joint Committee on Ways and Means requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

SECTION 3. ORS 171.580 is amended to read:

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

LC 3474
171.580. (1) There is created a Joint Legislative Audit Committee consisting of the cochairs of
the Joint Committee on Ways and Means, members of the House of Representatives appointed by
the Speaker and members of the Senate appointed by the President. **Appointments to the com-
mittee shall be made in compliance with section 1 of this 2021 Act.**

(2) The committee has a continuing existence and may meet, act and conduct its business during
sessions of the Legislative Assembly or any recess thereof and in the interim between sessions.

(3)(a) The term of a member shall expire upon the earlier of:

(A) The date of the convening of the odd-numbered year regular session of the Legislative As-
sembly next following the commencement of the member’s term; or

(B) The date of the convening of an organizational session of the odd-numbered year regular
session of the Legislative Assembly next following the commencement of the member’s term.

(b) When a vacancy occurs in the membership of the committee in the interim between an odd-
numbered year regular session and the earlier of the date of the convening of the next following
odd-numbered year regular session or the date of the convening of an organizational session of the
next following odd-numbered year regular session, until such vacancy is filled, the membership of
the committee shall be considered not to include the vacant position for the purpose of determining
whether a quorum is present and a quorum is a majority of the remaining members.

(4) Members of the committee shall receive an amount equal to that authorized under ORS
171.072 from funds appropriated to the Legislative Assembly for each day spent in the performance
of their duties as members of the committee or any subcommittee thereof in lieu of reimbursement
for in-state travel expenses. However, when engaged in out-of-state travel, members shall be entitled
to receive their actual and necessary expenses therefor in lieu of the amount authorized by this
subsection. Payment shall be made from funds appropriated to the Legislative Assembly.

(5) The committee may not transact business unless a quorum is present. A quorum consists of
a majority of committee members from the House of Representatives and a majority of committee
members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members
from the House of Representatives and a majority of committee members from the Senate.

(7) The Legislative Fiscal Office shall furnish to the committee such services of personnel and
such other facilities as are necessary to enable the committee to carry out its functions as directed
by law, with such assistance as the Division of Audits and Oregon Department of Administrative
Services can provide.

**SECTION 4.** ORS 171.605 is amended to read:

171.605. (1) The powers described in ORS 171.605 to 171.635 are supplementary and in addition
to those otherwise possessed by interim committees and their members. ORS 171.605 to 171.635 are
not intended to limit the powers that would be possessed by interim committees and their members
had ORS 171.605 to 171.635 not been enacted.

(2) The Legislative Assembly intends that no provision of any joint resolution creating an in-
terim committee be construed to supersede any provision of ORS 171.610 to 171.620, whether by
implication or otherwise, unless the joint resolution specifically provides that its provision super-
cedes as to the particular interim committee that it creates.

(3) **Appointments to an interim committee shall be made in compliance with section 1 of
this 2021 Act.**

**SECTION 5.** ORS 171.630 is amended to read:

171.630. (1) In case of a vacancy among the membership of an interim committee, the authority
who appointed a member to the position vacant may appoint a member to fill the vacancy, but the appointment must be made in compliance with section 1 of this 2021 Act.

(2) For the purposes of this section, a member of an interim committee appointed in the capacity of the member as a member of the Legislative Assembly ceases to be a member of the interim committee:

(a) If the member ceases to be a member of the Legislative Assembly.
(b) If the member is presiding officer of either house of the Legislative Assembly and the member, as presiding officer, serves as Governor during the Governor's temporary inability to discharge the duties of the office of the Governor.

(3) A presiding officer of either house of the Legislative Assembly who is a member of an interim committee may, except when serving as Governor, from time to time designate an alternate from among the members of the house of the presiding officer to exercise the powers of the presiding officer as a member of the committee.

SECTION 6. ORS 171.640 is amended to read:
171.640. (1) As used in this section:

(a) “Appointing authority” means the President of the Senate or the Speaker of the House of Representatives, subject to the rules of the respective bodies over which each presides.

(b) “Interim committee” includes any committee of three or more members of the Legislative Assembly appointed pursuant to the provisions of this section to pursue the functions described in ORS 171.610, whether the appointing authority designates the committee an interim committee, task force, special committee or any other term customarily used in describing legislative committees functioning during the interim period.

(2) Upon or during the interim following adjournment of a regular session of the Legislative Assembly, the appointing authorities may appoint interim committees of members of the house over which the particular authority presides, or members of both houses, and may assign the general topic of study or concern to the committee. Appointments to an interim committee must be made in compliance with section 1 of this 2021 Act.

(3) The appointing authorities may appoint members of the public to an interim committee. The appointing authorities must consult with each other before appointing members of the public to a joint interim committee. The appointing authority may appoint the chairperson of an interim committee. An appointing authority must notify the Legislative Administration Committee in writing of the appointment and membership of all interim committees created.

(4) An interim committee created under authority of this section is subject to the provisions of ORS 171.605 to 171.635 and has the authority contained in ORS 171.505 and 171.510. An interim committee created under authority of this section may file its written report at any time within 30 days after its final meeting, or at such later time as the appointing authority or, in the case of a joint committee, as the appointing authorities may designate.

(5) An appointing authority may employ the persons that the appointing authority considers necessary to perform the function of the interim committees created under authority of this section. The appointing authority shall fix the duties and amounts of compensation of employees. Interim committees shall use the services of permanent legislative staff to the greatest extent practical.

(6) Members of the Legislative Assembly are entitled to an allowance as authorized by law for each day that they are engaged in interim committee business that is approved by the appointing authority. Claims for expenses incurred in performing functions of an interim committee shall be paid out of funds appropriated for the expenses of the Legislative Assembly.
SECTION 7. ORS 171.852 is amended to read:

171.852. (1) There is hereby created a Joint Legislative Committee on Information Management and Technology. The President of the Senate and the Speaker of the House of Representatives shall appoint the members of the committee. Appointments to the committee must be made in compliance with section 1 of this 2021 Act.

(2) The committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof, and in the interim between sessions.

(3)(a) The term of a member shall expire upon the earlier of:

(A) The date of the convening of the odd-numbered year regular session of the Legislative Assembly next following the commencement of the member’s term; or

(B) The date of the convening of an organizational session of the odd-numbered year regular session of the Legislative Assembly next following the commencement of the member’s term.

(b) When a vacancy occurs in the membership of the committee in the interim between an odd-numbered year regular session and the earlier of the date of the convening of the next following odd-numbered year regular session or the date of the convening of an organizational session of the next following odd-numbered year regular session, until such vacancy is filled, the membership of the committee shall be deemed not to include the vacant position for the purpose of determining whether a quorum is present and a quorum is a majority of the remaining members.

(4) Members of the committee shall receive an amount equal to that authorized under ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent in the performance of their duties as members of the committee or any subcommittee thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in out-of-state travel, members shall be entitled to receive their actual and necessary expenses therefor in lieu of the amount authorized by this subsection. Payment shall be made from funds appropriated to the Legislative Fiscal Office.

(5) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(7) The Legislative Fiscal Office shall furnish to the committee such services of personnel and such other facilities as are necessary to enable the committee to carry out its functions as provided by law.

SECTION 8. ORS 171.857 is amended to read:

171.857. (1) For each odd-numbered year regular session of the Legislative Assembly, the President of the Senate and the Speaker of the House of Representatives shall jointly appoint a special legislative committee to issue a report pursuant to section 8, Article VIII of the Oregon Constitution. Appointments to the committee must be made in compliance with section 1 of this 2021 Act.

(2) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(3) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(4) Members of the committee are entitled to compensation and expense reimbursement as provided in ORS 171.072.
The Legislative Assembly in the report shall:

(a) Demonstrate that the amount within the budget appropriated for the state’s system of kindergarten through grade 12 public education is the amount of moneys as determined by the Quality Education Commission established by ORS 327.500 that is sufficient to meet the quality goals; or

(b) Identify the reasons that the amount appropriated for the state’s system of kindergarten through grade 12 public education is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the ability of the state’s system of kindergarten through grade 12 public education to meet the quality goals. In identifying the impact of the insufficiency, the Legislative Assembly shall include in the report how the amount appropriated in the budget may affect both the current practices and student performance identified by the commission under ORS 327.506 (4)(a) and the best practices and student performance identified by the commission under ORS 327.506 (4)(b).

(6)(a) Notwithstanding subsection (5) of this section, the Legislative Assembly may make a determination that the report of the Quality Education Commission should not be used as the basis for carrying out the reporting requirements of section 8, Article VIII of the Oregon Constitution, and subsection (5) of this section. If the report is not used, the Legislative Assembly shall identify the reasons for not using the report to meet the reporting requirements and shall outline an alternative methodology for making the findings required by section 8, Article VIII of the Oregon Constitution.

(b) The alternative methodology shall be based on:

(A) Research, data and public values; and

(B) The performance of successful schools, professional judgment or a combination of the performance of successful schools and professional judgment.

(c) The Legislative Assembly shall include in the report that uses the alternative methodology a determination of how the amount appropriated may affect the ability of the state’s system of kindergarten through grade 12 public education to meet quality goals established by law, including expected student performance against those goals.

(7) The Legislative Assembly shall identify in the report whether the state’s system of post-secondary public education has quality goals established by law. If there are quality goals, the Legislative Assembly shall include in the report a determination that the amount appropriated in the budget is sufficient to meet those goals or an identification of the reasons the amount appropriated is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the ability of the state’s system of post-secondary public education to meet those quality goals.

(8) The report shall be issued within 180 days after the Legislative Assembly adjourns sine die.

(9) The Legislative Assembly shall provide public notice of the report’s issuance, including posting the report on the Internet and providing a print version of the report upon request.

SECTION 9. ORS 171.858 is amended to read:

171.858. (1) There is established the Joint Committee on Transportation.

(2) The joint committee consists of members of the Senate appointed by President of Senate and members of the House of Representatives appointed by the Speaker of the House of Representatives.

Appointments to the committee must be made in compliance with section 1 of this 2021 Act.

(3) The President of the Senate shall appoint one cochair for the joint committee and the Speaker of the House of Representatives shall appoint one cochair for the joint committee with the duties and powers necessary for the performance of the functions of the offices as the President and the Speaker determine.

(4) The joint committee has a continuing existence and may meet, act and conduct its business
(5) The term of a member shall expire upon the date of the convening of the odd-numbered year regular session of the Legislative Assembly next following the commencement of the member’s term. When a vacancy occurs in the membership of the joint committee in the interim between odd-numbered year regular sessions, until such vacancy is filled, the membership of the joint committee shall be considered not to include the vacant position for the purpose of determining whether a quorum is present and a quorum is a majority of the remaining members.

(6) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.

(7) Members of the joint committee shall receive an amount equal to that authorized under ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent in the performance of their duties as members of the joint committee or any subcommittee thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in out-of-state travel, members shall be entitled to receive their actual and necessary expenses therefor in lieu of the amount authorized by this subsection. Payment shall be made from funds appropriated to the Legislative Assembly.

(8) The joint committee may not transact business unless a quorum is present. A quorum consists of a majority of joint committee members from the House of Representatives and a majority of joint committee members from the Senate.

(9) Action by the joint committee requires the affirmative vote of a majority of joint committee members from the House of Representatives and a majority of joint committee members from the Senate.

(10) The joint committee may adopt rules necessary for the operation of the joint committee.

(11) The Legislative Policy and Research Director may employ persons necessary for the performance of the functions of the joint committee. The Legislative Policy and Research Director shall fix the duties and amounts of compensation of the employees. The joint committee shall use the services of continuing legislative staff, without employing additional persons, to the greatest extent practicable.

(12) All agencies of state government, as defined in ORS 174.111, are directed to assist the joint committee in the performance of the duties of the joint committee and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the joint committee consider necessary to perform their duties.

SECTION 10. ORS 173.191 is amended to read:

173.191. (1)(a) The Legislative Counsel Committee shall consist of the Speaker of the House of Representatives, the President of the Senate, members of the House appointed by the Speaker and members of the Senate appointed by the President. The Speaker of the House of Representatives and the President of the Senate may each designate from among the members of the appropriate house an alternate to exercise powers as a member of the committee. Appointments to the committee shall be made in compliance with section 1 of this 2021 Act.

(b) The appointing authorities shall appoint members of a new committee within 30 days after the earlier of:

(A) The date of the convening of an odd-numbered year regular session of the Legislative Assembly; or

(B) The date of the convening of an organizational session of the odd-numbered year regular
session of the Legislative Assembly.

(2)(a) The term of a member of the committee shall expire upon the earlier of:

(A) The date of the convening of the odd-numbered year regular session of the Legislative As-
semble next following the member's appointment; or

(B) The date of the convening of an organizational session of the odd-numbered year regular
session of the Legislative Assembly next following the member's appointment.

(b) Vacancies occurring in the membership of the committee shall be filled by the appointing
authority.

(3) The committee has a continuing existence and may meet, act and conduct its business during
the sessions of the Legislative Assembly or any recess thereof, and in the interim period between
sessions but the committee has no authority to affect the rules of either house.

(4) The Legislative Counsel Committee may appoint advisory committees or subcommittees. Ex-
cept as otherwise provided in this subsection, individuals other than members of the Legislative
Assembly may serve on such advisory committees or subcommittees. A member of such committee
or subcommittee who is not a member of the Legislative Assembly shall be compensated and reim-
bursed in the manner provided in ORS 292.495. An advisory committee or subcommittee appointed
to assist the Legislative Counsel Committee in review of state agency rules may consist only of two
or more members of the Legislative Assembly.

(5) The Legislative Counsel Committee may not transact business unless a quorum is present.
A quorum consists of a majority of committee members from the House of Representatives and a
majority of committee members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members
from the House of Representatives and a majority of committee members from the Senate.

SECTION 11. ORS 173.730 is amended to read:

173.730. (1) The Legislative Administration Committee shall consist of the Speaker of the House
of Representatives, the President of the Senate, members of the House appointed by the Speaker and
members of the Senate appointed by the President. Appointments shall be made in compliance
with section 1 of this 2021 Act. The Speaker of the House of Representatives and the President
of the Senate may each designate an alternate from time to time from among the members of their
respective chambers to exercise the powers, except as cochairperson, as a member of the committee.
No more than three House members of the committee shall be of the same political party. No more
than three Senate members of the committee shall be of the same political party.

(2) The committee has a continuing existence and may meet, act and conduct its business during
sessions of the Legislative Assembly or any recess thereof, and in the interim period between ses-
sions.

(3)(a) The term of a member shall expire upon the earlier of:

(A) The date of the convening of the odd-numbered year regular session of the Legislative As-
semble next following the commencement of the member's term; or

(B) The date of the convening of an organizational session of the odd-numbered year regular
session of the Legislative Assembly next following the commencement of the member's term.

(b) When a vacancy occurs in the membership of the committee in the interim between an odd-
numbered year regular session and the earlier of the date of the convening of the next following
odd-numbered year regular session or the date of the convening of an organizational session of the
next following odd-numbered year regular session, until such vacancy is filled, the membership of
the committee shall be deemed not to include the vacant position for the purpose of determining
whether a quorum is present and a quorum is a majority of the remaining members.

(4) The presiding officers shall act as cochairpersons and may alternate at succeeding meetings as presiding chairperson of the committee and vice chairperson thereof. The cochairpersons, jointly or singly, may, in addition to other acts authorized, approve voucher claims.

(5) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(6) Action by the committee requires the affirmative vote of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

SECTION 12. ORS 291.332 is amended to read:

291.332. (1) The Emergency Board shall meet immediately upon adjournment sine die of each odd-numbered year regular session of the Legislative Assembly. The board shall meet thereafter at such times as it may determine, except that the activities of the board are suspended during the period beginning at the convening of a regular session of the Legislative Assembly and ending at the adjournment of that session.

(2)(a) The President of the Senate and the Speaker of the House of Representatives shall serve as cochairpersons of the board.

(b) The President of the Senate shall appoint members of the board from among members of the Senate. The Speaker of the House of Representatives shall appoint members from among members of the House of Representatives. Appointments shall be made in compliance with section 1 of this 2021 Act.

(3) The board may not transact business unless a quorum is present. A quorum consists of a majority of board members from the House of Representatives and a majority of board members from the Senate.

(4) Action by the board requires the affirmative vote of a majority of board members from the House of Representatives and a majority of board members from the Senate.

(5) The term of members of the board shall run from the adjournment of one odd-numbered year regular session to the convening of the next odd-numbered year regular session.

(6) If a vacancy occurs in the board, either the Speaker, if the legislator previously filling the position was a member of the House, or the President, if the legislator previously filling the position was a member of the Senate, shall fill the vacancy by an appointment for the unexpired term.