

SB 207 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Melissa Leoni, LPRO Analyst

Meeting Dates: 4/4, 4/18

WHAT THE MEASURE DOES:

Authorizes Oregon Government Ethics Commission (OGEC) to proceed on own motion to review and investigate, as though it received complaint, if OGEC has reason to believe that a public body conducted meetings in executive session that violated executive session provisions of public meetings law.

FISCAL: Has minimal fiscal impact

REVENUE: No revenue impact

Senate Vote: Ayes, 21; Nays, 8--Bonham, Boquist, Findley, Girod, Hayden, Linthicum, Robinson, Thatcher; Excused, 1--Gorsek

ISSUES DISCUSSED:

- Commission's existing authority to proceed on motion for ethics and lobbying violations
- Process differences between signed complaint and proceeding on its own motion
- Frequency of proceeding on its own motion and anticipated use for executive session violations
- Accountability for executive session provisions of public meetings law
- Training being the common outcome for determined violations

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Government Ethics Commission (OGEC) enforces Oregon laws prohibiting public officials from using their office for financial gain and those requiring public disclosure of economic conflicts of interest; enforces laws requiring lobbyists and the entities they represent to register and report their expenditures; and oversees the executive session provisions of public meetings law.

Upon written request, or upon its own motion, the OGEC provides written commission advisory opinions, written staff opinions, and oral and written staff advice on issues, whether actual or hypothetical, related to government ethics laws and executive session provisions of Oregon's public meetings laws. Additionally, the OGEC is prevented from issuing penalties against a person for any good faith action taken on reliance of any such opinions or advice (safe harbor provisions).

Any individual may submit, in writing, a complaint with the OGEC alleging a violation of ethics laws. Additionally, the OGEC has the authority to proceed on its own motion, as though it received a complaint, if it has reason to believe that a violation exists. Complaints of violations of the executive session provisions (ORS 192.660) alleged to have been committed by public officials may be made to the OGEC for review, investigation, and imposition of civil penalties.

Senate Bill 207 authorizes the OGEC to proceed on its own motion, as though it received a complaint, if it has reason to believe that a violation of the executive session provisions of public meetings law exists.