

Chapter 171 — State Legislature

TITLE 17

STATE LEGISLATIVE DEPARTMENT AND LAWS

- Chapter 171. State Legislature
172. Commission on Uniform Laws; Commission on Indian Services
173. Legislative Service Agencies
174. Construction of Statutes; General Definitions

Chapter 171

2001 EDITION

State Legislature

GENERAL PROVISIONS

(Sessions)

- 171.010 Time and place of holding regular legislative sessions
171.015 Emergency legislative sessions; procedure for determining legislators' request for or refusal of emergency sessions; time and manner of convening sessions

(Effective Date)

- 171.022 Effective date for Act of Legislative Assembly

(Resignation)

- 171.023 When member-elect may resign

(Vacancies)

- 171.051 Filling vacancies in Legislative Assembly
171.060 Procedure for filling vacancy by appointment
171.062 Filling vacancies in multicounty legislative districts
171.064 Apportioning votes for filling vacancies in multicounty legislative districts
171.068 Procedure when vacancy filled after reapportionment

(Salaries and Expenses)

- 171.072 Salary and expenses of members and presiding officers; approval of expenses; tax status; telephone allowance
171.113 Use of state provided telephones

(Funds)

171.115 Revolving fund; warrants

171.117 Lounge Revolving Account

(Employment Rights)

171.120 Purpose of enactment of ORS 171.120 to 171.125; unlawful employment practices

171.122 Rights and benefits of legislators and prospective legislators in relation to their regular employment

171.125 Proceeding to require compliance with ORS 171.120 and 171.122

(Measure Filing)

171.127 When proposed measure to bear name of person other than member requesting introduction; statement of chief sponsor

171.130 Pre-session filing of proposed measures; printing and distribution

171.133 Approval of Governor required for measure introduction

(Readability)

171.134 Readability test for legislative digests and summaries

(Supplies)

171.136 Supplies and equipment

ELECTION DATES

171.180 State policy governing election dates

171.185 Dates for legislatively prescribed elections; emergency election

PUBLICATIONS

171.200 "Publications" defined for ORS 171.206

171.206 Legislative publications, publication and distribution; form and number; charges; disposition of publications

171.236 Advance sheets; session laws; publication; distribution; disposition

171.245 Legislative Publications Account

171.255 Evidentiary status of published session laws

171.270 Legislative materials furnished public officers without charge are public property

OREGON REVISED STATUTES

- 171.275 Oregon Revised Statutes; committee policy; charges
- 171.285 Legislative Counsel certificate
- 171.295 Preservation and use of ORS type
- 171.305 ORS Revolving Account
- 171.315 Free distribution of ORS
- 171.325 Certified copy of statute or rule of civil procedure published in Oregon Revised Statutes; form; fee

RECORDS

- 171.405 Binding original enrolled laws and joint resolutions
- 171.407 Sound recordings of legislative proceedings required; State Archivist to provide public access
- 171.410 “Legislative record” defined for ORS 171.410 to 171.430
- 171.415 Delivery to Legislative Administration Committee; exception
- 171.420 Classification and arrangement; delivery to State Archivist
- 171.425 Borrowing by certain legislative personnel
- 171.427 Schedule for retention, destruction or disposition of records
- 171.430 Disposal by certain committees; sound recordings by certain committees

INVESTIGATIONS OF LEGISLATOR AND LEGISLATOR-ELECT

- 171.450 Legislative intent
- 171.455 Complaint of elector; content
- 171.460 Secretary of State to conduct investigation; findings; report
- 171.465 Credentials committee; appointment; duties

WITNESSES IN LEGISLATIVE PROCEEDINGS

- 171.505 Administering oaths to witnesses
- 171.510 Legislative process to compel attendance and production of papers; service
- 171.515 Reimbursement of witnesses appearing under legislative process
- 171.520 Reporting violations of ORS 171.510
- 171.522 Judicial enforcement of legislative process; order; service
- 171.525 Immunities of witness before legislative committee

171.530 Privilege of witness before legislative committee

WATER POLICY COMMITTEE

171.535 Definitions for ORS 171.540 to 171.550

171.540 Joint Legislative Committee on Water Policy

171.545 Duties of committee

171.550 Reports to committee

COMMITTEE ON OREGON PLAN

171.551 Joint legislative committee on Oregon Plan

171.553 Authority of committee

WAYS AND MEANS COMMITTEES

171.555 Ways and means committees

STATE BUDGET POLICY

171.557 State budget policy

171.559 Duty of Joint Legislative Committee on Ways and Means

SENATE CONFIRMATION OF EXECUTIVE APPOINTMENTS

171.562 Procedures for confirmation

171.565 Vote required for confirmation; interim Senate meetings

COMPENSATION AND CLASSIFICATION SYSTEM OVERSIGHT

171.575 Oversight over state compensation and classification system

AUDIT COMMITTEE

171.580 Joint Legislative Audit Committee

171.585 Duties of committee

171.590 Cooperation of state agencies

TRANSPORTATION COMMITTEE

171.595 Joint Legislative Committee on Transportation

171.600 Authority of committee

INTERIM COMMITTEES

171.605 Construction of ORS 171.605 to 171.635

171.610 Functions

171.615 Duration

171.620 Powers

171.630 Vacancies; appointment of alternates by presiding officers

171.635 Appointment of nonlegislators

171.640 Appointment of interim committees; membership; topics of study; employees; expenses

INTERIM AUTHORITY FOR STAFF AND DISBURSEMENTS

171.650 Interim staff for presiding officers

171.670 Authority for approval of disbursements during interim

LOBBYING REGULATION

171.725 Definitions for ORS 171.725 to 171.785

171.730 Lobbying regulation purpose

171.735 Application of ORS 171.740 and 171.745 to certain persons

171.740 Lobbyists required to register; contents of statement

171.745 Statements of lobbying expenses required; contents; time of filing

171.750 Employers of lobbyists required to file expense statements; annual revision of base amount

171.756 Prohibited conduct

171.762 Verification of reports, registrations and statements

171.764 False statement or misrepresentation by lobbyist or public official prohibited; defense

171.766 Public nature of reports, registrations and statements

171.772 Commission to prescribe forms, accept voluntary filings and provide public access to filed information

171.776 Commission's duties; advisory opinions; status of opinions

171.778 Investigation and review of complaints of violations of ORS 171.725 to 171.785; procedure; confidentiality; order; court review

171.785 Sanctions to be prescribed by either chamber of Legislative Assembly; uniform application

CONTACT WITH LEGISLATIVE ASSEMBLY

171.790 Local government officials and employees authorized to contact Legislative Assembly

171.795 Electronic distribution of information

TRADE AND ECONOMIC DEVELOPMENT COMMITTEE

171.800 Definitions for ORS 171.800 to 171.845

171.805 Committee established; members; term; advisory committees; cochairpersons; executive officer

171.825 Duties of executive officer to prepare studies and reports; assistance for Legislative Assembly

171.830 Committee duties

171.833 Other duties of committee

171.835 Committee authorized to contract for performance of duties; applicability of federal laws

171.840 Committee authorized to receive funds to carry out functions; conditions on receipt of certain funds

171.845 Reports on economic development consequences from lottery expenditures; content; submittal to Legislative Assembly

171.850 Agency report on business activities

COMMITTEE ON INFORMATION MANAGEMENT AND TECHNOLOGY

171.852 Joint Legislative Committee on Information Management and Technology; membership; term; expenses of members

171.855 Duties of committee

COMMITTEE ON PUBLIC EDUCATION APPROPRIATION

171.857 Appointment; report

WESTERN STATES LEGISLATIVE FORESTRY TASK FORCE

171.860 Western States Legislative Forestry Task Force; membership; duties; expenses

PACIFIC FISHERIES LEGISLATIVE TASK FORCE

171.865 Pacific Fisheries Legislative Task Force; membership; duties; expenses

COLUMBIA RIVER RESOURCE TASK FORCE

171.867 Columbia River Resource Task Force; membership; duties; staff; expenses

STUDIES OF MANDATED HEALTH COVERAGE

171.870 Legislative findings

171.875 Report required to accompany measures proposing mandated coverage

171.880 Content of report

PENALTIES

171.990 Penalty for witness failing to appear or to give testimony in legislative proceeding

171.992 Civil penalty for violation of lobby regulation

CROSS-REFERENCES

Appointments by presiding officers:

[See also cross-references under Joint legislative committees and Legislators as members]

Achieving parity between mental health benefits and physical health benefits in health insurance plans, joint interim task force on, 2001 c.979 §1

Alcohol and Drug Abuse Programs, Governor's Council on, 430.255

Asian Affairs, Commission on, 185.610

Asset Forfeiture Oversight Advisory Committee, 475A.155

Ballast water management, task force on, 2001 c.722 §5

Black Affairs, Commission on, 185.420

Charitable Checkoff Commission, Oregon, 305.695

Child Care, Commission for, 657A.610

Children and Families, State Commission on, 417.730

Columbia River Resource Task Force, 171.867

Compliance Advisory Panel, Small Business Stationary Source Technical and Environmental Compliance Assistance Program, 468A.330

Criminal Justice Commission, Oregon, 137.654

Debt Policy Advisory Commission, State, 286.550

Economic Development Coordinating Council, Oregon (sunsets January 2, 2004), 2001 c.947 §2

Education Commission of the States, 348.950

Forest Resources Institute, Oregon, board of directors, 526.610

Genetic Privacy and Research, Advisory Committee on, 192.549

Hanford Waste Board, Oregon, 469.571

Health Care Costs and Trends, Leadership Commission on, 2001 c.898 §14

Health Care Personnel, Interim Task Force on, 2001 c.877 §1

Healthy Streams Partnership, 541.407

Hearing Officer Panel Oversight Committee (sunsets January 1, 2004), 1999 c.849 §21

Hispanic Affairs, Commission on, 185.320

Hunger Relief Task Force, 458.532

Impact of Oregon Opportunity program on Oregon Health and Science University, task force on, 353.563

Independent Multidisciplinary Science Team, 541.409

Indian Services, Commission on, 172.110

Interim committees, 171.605 to 171.635

International Trade Commission, 285A.131

Interstate Adult Offender Supervision, Oregon State Council for, 144.600

Joint Interim Uniform Tsunami Response Planning Task Force, HJR 56 (2001)

Juvenile Crime Prevention Advisory Committee (nonvoting membership), 417.845

Knowledge and Economic Development, Oregon Council for (sunsets January 2, 2006), 2001 c.519 §2

Law Commission, Oregon, 173.315

Legislative Revenue Officer, 173.800

Long Term Care Advisory Committee, 441.137

Medicaid Long Term Care Quality and Reimbursement Advisory Council, 410.550

Natural Resources Policy Administrator, 173.610

Pacific Fisheries Legislative Task Force, 171.865

Pacific Marine Fisheries Commission, 507.050

Pacific Ocean Resources Compact, 196.185
Paid Family Leave and Unemployment Insurance, Task Force on, 2001 c.646 §1
Pain Management Commission, 409.520
Pollution Control Tax Credit Improvement and Review Task Force (sunsets July 1, 2003), 2001 c.928 §10
Post-Secondary Education Opportunity Commission (sunsets June 30, 2003), 2001 c.964 §2
Privacy of Medical Information and Records, Advisory Committee on (sunsets December 31, 2003), 2001 c.314 §1
Progress Board, Oregon, 285A.153
Promotional and Career Opportunities for Women in Oregon, Task Force on (sunsets January 1, 2004), 2001 c.482 §1
Public Employees' Benefit Board, 243.061
Public Officials Compensation Commission, 292.907
Road User Fee Task Force (sunsets January 2, 2010), 2001 c.862 §2
Salmon Recovery Task Force (sunsets December 31, 2002), 2001 c.923 §18
Senior Services, Governor's Commission on, 410.330
Sister state committees, 285A.143
Special education and school finance, task force on (sunsets July 1, 2003), 2001 c.806 §1
State Capitol Foundation, Oregon, 173.500
State-owned Vehicle Efficiency, Task Force on, 2001 c.839 §1
Tire Recycling, Task Force on, 2001 c.650 §1
Tourism Commission, Oregon, 285A.261
Trapping Best Management Practices Task Force, 2001 c.562 §3
Trust for Cultural Development Board, 359.410
Veterans Memorial Council (sunsets July 1, 2005), 2001 c.985 §2
Waiver Application Steering Committee, 2001 c.898 §13
Water Supply and Conservation, Joint Task Force on, 1999 c.984 §3
Western States Legislative Forestry Task Force, 171.860
Women, Commission for, 185.520
Workforce Investment Board, State, 660.321
Youth Conservation Corps Advisory Committee, Oregon, 418.653

Joint legislative committees:

Audit, 171.580
Emergency Board, 291.324
Information Management and Technology, 171.852
Land Use, 197.125, 197.130
Legislative Administration, 173.710
Legislative Counsel, 173.111
Oregon Plan, 171.551
Public Education Appropriation, 171.857
Trade and Economic Development, 171.805
Transportation, 171.595
Water Policy, 171.535 to 171.550
Ways and Means, 171.559

Legislators as members of:

[See also cross-references under Joint legislative committees]

Achieving parity between mental health benefits and physical health benefits in health insurance plans, joint interim task force on, 2001 c.979 §1
Alcohol and Drug Abuse Programs, Governor's Council on (nonvoting membership), 430.255
Asian Affairs, Commission on (nonvoting membership), 185.610
Asset Forfeiture Oversight Advisory Committee, 475A.155
Ballast water management, task force on (nonvoting membership), 2001 c.722 §5
Black Affairs, Commission on, 185.420
Capitol Planning Commission (nonvoting membership), 276.030

Charitable Checkoff Commission, Oregon (nonvoting membership), 305.695
Child Care, Commission for, 657A.610
Children and Families, State Commission on (nonvoting membership), 417.730
Columbia River Governance Commission, 542.550
Columbia River Resource Task Force, 171.867
Community Crime Prevention Information Center, Oregon, advisory committee, 181.765
Criminal Justice Commission, Oregon, committees, 137.658
Debt Policy Advisory Commission, State, 286.550
Economic Development Coordinating Council, Oregon (sunsets January 2, 2004), 2001 c.947 §2
Education Commission of the States, 348.950
Hanford Waste Board, Oregon (nonvoting membership), 469.571
Health Care Costs and Trends, Leadership Commission on, 2001 c.898 §14
Health Care Costs, Leadership Commission on, SJR 35 (2001)
Health Care Personnel, Interim Task Force on, 2001 c.877 §1
Hearing Officer Panel Oversight Committee (sunsets January 1, 2004), 1999 c.849 §21
Hispanic Affairs, Commission on, 185.320
Hunger Relief Task Force, 458.532
Impact of Oregon Opportunity program on Oregon Health and Science University, task force on, 353.563
Indian Services, Commission on, 172.110
Initiative and referendum explanatory statement committees, 251.205
Interagency Coordinating Council, State, 343.499
International Trade Commission (nonvoting membership), 285A.131
Joint Interim Uniform Tsunami Response Planning Task Force, HJR 56 (2001)
Juvenile Crime Prevention Advisory Committee (nonvoting membership), 417.845
Knowledge and Economic Development, Oregon Council for (sunsets January 2, 2006), 2001 c.519 §2
Law Commission, Oregon, 173.315
National Guard, 399.210
Pacific Fisheries Legislative Task Force, 171.865
Pacific Marine Fisheries Commission, 507.050
Pacific Northwest Economic Region delegate council, 285A.243
Pacific Ocean Resources Compact, 196.185
Paid Family Leave and Unemployment Insurance, Task Force on, 2001 c.646 §1
Pain Management Commission (nonvoting membership), 409.520
Pollution Control Tax Credit Improvement and Review Task Force (sunsets July 1, 2003), 2001 c.928 §10
Ports Advisory Council, Oregon (nonvoting membership), 285A.609
Post-Secondary Education Opportunity Commission (sunsets June 30, 2003), 2001 c.964 §2
Progress Board, Oregon, 285A.153
Public Employees' Benefit Board (nonvoting membership), 243.061
Referred measures, arguments in support, committees, 251.245
Road User Fee Task Force (sunsets January 2, 2010), 2001 c.862 §2
Salmon Recovery Task Force (sunsets December 31, 2002), 2001 c.923 §18
Seismic Safety Policy Advisory Commission, 401.337
Senior Services, Governor's Commission on, 410.330
Sister state committees, 285A.143
Special education and school finance, task force on (sunsets July 1, 2003), 2001 c.806 §1
Spinal Cord Injury Research Board, 431.290
State Capitol Foundation, Oregon, 173.500
State-owned Vehicle Efficiency, Task Force on, 2001 c.839 §1
Trust for Cultural Development Board (nonvoting membership), 359.410
Veterans Memorial Council (sunsets July 1, 2005), 2001 c.985 §2
Waiver Application Steering Committee, 2001 c.898 §13
Water Supply and Conservation, Joint Task Force on, 1999 c.984 §3
Western States Legislative Forestry Task Force, 171.860
Women, Commission for, 185.520

Workforce Investment Board, State, 660.321
Youth Conservation Corps Advisory Committee, Oregon, 418.653

Reports to Legislative Assembly:

[Generally, manner of making, 192.245]

Access and Habitat Board, projects status, expenditures (biennial), 496.232

Achieving parity between mental health benefits and physical health benefits in health insurance plans, joint interim task force on, findings and recommendations (2003), 2001 c.979 §1

Administrative Services, Oregon Department of

Cost-effective energy conservation measures and alternative energy systems, use in construction or renovation of state agency facilities, joint report (biennial), 276.915

Defibrillators (by June 1, 2002), 2001 c.207 §1

Director, manner of reporting, 192.243, 192.250

Dispute resolution programs (biennial), 36.245, 183.502

Enterprise management, 184.477

Financial management system (biennial), 291.100

Implementation of alternative procurement procedures for information technology (by January 15, 2003), 2001 c.937 §3

Information technology portfolio-based management, 184.475

Personal service contracts, use by state agencies (biennial), 279.712

Productivity improvement program (biennial), 182.400

Recycled products procurement, state agencies (annual), 279.573

Revenue estimate, disposition of revenue in excess of estimate, 291.349

State agency fees (by January 15 each odd-numbered year), 291.060

Telecommuting by state employees (biennial), 240.855

Workload analysis, state agencies, 240.185

Advocate for Minority, Women and Emerging Small Business, marketplace status, accomplishments and recommendations (annual), 200.025

Agriculture, State Department of

Encouraging voluntary improvements in natural resources, recommendations (2003), 2001 c.708 §18

Guest ranches in eastern Oregon exclusive farm use zones, joint report (by January 1, 2005), 2001 c.467 §4

Implementation of ORS 183.562 (2003), 2001 c.374 §3

Land application of biosolids, inventory, methods, products grown, joint report (2003), 2001 c.488 §8

Pesticide use reporting system (2003, 2005), 1999 c.1059 §21

Results of allowing processing and sale of meat and by-products from domesticated elk, joint report (2007), 2001 c.783 §5

State assumption of confined animal feeding operation permitting (upon United States Environmental Protection Agency approval of transfer), 2001 c.248 §2

Wildlife Damage Advisory Council, joint report (2003), 2001 c.792 §2

Appraiser Certification and Licensure Board, operations (biennial), 674.367

Asset Forfeiture Oversight Advisory Committee, generally (annual, by March 31), 475A.155

Association of Oregon Counties (annual), 366.542

Audit Committee, Joint Legislative, performance audit of state and local agencies that provide services to children and families (by August 1, 2002), 1999 c.1053 §46

Audits, Division of, estimates and payments of expenses (periodic), 297.230

Black Affairs, Commission on (biennial), 185.410

Center for School Safety, status of school safety (annual, by July 1), 339.331

Children and Families, State Commission on

Implementation of 1999 Senate Bill 555, joint report (2003), 1999 c.1053 §45

Plan for sharing and linking statistical information, joint report (2001-2003 biennium), 2001 c.831 §7

Services system status and additional proposals (biennial), 417.735

Voluntary statewide early childhood system, joint report (January each odd-numbered year), 417.728

Cities, Highway Fund expenditures (annual), 366.790

Commercial and Industrial Development, Advisory Committee on, methodology for assessing sufficiency of

buildable lands for commercial and industrial uses (by January 1, 2003), 2001 c.812 §1
Community Colleges and Workforce Development, Department of
Plant closings and mass layoffs (annual), 285A.522
Prekindergarten program funding (biennial), 329.165
Computer Crime Grant Programs, Task Force on, findings (by June 30, 2002), 2001 c.963 §1
Consumer and Business Services, Department of,
Civil negligence claims filed based on failure to meet major contributing cause standard (2003), 2001 c.865
§15b
Director, timely payment of claims (2005), 2001 c.747 §4
Corrections, Department of
Deaths in institutions (quarterly), 179.509
Job vacancies, categories, classifications (biennial), 291.371
Sale of real property (prior to January 31, 2002, and prior to January 8, 2003), 2001 c.954 §26
Counselors and Therapists, Oregon Board of Licensed Professional, activities (biennial), 675.785
Counties, Highway Fund expenditures (annual), 366.542
Court Administrator, State
Electronic citations, 2001 c.911 §3
Tax court magistrate division decisions, amount of time required to reach (biennial), 305.505
Criminal Justice Commission, Oregon
Early disposition programs, 135.946
Sentencing guidelines amendments (biennial), 137.667
Criminal Justice Information Standards program, plan on information integration among criminal justice agencies
(by December 31 each even-numbered year), 181.715
Debt Policy Advisory Commission, State, findings, net debt capacity and recommendations (by April 1 each even-
numbered year), 286.555
Deschutes County
Children and family services demonstration project (periodic), 417.842
Delinquent youth demonstration project (biennial, interim, final evaluation by June 30, 2002), 1997 c.801 §142
Disabilities Commission, Oregon, activities and recommendations (biennial), 185.150
Dispute Resolution Commission, agency alternative dispute resolution programs (biennial), 36.245, 183.502
Drug Use Review Board, activities and programs (annual), 414.385
Economic and Community Development Commission, Oregon
Bond issuance (quarterly), 285B.377
Economic development efforts, success (biennial), 285A.050
Oregon Business Development Fund, transactions (biennial), 285B.077
Tax credit for advanced telecommunications facilities (by March 15, 2005), 2001 c.957 §13
Economic and Community Development Department
Business assistance services, delivery (biennial), 285A.349
Capital Access Fund, financial condition (annual), 285B.144
Financial statements relating to certain funds (annual), 285A.206
Guest ranches in eastern Oregon exclusive farm use zones, joint report (by January 1, 2005), 2001 c.467 §4
Microenterprise development (biennial), 285B.183
Work group, tax-related incentives for financial institutions (by December 15, 2002), 2001 c.637 §1
Economic Development Coordinating Council, Oregon (by September 1, 2002), 2001 c.947 §2
Economic development regional boards (biennial), 285B.263
Economic development, rural (biennial), 285B.257
Performance reports (periodic), 285B.239
Education and Workforce Policy Advisor, minority students and teachers (biennial), 342.443
Education, Department of
Alcohol and drug abuse policies and implementation plans (biennial), 336.245
District services (prior to October 1, 2002), 2001 c.695 §31
Early Childhood Improvement Program, grant evaluation, 329.875
Evaluation of community learning centers (2003), 2001 c.759 §8
Extended school year (before implementation), 1995 c.660 §7

Funding of programs and services for children with disabilities (prior to October 1, 2002), 2001 c.670 §8
Pilot programs, evaluation (annual), 329.075
Plan for sharing and linking statistical information, joint report (2001-2003 biennium), 2001 c.831 §7
Prekindergarten program funding (biennial), 329.165
School Improvement and Professional Development programs, evaluation, 329.735
Sex education, public schools (biennial), 336.475
Small school districts, recommendations (prior to October 1, 2002), 2001 c.670 §6
Student achievement grants (biennial), 327.297
Voluntary statewide early childhood system, joint report (January each odd-numbered year), 417.728

Education, State Board of
Certificate of Initial Mastery implementation (periodic), 329.467
Seismic safety surveys (2003, 2005), 2001 c.797 §4

Emergency Management, Office of
Consolidation of primary public safety answering points (2003), 2001 c.740 §1
Implementation of 9-1-1 emergency telephone systems (biennial), 401.730

Employment Department, participation of political subdivisions in Local Government Employer Benefit Trust Fund (biennial), 294.745

Energy Facility Siting Council, electric and magnetic fields (periodic), 469.480

Energy, Office of
Comprehensive energy plan (each odd-numbered year), 469.060
Cost-effective energy conservation measures and alternative energy systems, use in construction or renovation of state agency facilities, joint report (biennial), 276.915
Transportation of radioactive material (biennial), 469.617

Enterprise zone sponsors, effects of precertification conditions on business firms (every four years), 285B.671

Environmental Quality Commission
Solid waste management (biennial), 459A.015
Use attainability analysis of waters of state, 468B.066

Environmental Quality, Department of
Ballast water management, task force on (by January 2003), 2001 c.722 §5
Director, suspension of certain dry cleaning fees, 465.545
Hazardous waste facility hazard notice and use restriction amendment (biennial), 466.365
Implementation of ORS 183.562 (2003), 2001 c.374 §3
Land application of biosolids, inventory, methods, products grown, joint report (2003), 2001 c.488 §8
Oil and hazardous material spill preparedness (by January 31, 2003), 2001 c.688 §8
Pollutant reduction trading program (2003, 2005), 468B.555
Solid waste management, recycling programs (periodic), 459.035
Summary and evaluation of actions taken under pool facilities, water and sewage systems statutes, joint report (biennial), 448.409
Suspension of dry cleaning solvent fees (upon director's determination of removal and remedial action completion), 465.545

Film and Video Office, Oregon, activities and operations (biennial), 284.335

Financing Quality Child Care, Task Force on, findings and recommendations (by October 1, 2002), 2001 c.831 §28

Fish and Wildlife Commission, State
Activities (biennial), 496.128
Application of investment and interest earnings of moneys in Fish and Wildlife Account, 496.303
Application of investment and interest earnings of moneys in State Wildlife Fund, 496.300
Progress of salmonid trout enhancement program (annual), 496.445
Remote hatchbox program (annual), 496.458

Fish and Wildlife, State Department of
Access and habitat projects status, expenditures (biennial), 496.232
Director, fish passage (periodic), 509.595
Fish restoration and enhancement projects, expenditures (with Restoration and Enhancement Board) (biennial), 1989 c.512 §12
Fish runs, anadromous, natural production, certain basins (semiannual), 496.480

Fish screening program (by February 1 each odd-numbered year), 496.141
Implementation of ORS 183.562 (2003), 2001 c.374 §3
Natural production of anadromous fish runs (semiannual), 496.480
Relocation of department to Salem (by June 30, 2002), 2001 c.989 §1
Results of allowing processing and sale of meat and by-products from domesticated elk, joint report (2007), 2001 c.783 §5
Task force, pilot project on mail and World Wide Web license renewal (2003), 2001 c.559 §3
Wildlife Damage Advisory Council, joint report (2003), 2001 c.792 §2
Fish Passage Task Force, fish passage (semiannual), 509.590
Forester, State
Forestry management programs (biennial), 526.255
Western Oregon forestland values (biennial), 321.715
Forestry Department, State
Encouraging voluntary improvements in natural resources, recommendations (2003), 2001 c.708 §18
Implementation of ORS 183.562 (2003), 2001 c.374 §3
Working group, tax policies affecting small tract forestland, recommendations (2003), 2001 c.816 §2
Forestry, State Board of, Forest Resource Trust activities (biennial), 526.730
Freight Advisory Committee, progress and recommendations (2003), 2001 c.240 §2
Genetic Privacy and Research, Advisory Committee on, recommendations (2003, 2005), 2001 c.588 §8
Geology and Mineral Industries, State Department of, seismic safety surveys (2003, 2005), 2001 c.798 §4
Governor, administration of Post-Secondary Education Opportunity Commission (prior to June 30, 2003), 2001 c.964 §5
Governor's Council on Alcohol and Drug Abuse Programs, implementation of 1999 Senate Bill 555, joint report (2003), 1999 c.1053 §45
Health Care Costs and Trends, Leadership Commission on (2003), 2001 c.898 §14
Health Care Personnel, Interim Task Force on, findings and recommendations (by January 31, 2003), 2001 c.877 §2
Health Officer, State, implementation of Oregon Vaccine Education and Prioritization Plan (by March 1, 2003), 2001 c.627 §3
Health professional regulatory boards, ethnic and racial diversity (biennial), 676.400
Health Services Commission
Benefit packages for health care services (by July 1 each even-numbered year), 414.834
Costs of basic and additional benefit packages of health care in priority order (by November 1, 2001), 2001 c.898 §9
Health care prioritization, 414.720
Hearing Officer Panel Oversight Committee, recommendations (as necessary), 1999 c.849 §21
Higher Education, State Board of
Building fees (by March 15, 2003), 2001 c.523 §2
Goals, educational service, achievement and implementation (biennial) (sunsets June 30, 2007), 1997 c.653 §2
Incomplete capital construction (biennial), 351.165
Seismic safety surveys (2003, 2005), 2001 c.797 §4
Historic Preservation Officer, State, financial condition and operation of Historic Preservation Revolving Loan Fund (annual), 358.678
Human Services, Department of
Adult foster homes, exceptions granted to certain resident limits (quarterly), 443.775
Alcohol and drug abuse policies and implementation plans (biennial), 336.245
Alternative method of determining capitation rates (2003), 2001 c.898 §12
At-Home Infant Child Care Pilot Program (2003), 2001 c.983 §4
Changes to Oregon Medicaid reimbursement system, 410.555
Community Mental Health Housing Fund, revenues and expenditures (biennial), 426.506
Deaths in institutions, 179.509
Developmental Disabilities Community Housing Fund, revenues and expenditures (biennial), 427.340
Director, alcohol and drug abuse programs (biennial), 409.410
Domestic violence, temporary assistance to needy families (biennial), 411.118

Emergency medical services and trauma system, 431.607, 431.619
Emergency Medical Services for Children Program (by June 30, 2002), 2001 c.717 §2
Family support services (biennial), 417.346
Hepatitis A and pneumococcal conjugate vaccine plan for school entry immunization, 2001 c.720 §1
Hospital audits, nursing services (2003), 2001 c.609 §7
Job vacancies, categories, classifications (biennial), 291.371
JOBS Plus program analysis (annual), 411.896
Land application of biosolids, inventory, methods, products grown, joint report (2003), 2001 c.488 §8
Law Enforcement Medical Liability Account status (biennial), 414.815
Mental health treatment and services plan (by February 1, 2003), 2001 c.694 §2
Outdoor youth programs (prior to January 1, 2002, prior to July 1, 2002, and 2003), 2001 c.809 §8
Persons receiving aid (biennial), 418.131
Plan for sharing and linking statistical information, joint report (2001-2003 biennium), 2001 c.831 §7
Practitioner-Managed Prescription Drug Plan (periodic and 2003), 2001 c.897 §4
Seismic safety surveys (2003, 2005), 2001 c.798 §4
Status of department reorganization (periodic), 2001 c.900 §4a
Summary and evaluation of actions taken under pool facilities, water and sewage systems statutes, joint report (biennial), 448.409
Tobacco Use Reduction Account grants (biennial), 431.836
Voluntary statewide early childhood system, joint report (January each odd-numbered year), 417.728
Independent Multidisciplinary Science Team, Oregon Plan implementation (annual), 541.409
International Trade Commission, activities, projections, recommendations (biennial), 285A.136
Interstate Commission for Adult Offender Supervision, activities and recommendations (annual), 144.600 (Article V)
JOBS Plus Advisory Board, program status and progress (annual), 411.888
Justice, Department of
 Agency alternative dispute resolution programs (biennial), 36.245, 183.502
 Crime victim compensation program (biennial), 147.205
Juvenile Crime Prevention Advisory Committee (periodic), 417.850
 Implementation of 1999 Senate Bill 555, joint report (2003), 1999 c.1053 §45
Klamath River Basin Compact Commission (annual), 542.620 (Article IX)
Knowledge and Economic Development, Oregon Council for, recommendations (prior to December 31, 2002, and as necessary), 2001 c.519 §5
Land Conservation and Development Commission
 Activities (periodic), 197.040
 Dredging of estuaries for flood mitigation (by January 3, 2003), 2001 c.859 §1
 Land use applications, actions (biennial), 197.065
Land Conservation and Development, Department of
 Comprehensive plans and land use regulations, state agency rule and program compatibility, 197.180
 Governing body activities and accomplishments (biennial), 197.060
 Guest ranches in eastern Oregon exclusive farm use zones, joint report (by January 1, 2005), 2001 c.467 §4
 Land application of biosolids, inventory, methods, products grown, joint report (2003), 2001 c.488 §8
Lands, Division of State
 Asset management plan (biennial), 273.245
 Assumption of federal removal and fill permitting (periodic), 2001 c.516 §12
 Fill or removal permits, administration (periodic), 196.795
 Implementation of ORS 183.562 (2003), 2001 c.374 §3
 Prospecting, fill or removal activities in salmonid habitat (periodic), 196.910
Law Commission, Oregon, recommendations for statutory and administrative changes (biennial), 173.342
Law Enforcement Contacts Policy and Data Review Committee, findings and recommendations (annual, by December 1), 2001 c.687 §6
League of Oregon Cities, fuel tax revenues (annual), 366.790
Legislative Counsel Committee, state agency rule review (biennial), 183.725
Legislative Fiscal Office, community learning center resources (prior to November 30, 2002), 2001 c.759 §9

Lottery Commission, Oregon State, budget (biennial), 461.140
Natural Resources Policy Administrator, recommendations, 173.610
Oregon Capital Corporation, activities (annual), 284.790
Oregon Corrections Enterprises (annual), 421.367
Oregon Facilities Authority (annual), 289.240
Oregon Health and Science University
 Activities and operations (annual), 353.080
 Impact of Oregon Opportunity program on Oregon Health and Science University, task force on, findings (prior to July 1 each even-numbered year), 353.563
 Shortfall of moneys to meet financial obligations (as necessary), 353.370
Oregon Health Policy and Research, Office for, Family Health Insurance Assistance Program, effectiveness and efficiency (biennial), 735.738
Oregon Plan implementing agencies, additional funding or expenditure limitation adjustments, 541.413
Oregon University System
 Alcohol and drug abuse policies and implementation plans (biennial), 336.245
 Chancellor, minority teacher recruitment (biennial), 351.077
 Cost-effective energy conservation measures and alternative energy systems, use in construction or renovation of state agency facilities, joint report (biennial), 276.915
Outdoor Youth Program Advisory Board, outdoor youth programs (prior to January 1, 2002, prior to July 1, 2002, and 2003), 2001 c.809 §8
Pacific Northwest Electric Power and Conservation Planning Council (annual, on October 1), 469.845
Paid Family Leave and Unemployment Insurance, Task Force on, findings (by September 1, 2002), 2001 c.646 §1
Parks and Recreation Department, State,
 Director, use of moneys from salmon license plate program (by January 15 each odd-numbered year), 390.134
 Review of scenic waterways system, 2001 c.499 §4
Pioneer Cemetery Commission, Oregon, recommendations (as necessary), 97.780
Poison Prevention Task Force, toxic household products, 431.900
Pollution Control Tax Credit Improvement and Review Task Force, findings and recommendations (periodic and 2003), 2001 c.928 §10
Port of Coos Bay, Oregon International, board of commissioners, activities (biennial), 777.937
Ports Advisory Council, Oregon, port development (biennial), 285A.618
Post-Secondary Education Opportunity Commission
 Findings and recommendations (prior to January 31, 2003), 2001 c.964 §3
 Institutional autonomy and governance (prior to June 30, 2003), 2001 c.964 §3
Privacy of Medical Information and Records, Advisory Committee on, results of studies, recommendations (2003), 2001 c.314 §3
Progress Board, Oregon
 Development of performance measures (biennial), 285A.171
 Evaluation of sustainability goals (biennial), 285A.170
 General statewide strategy (by March 15, 2005, and every eight years thereafter), 285A.162
 Goals for Oregon's progress, 285A.150
 Progress toward achievement of benchmarks (biennial), 285A.174
Promotional and Career Opportunities for Women in Oregon, Task Force on (by March 31, 2003), 2001 c.482 §1
Protection and Advocacy, State Office of, sterilization (biennial), 436.335
Public defense services executive director, activities of office of public defense services (annual), 151.219
Public Employees Retirement Board
 Public Employees Retirement Fund, audit statements (annual), 238.660
 Reserve accounts, crediting, 238.670
Public Safety Memorial Fund Board, activities (biennial), 243.970
Public Safety Standards and Training, Department of, implementation of child abuse and domestic violence training (annual), 181.712
Public Utility Commission
 Competitive zones, telecommunications (annual), 759.050
 Direct access for residential electricity consumers (by January 1, 2003), 757.601

Telecommunications industry, competition and regulation, (annual, by January 31), 1999 c.589 §2
Utility regulation, alternative form, 757.210
Qualified Tuition Savings Board, Oregon, activities (biennial), 348.873
Quality Education Commission, current and best education practices (prior to August 1 each even-numbered year), 327.506
Racing Commission, Oregon, activities (annual), 462.260
Restoration and Enhancement Board, projects expenditures (with State Department of Fish and Wildlife) (biennial), 1989 c.512 §12
Revenue, Department of
Oregon forestland values (every six years), 321.351
Total taxes collected (biennial), 305.170
Road User Fee Task Force
Alternative methods of taxation (by September 30, 2002), 2001 c.862 §5
Pilot programs to test alternative approaches (as necessary), 2001 c.862 §2
Salmon Recovery Task Force (periodic), 2001 c.923 §18
School districts, elementary school reading instruction pilot program (end of 2001-2002 school year, 2004), 2001 c.887 §1
Secretary of State
Audit and review of State Accident Insurance Fund Corporation and Industrial Accident Fund (annual), 656.772
Centralized voter registration system project definition, 2001 c.815 §1
Deschutes County delinquent youth demonstration project (by December 1, 2002), 2001 c.904 §19
Government Waste Hotline (annual), 177.180
Operation of filing office, UCC (by January 15 each odd-numbered year), 79.0527
Performance and program audits (as directed), 297.070
Study of need for and feasibility of supplying ballots and other voting materials in Spanish and additional languages other than English (2003), 2001 c.946 §1
Seismic Safety Policy Advisory Commission, earthquake hazards, 401.343
Semi-independent state agencies, operations (biennial), 182.472
Special education and school finance, task force on, findings (prior to October 1, 2002), 2001 c.806 §1
Spinal Cord Injury Research Board (by January 31 each odd-numbered year), 431.292
State agencies
Program changes after budget approval, 291.373
Real property and facility maintenance account, establishment (biennial), 276.285
State Police, Department of, concealed handgun license revocations (biennial), 166.297
State-owned Vehicle Efficiency, Task Force on, recommendations (by January 1, 2003), 2001 c.839 §1
Student Assistance Commission, Oregon, VISTO program progress (biennial), 348.425
Superintendent of Public Instruction, Prekindergarten program, 329.200
Sustainability Board, board activities and recommendations (by March 31 each odd-numbered year), 2001 c.918 §3
Teacher Standards and Practices Commission, public charter school teacher registry (2003), 1999 c.199 §3
Telecommunication Coordinating Council, Oregon (sunsets January 2, 2004), 2001 c.699 §1
Tire Recycling, Task Force on, recommendations to improve waste tire reuse, recycling and recovery (by September 30, 2002), 2001 c.650 §3
Transportation Commission, Oregon, projects, emerging small business participation, 200.160
Transportation, Department of
Director, snowmobile fuel tax moneys (every four years), 802.120
Highway Construction Plan projects, status report (quarterly), 184.664
Implementation of ORS 183.562 (2003), 2001 c.374 §3
Motor carrier flat fee rates, adjustment (biennial), 825.482
Photo red light (by March 1 each odd-numbered year), 810.434
Private-public projects (2003), 2001 c.844 §1
Shortline railroad infrastructure assistance program (2003), 2001 c.942 §17
Signs at construction locations (2003), 2001 c.402 §3
Summary of effect of mandates and regulations on costs (biennial), 184.666

Traffic offenses, reciprocal agreements for disposition of, 802.530
 Transportation of hazardous substances, radioactive materials, 453.835
 Trapping Best Management Practices Task Force, recommendations for modifications to trapping regulations (by January 31, 2003), 2001 c.562 §3
 Travel Information Council
 Activities and operations (annual), 377.838
 Signs at construction locations (2003), 2001 c.402 §3
 Treasurer, State
 Amount of deposits in foreign countries and operation and activities funded by deposits (biennial), 295.195
 Cash management, report to Legislative Fiscal Officer (when appropriate), 293.875
 Oregon Growth Account investment (annual), 348.707
 Tuition Savings Board, Oregon Qualified, activities (biennial), 348.873
 University of Oregon, implementation, progress and results of Early Success Reading Initiative (annual), 329.837
 Utility Notification Center, Oregon, activities and operations (annual), 757.562
 Volunteer Firefighter Task Force, findings and recommendations (by January 31, 2003), 2001 c.560 §1
 Water Resources Department
 Hydroelectric reauthorization funds, use (biennial), 543A.415
 Implementation of ORS 183.562 (2003), 2001 c.374 §3
 Work group, trading of water rights, findings (by December 15, 2002), 2001 c.390 §1
 Water Supply and Conservation, Joint Task Force on (2003), 1999 c.984 §3
 Watershed Enhancement Board, Oregon
 Oregon Plan, implementation (regularly), implementation and effectiveness (by January 15 each odd-numbered year), 541.420
 Watershed management programs (biennial), 541.392
 Workers' Compensation Management-Labor Advisory Committee, findings and recommendations (biennial), 656.790
 Youth Authority, Oregon, progress (biennial), 420A.010

171.565

Confirmation by Senate of appointments to:

Accountancy, Oregon Board of, 673.410
 Administrative Services, Oregon Department of, Director, 184.315
 Affirmative Action, Director of, 243.315
 Agriculture, Director of, 561.010
 Appraiser Certification and Licensure Board, 674.305
 Apprenticeship and Training Council, State, 660.110
 Asian Affairs, Commission on, 185.610
 Aviation Board, State, 835.102
 Aviation, Oregon Department of, Director, 835.106
 Black Affairs, Commission on, 185.420
 Blind, Commission for the, 346.130
 Boiler Rules, Board of, 480.535
 Building Codes Structures Board, 455.144
 Children and Families, State Commission on, 417.730
 Children's Ombudsman, 417.810
 Chiropractic Examiners, State Board of, 684.130
 Columbia River Gorge Commission, 196.160
 Construction Contractors Board, 701.205
 Consumer and Business Services, Department of, Director, 705.105
 Corrections, Department of, Director, 423.075
 Criminal Justice Commission, Oregon, 137.654
 Dentistry, Oregon Board of, 679.230
 Direct Entry Midwifery, State Board of, 687.470

Disabilities Commission, Oregon, 185.130
Dispute Resolution Commission, 36.115
DMSO Advisory Council, 1981 c.388 §3
Economic and Community Development Commission, Oregon, 285A.040
Economic and Community Development Department, Director of, 285A.070
Education, State Board of, 326.021
Electrical and Elevator Board, 455.144
Employment Appeals Board, 657.685
Employment Department, Director of, 657.608
Employment Relations Board, 240.065
Energy Facility Siting Council, 469.450
Environmental Quality Commission, 468.010
Fair Dismissal Appeals Board, 342.930
Fish and Wildlife Commission, State, 496.090
Fish and Wildlife Director, State (until January 2, 2003), 496.112
Forestry, State Board of, 526.009
Geology and Mineral Industries, Governing Board of the State Department of, 516.080
Government Standards and Practices Commission, Oregon, 244.250
Health Services Commission, 414.715
Higher Education, State Board of, 351.020
Hispanic Affairs, Commission on, 185.320
Home Care Commission, 410.602
Housing Council, State, 456.567
Human Services, Director of, 409.100
Investment Council, Oregon, 293.706
Judicial Fitness and Disability, Commission on, 1.410
Land Conservation and Development Commission, 197.030
Land Use Board of Appeals, 197.810
Lane County Mass Transit District Board, 267.090
Library, Trustees of the State, 357.010
Long Term Care Advisory Committee, 441.137
Long Term Care Ombudsman, 441.103
Lottery Commission, Oregon State, 461.100
Lottery, Oregon State, Director, 461.150
Marine Board, State, 830.105
Maritime Pilots, Oregon Board of, 776.105
Medical Examiners, Board of, 677.235
Naturopathic Examiners, Board of, 685.160
Nursing Home Administrators, Board of Examiners of, 678.800
Nursing, Oregon State Board of, 678.140
Oregon Health and Science University Board of Directors, 353.040
Oregon Health Policy and Research, Administrator of Office for, 442.011
Oregon Liquor Control Commission, 471.705
Outdoor Youth Program Advisory Board, 418.243
Pacific Northwest Electric Power and Conservation Planning Council, 469.805
Parks and Recreation Commission, State, 390.114
Parole and Post-Prison Supervision, State Board of, 144.015
Pharmacy, State Board of, 689.115
Physical Therapist Licensing Board, 688.160
Plumbing Board, State, 693.115
Podiatry, Advisory Council on, 677.855
Port of Coos Bay, Oregon International, board of commissioners, 777.925
Port of Portland, Board of Commissioners of the, 778.215
Professional Liability Fund commissions, 752.025

Psychiatric Security Review Board, 161.385
Psychologist Examiners, State Board of, 675.100
Public Employees' Benefit Board, 243.061
Public Employees Retirement Board, 238.630
Public Safety Standards and Training, Board on, 181.620
Public Utility Commission, 756.014
Quality Education Commission, 327.500
Racing Commission, Oregon, 462.210
Real Estate Commissioner, 696.375
Revenue, Department of, Director, 305.035
Spinal Cord Injury Research Board, 431.290
State Accident Insurance Fund Corporation, Board of Directors of, 656.751
State Fair and Exposition Center, Oregon, Director, 565.015
State Fair Commission, Oregon, 565.020
State Police, Superintendent of, 181.200
Student Assistance Commission, Oregon, 348.510
Sustainability Board, 2001 c.918 §2
Sustainability Board, Director, 2001 c.918 §7
Tax Practitioners, State Board of, 673.725
Teacher Standards and Practices Commission, 342.350
Tourism Commission, Oregon, 285A.261
Transportation Commission, Oregon, 184.612
Transportation, Director of, 184.620
Tri-Met Board, 267.090
Trust for Cultural Development Board, 359.410
Vacancy in office resulting from failure to confirm, 236.010
Veterans' Affairs, Director of, 406.020
Veterinary Medical Examining Board, Oregon State, 686.210
Voluntary Action and Service, Oregon Commission for, 458.555
Wage and Hour Commission, 653.505
Water Resources Commission, 536.022
Water Resources Director, 536.032
Watershed Enhancement Board, Oregon:
Executive director, 541.362
Public members, 541.360
Women, Commission for, 185.520
Workers' Compensation Board, 656.712
Workers' Compensation Management-Labor Advisory Committee, 656.790
Workforce Investment Board, State, 660.321
Youth Authority, Oregon, Director, 420A.017

GENERAL PROVISIONS

(Sessions)

171.010 Time and place of holding regular legislative sessions. The sessions of the Legislative Assembly shall be held at the capital of the state and shall commence on the second Monday in January of each odd-numbered year.

171.015 Emergency legislative sessions; procedure for determining legislators' request for or refusal of emergency sessions; time and manner of convening sessions. (1) When a majority of the members of each house of the Legislative Assembly has cause to believe that an emergency exists and so notifies the presiding officers of each house in the manner described in this section, the presiding officers shall invoke section 10a, Article IV of the Oregon Constitution.

(2) Members of the Legislative Assembly may give notice of intent to invoke the provisions of subsection (1) of

this section by filing written notice thereof with the Legislative Administrator. The notice shall be accompanied by a written statement giving justification of the need for a special session. The filing may be signed by more than one member of each house but must be signed by at least one member of each house.

(3) Upon receipt of a properly signed notice and statement described in subsection (2) of this section, the Legislative Administrator shall send to each member of the Legislative Assembly a form to be signed and returned by the member indicating whether the member requests a special session or does not so request. The form shall be as prescribed by the Legislative Administration Committee and shall contain the text of this section, the names of the members who filed the notice, and the text of the accompanying statement. The form shall be dated and shall bear the date 14 days later, computed as provided in subsection (7) of this section, by 5 p.m. on which date the form must be returned to the Secretary of the Senate or the Chief Clerk of the House of Representatives, respectively, or the person designated to serve in that capacity in order to be counted in determining whether the minimum requisite number of signatures requesting a special session has been obtained. The form sent to the members shall be sent by certified mail, addressee only, return receipt requested.

(4) The return of the signed form by a member to the Secretary of the Senate or the Chief Clerk of the House of Representatives or person designated to serve in that capacity constitutes an irrevocable request for or refusal of the special session requested by the members filing under subsection (2) of this section and described in the form.

(5) The Secretary of the Senate and the Chief Clerk of the House of Representatives, respectively, or the person designated to serve in that capacity shall verify the signatures in the return form and tally the requests and refusals, note the date and time of the receipt of each returned form. When each receives the requisite minimum number of signed forms agreeing to the special session from members of the house of which the person is an officer, each immediately shall notify the presiding officer of each house.

(6) Upon receiving notice from the Secretary of the Senate and the Chief Clerk of the House of Representatives or the person designated to serve in that capacity that the minimum requisite number of signed requests for a special session has been received and verified for both houses, the presiding officers jointly shall convene the Legislative Assembly into emergency session by joint proclamation, fixing the date thereof. The date must be within five days after receipt by the presiding officers of the notice from the Secretary of the Senate and Chief Clerk of the House of Representatives. The original of the proclamations shall be filed with the Secretary of State.

(7) The period of time for purposes of subsection (3) of this section shall be computed by excluding the first day and including the last day unless the last day falls on any legal holiday or on Saturday, in which case the last day is also excluded. The period of time for purposes of subsection (6) of this section shall be computed by beginning on the day after which the presiding officers receive the notice described in subsection (6) of this section and ending five days later, regardless of legal holidays or Saturdays. [1977 c.689 §1]

171.020 [Repealed by 1955 c.211 §7]

171.021 [1955 c.211 §1; repealed by 1961 c.482 §4]

(Effective Date)

171.022 Effective date for Act of Legislative Assembly. Except as otherwise provided in the Act, an Act of the Legislative Assembly takes effect on January 1 of the year after passage of the Act. [1999 c.1012 §1]

(Resignation)

171.023 When member-elect may resign. Any person who receives a certificate of election as a member of the Legislative Assembly is at liberty to resign the office, though the person may not have entered upon the execution of its duties or taken the requisite oath of office. [1981 c.517 §1]

171.025 [1961 c.482 §1; renumbered 188.210]

171.030 [Repealed by 1955 c.211 §7]

171.031 [Repealed by 1953 c.12 §2]

171.032 [Repealed by 1953 c.12 §2]

171.033 [Repealed by 1953 c.12 §2]

171.034 [Repealed by 1953 c.12 §2]

171.035 [1961 c.482 §3; renumbered 188.220]

171.037 [1971 s.s. c.1 §2; renumbered 188.230]

171.038 [1971 s.s. c.1 §3; renumbered 188.240]

171.040 [Repealed by 1955 c.211 §7]

171.041 [1955 c.211 §3; repealed by 1961 c.482 §4]

171.043 [1955 c.211 §4; 1965 c.593 §1; 1967 c.634 §1; repealed by 1979 c.748 §3]

171.046 [1965 c.578 §1; repealed by 1981 c.517 §26]

171.050 [Amended by 1955 c.211 §5; 1973 c.773 §1; repealed by 1981 c.517 §2 (171.051 enacted in lieu of 171.050)]

(Vacancies)

171.051 Filling vacancies in Legislative Assembly. (1) When any vacancy occurs in the Legislative Assembly due to death or recall or by reason of resignation filed in writing with the Secretary of State or a person is declared disqualified by the house to which the person was elected, the vacancy shall be filled by appointment if:

(a) The vacancy occurs during any session of the Legislative Assembly;

(b) The vacancy occurs in the office of a state Representative before the 61st day before the general election to be held during that term of office;

(c) The vacancy occurs in the office of a state Senator before the 61st day before the first general election to be held during that term of office;

(d) The vacancy occurs in the office of a state Senator at any time after the 62nd day before the first general election and before the 61st day before the second general election to be held during that term of office; or

(e) A special session of the Legislative Assembly will be convened before a successor to the office can be elected and qualified.

(2) The person appointed under the provisions of subsection (1) of this section shall be a citizen qualified to hold the office, an elector of the affected legislative district and a member of the same political party for at least 180 days before the date on which the vacancy occurred. The political affiliation of a person appointed under subsection (1) of this section shall be determined under ORS 236.100. The appointment shall be made by the county courts or boards of county commissioners of the affected counties pursuant to ORS 171.060 to 171.064. When the provisions of ORS 171.060 (1) are applicable, the appointment shall be made from a list of not fewer than three nor more than five nominees who have signed written statements indicating that they are willing to serve furnished by the Secretary of State. If fewer than three names of nominees are furnished, a list shall not be considered to have been submitted and the county courts or boards of county commissioners shall fill the vacancy. The vacancy must be filled by appointment within 30 days after its occurrence or not later than the time set for the convening of the special session described in subsection (1)(e) of this section when that is the basis for filling the vacancy.

(3) If the appointing authority required by this section to fill the vacancy does not do so within the time allowed, the Governor shall fill the vacancy by appointment within 10 days.

(4) Notwithstanding any appointment under the provisions of subsection (1)(c) of this section, when a vacancy occurs in the office of a state Senator before the 61st day before the first general election to be held during that term of office, the remaining two years of the term of office shall be filled by the electors of the affected legislative district at the first general election.

(5) Candidates for the remaining two years of the term of office of a state Senator under subsection (4) of this section shall be nominated as provided in ORS chapter 249 except as follows:

(a) A major political party, minor political party, assembly of electors or individual electors may select a nominee for any vacancy occurring before the 61st day before the first general election; and

(b) The Secretary of State shall accept certificates of nomination and notifications of nominees selected by party rule and filed with the secretary pursuant to a schedule for filing set by the Secretary of State but in any case not later than the 62nd day before the first general election.

(6) The remaining two years of the term of office of a state Senator under subsection (4) of this section will commence on the second Monday in January following the general election. Any appointment under the provisions of subsection (1)(c) of this section shall expire when a successor to the office is elected and qualified. [1981 c.517 §3 (enacted in lieu of 171.050); 1985 c.771 §1; 1987 c.380 §1; 1989 c.207 §1; 1995 c.607 §59]

171.060 Procedure for filling vacancy by appointment. (1) When any vacancy as is mentioned in ORS 171.051 exists in the office of Senator or Representative affiliated with a major political party and that vacancy is to be filled by an appointing authority as provided in ORS 171.051, the Secretary of State forthwith shall notify the person designated by the party to receive such notice. The party shall pursuant to party rule nominate not fewer than three nor more than five qualified persons to fill the vacancy. The nominating procedure shall reflect the principle of one-person, one-vote to accord voting weight in proportion to the number of party members represented. At the request of a party making a nomination, the county clerks of each county constituting the district in which the vacancy exists shall assist the party in determining the number of electors registered as members of the party in the district. A person shall not be nominated to fill the vacancy unless the person signs a written statement indicating that the person is willing to serve in the office of Senator or Representative. As soon as the nominees have been appointed, but no later than 20 days after the vacancy occurs, the party shall notify the Secretary of State of the persons nominated. The notification shall be accompanied by the signed written statement of each nominee indicating that the nominee is willing to serve in the office of Senator or Representative. The Secretary of State shall notify the county courts or boards of county commissioners of the counties constituting the district in which the vacancy exists of the nominees and of the number of votes apportioned to each member of the county courts or boards of county commissioners under ORS 171.062 and 171.064. The Secretary of State shall set a time for the meeting of the county courts or boards of county commissioners in order to fill the vacancy and by rule shall establish procedures for the conduct of the meeting. If the district is composed of more than one county, the Secretary of State shall name a temporary chairperson and designate a meeting place within the district where the county courts or boards of county commissioners shall convene for the purpose of filling the vacancy, pursuant to ORS 171.051 (2).

(2) When any vacancy as is mentioned in ORS 171.051 exists in the office of Senator or Representative not affiliated with a major political party and that vacancy is to be filled by an appointing authority as provided in ORS 171.051, the Secretary of State forthwith shall notify the county courts or boards of county commissioners of the counties constituting the district in which the vacancy occurs of the vacancy and of the number of votes apportioned to each member of the county courts or boards of county commissioners under ORS 171.062 and 171.064. The Secretary of State shall set a time for a meeting of the county courts or boards of county commissioners and by rule shall establish procedures for the conduct of the meeting. If the district is composed of more than one county, the Secretary of State shall name a temporary chairperson and designate a meeting place within the district where the county courts or boards of county commissioners shall convene for the purpose of appointing a person to fill the vacancy.

(3) A written statement signed by a majority of those qualified to vote upon the filling of any vacancy naming the person selected to fill the vacancy and directed to the Secretary of State is conclusive evidence of the filling of the vacancy by the appointing authority named therein. [Amended by 1955 c.211 §6; 1973 c.773 §2; 1975 c.779 §2; 1977 c.302 §1; 1985 c.771 §2; 1987 c.380 §2; 1989 c.207 §2; 1993 c.797 §17]

171.062 Filling vacancies in multicounty legislative districts. (1) When a legislative district in which a vacancy occurs encompasses two or more counties, each county shall be entitled to one vote for each 1,000 of its electors or major fraction thereof residing within the legislative district at the time the vacancy occurs. However, any county having electors in the district shall be entitled to at least one vote.

(2) A major fraction of electors shall be a number greater than 500 but less than 1,000. [Formerly 248.175]

171.064 Apportioning votes for filling vacancies in multicounty legislative districts. The number of votes apportioned to each county commissioner in filling a legislative vacancy shall be equal to the total number allotted to

the respective county of the county commissioner in the manner set forth in ORS 171.062 divided by the total number of county commissioners of the respective county. [Formerly 248.180]

171.068 Procedure when vacancy filled after reapportionment. (1) For purposes of ORS 171.060, 171.062 and 171.064, the county court or the board of county commissioners which shall fill the vacancy in the Legislative Assembly in a district created by reapportionment shall be the county court or board of county commissioners of each county any part of which is in the district that is created by the reapportionment and includes the residence from which the former Senator or Representative was elected.

(2) Each person nominated by a major political party to fill a vacancy in the Legislative Assembly occurring as described by ORS 171.051 in a district created by reapportionment must be registered to vote in the district from which the former Senator or Representative was elected and must have been a member of the same major political party at least 180 days before the date the vacancy to be filled occurred.

(3) This section shall apply only to a vacancy in the Legislative Assembly occurring after the primary election next following reapportionment and before a person has been elected and qualified to fill the vacancy. [1983 c.25 §1; 1985 c.771 §3; 1987 c.267 §62; 1987 c.380 §3; 1993 c.797 §18; 1995 c.712 §81]

171.070 [Repealed by 1957 c.164 §1 (171.071 enacted in lieu of 171.070)]

171.071 [1957 c.164 §2 (enacted in lieu of 171.070); 1959 c.391 §1; repealed by 1963 c.1 §2]

(Salaries and Expenses)

171.072 Salary and expenses of members and presiding officers; approval of expenses; tax status; telephone allowance. (1) Except as otherwise provided in subsection (2) of this section, a member of the Legislative Assembly shall receive for services a salary the greater of:

- (a) One step below the maximum of Salary Range 1 in the Management Service Compensation Plan; or
- (b) Seventeen percent of the salary of a Circuit Court Judge.

(2) The President of the Senate and the Speaker of the House of Representatives each shall receive for services, as additional salary, an amount equal to the sum allowed each of them as a member under subsection (1) of this section.

(3) A member of the Legislative Assembly shall receive, as an allowance for expenses not otherwise provided for, a per diem determined as provided in subsection (9) of this section for each day within the period that the Legislative Assembly is in session, to be paid with the salary provided for in subsection (1) of this section. Pursuant to procedures determined by the Legislative Administration Committee, a member may draw from an accrued allowance.

(4) A member of the Legislative Assembly shall receive, as an allowance for expenses incurred in the performance of official duties during periods when the legislature is not in session, \$400 for each calendar month or part thereof during those periods, to be paid monthly, and subject to approval of the President of the Senate or Speaker of the House of Representatives, mileage expenses and a per diem determined as provided in subsection (9) of this section for each day a member is engaged in the business of legislative interim and statutory committees, including advisory committees and subcommittees thereof, and task forces and for each day a member serves on interstate bodies, advisory committees and other entities on which the member serves ex officio, whether or not the entity is a legislative one.

(5) In addition to the mileage and per diem expense payments provided by this section, a member of the Legislative Assembly may receive reimbursement for actual and necessary expenses, subject to approval by the President of the Senate or Speaker of the House of Representatives, for legislative business outside of the state.

(6) The President of the Senate and Speaker of the House of Representatives may delegate to the chairpersons of interim and statutory committees and task forces the approval authority granted to them by subsection (4) of this section, with respect to expenses incurred in attending any meeting of a particular committee or task force.

(7) Amounts received under subsections (3) to (5) of this section are excluded from gross income and expenditures thereof are excluded in computing deductions for purposes of ORS chapter 316. If there is attached to the personal income return a schedule of all ordinary and necessary business expenses paid during the tax year as a member of the Legislative Assembly, a deduction may be claimed on the return for legislative expenses paid in excess of the amounts received under subsections (3) to (5) of this section. However, on and after July 20, 1987, expenses of members of the Legislative Assembly that are reimbursed by the state for actual expenses for meals and lodging associated with state travel for the same period during which a legislator receives per diem is subject to state income tax.

(8) For periods when the Legislative Assembly is not in session, the Legislative Administration Committee shall provide for a telephone and an expense allowance for members of the Legislative Assembly that is in addition to the amount allowed under subsection (4) of this section. In determining the amount of allowance for members, the committee shall consider the geographic area of the member's district. The additional allowance shall reflect travel expenses necessary to communicate in districts of varying sizes.

(9) The per diem allowance referred to in subsections (3) and (4) of this section shall be the amount fixed for per diem allowance that is authorized by the United States Internal Revenue Service to be excluded from gross income without itemization. [1963 c.1 §1; 1967 c.66 §1; 1967 c.246 §1; 1971 c.465 §1; 1973 c.250 §1; 1975 c.530 §1; 1977 c.896 §1; 1979 c.557 §1; 1979 c.635 §7; 1981 c.517 §13; 1985 c.782 §3; 1987 c.879 §1; 1989 c.977 §7; 1995 c.658 §86; 1999 c.181 §1]

171.074 [1969 c.236 §1; 1971 c.465 §2; repealed by 1975 c.530 §9]

171.075 [1953 c.544 §1; 1961 c.167 §8; renumbered 171.505]

171.076 [1953 c.544 §2; 1961 c.167 §9; renumbered 171.510]

171.077 [1953 c.544 §4; 1961 c.167 §12; renumbered 171.520]

171.078 [1953 c.544 §5; renumbered 171.525]

171.080 [Amended by 1953 c.544 §7; renumbered 171.555]

171.090 [Amended by 1959 c.577 §1; 1961 c.167 §19; renumbered 171.205]

171.092 [1953 c.527 §1; renumbered 171.215]

171.100 [Renumbered 171.135]

171.110 [Repealed by 1953 c.492 §17]

171.113 Use of state provided telephones. It is the policy of the Legislative Assembly that all use of state provided phones by members or by legislative staff at the members' direction, including phones assigned either at the member's residence or at the Capitol, shall be considered to be used on state business for purposes of the Legislative Assembly. [1987 c.879 §25]

(Funds)

171.115 Revolving fund; warrants. (1) When requested in writing by the Legislative Administrator, the Oregon Department of Administrative Services shall draw a warrant in favor of the Legislative Assembly for use as a revolving fund. Warrants drawn to establish or increase the revolving fund, rather than to reimburse it, may not exceed the aggregate sum of \$3,000. The State Treasurer shall hold the revolving fund in special account against which the Legislative Assembly may draw checks.

(2) All claims for reimbursement of advances paid from the revolving fund are subject to approval by the Legislative Administrator. When such claims have been approved, a warrant covering them shall be drawn in favor of the Legislative Assembly, charged against the appropriate funds and accounts, and used to reimburse the revolving fund. [1987 c.867 §3]

171.117 Lounge Revolving Account. There is established for the Legislative Assembly a Lounge Revolving Account. The Legislative Administration Committee may pay for the costs of food served in the members' lounges from the Lounge Revolving Account for the purpose of supplying current requirements, the cost of which shall be reimbursed to the revolving account through receipts on the basis of sales or by payroll deductions from members. The moneys in the Lounge Revolving Account are appropriated continuously for the purposes of this section. [1995 c.408 §7; reenacted by 1997 c.688 §7]

(Employment Rights)

171.120 Purpose of enactment of ORS 171.120 to 171.125; unlawful employment practices. (1) It is the purpose and intent of the Legislative Assembly in enacting this section and ORS 171.122 and 171.125 that, subject to the conditions set forth in these sections, any member of the Legislative Assembly whose employment is interrupted by reason of attendance upon regular or special sessions of the Legislative Assembly or the performance of official duties as a member of the Legislative Assembly shall be restored to such employment in such a manner as to give the member the status in such employment that the member would have enjoyed if the member had continued in such employment continuously during any such attendance or performance of duties.

(2) As a part of the public policy to encourage public service, an employer shall not discharge or threaten to discharge, intimidate or coerce any employee by reason of the employee's service or scheduled service as a member or prospective member of the Legislative Assembly.

(3) The member or prospective member shall not be subject to discipline or harassment or placed at any employment disadvantage as a consequence of the leave of absence. It is an unlawful employment practice under ORS chapter 659A for a member or prospective member to be subject to discipline or harassment or placed at any employment disadvantage as a consequence of any leave of absence by reason of regular or special session. A member or prospective member may file a complaint with the Commissioner of the Bureau of Labor and Industries under ORS 659A.820 alleging violation of this subsection. [1957 c.549 §1; 1989 c.1066 §2; 1991 c.454 §1; 2001 c.621 §69]

171.122 Rights and benefits of legislators and prospective legislators in relation to their regular employment.

(1) Any member or prospective member of the Legislative Assembly who leaves regular employment in order to attend upon any regular or special session of the Legislative Assembly or to perform official duties as a member or prospective member of the Legislative Assembly for which the member or prospective member may receive a per diem under ORS 171.072 or may receive reimbursements for out-of-state travel, shall be granted a leave of absence from such regular employment position for such period of time as is reasonably necessary to permit such attendance or performance of duties.

(2) A member or prospective member of the Legislative Assembly shall give notice to the employer when the leave of absence described in subsection (1) of this section is anticipated or is to be taken:

(a) At least 30 days before a regular session; and

(b) As soon as it is reasonably apparent that a special or emergency session is to be called.

(3) The regular employment position of a member or prospective member on leave of absence under this section shall only be deemed vacant for the period of such leave of absence, and the member or prospective member shall not be subject to removal or discharge from such position as a consequence of such leave of absence.

(4) Upon the termination of the leave of absence of the member or prospective member under this section, a member or prospective member shall be restored to the regular employment position the member or prospective member held immediately prior to the first day of the leave of absence if such position still exists, or, if such position does not still exist, to as similar a position as possible, without loss of seniority, the right to participate in insurance or any other employment benefits, other than wages for services not rendered during the leave of absence, as a consequence of the leave of absence of the member or prospective member. Such seniority, right to participate in insurance or other employment benefits shall continue to accumulate during the leave of absence as though the member or prospective member had continued in employment continuously in the regular employment position the member or prospective member held immediately prior to the first day of the leave of absence of the member or prospective member.

(5) This section is not applicable if:

(a) The member or prospective member was employed by the employer for a period of less than 90 days immediately prior to the first day of the leave of absence.

(b) The circumstances of the employer have so changed during the leave of absence of the member or prospective member as to make restoration of the member or prospective member to employment impossible or unreasonable.

(c) The member or prospective member fails to apply for restoration to employment within:

(A) Fifteen days after adjournment sine die of the Legislative Assembly following a regular session; or

(B) If the leave was for a lesser period for another legislative assignment, five days after the assignment is completed.

(d) The regular employment position of the member or prospective member immediately prior to the first day of

the leave of absence or the character, terms, conditions or activities of such position are incompatible under the Constitution and laws of this state with the office of member of the Legislative Assembly.

(e) Employment is on a temporary basis.

(f) The employer employs fewer than 10 persons immediately prior to the first day of the leave of absence.

(6) As used in this section, "prospective member" means a person who is certified or appointed to serve in the Legislative Assembly but who has not taken the oath of office. [1957 c.549 §2; 1989 c.1066 §1; 1991 c.454 §2]

171.125 Proceeding to require compliance with ORS 171.120 and 171.122. (1) If any employer fails to comply with the provisions of ORS 171.120 and 171.122, the circuit court for any county in which such employer maintains a place of business has jurisdiction, upon the filing of a petition by the Attorney General on behalf of the person entitled to such benefits by reason of noncompliance of the employer, specifically to require the employer to comply with the provisions of ORS 171.120 and 171.122.

(2) If any employer fails to comply with ORS 171.120 and 171.122, the member or prospective member may bring an action under ORS chapter 659A employing counsel of the member's or prospective member's own choosing. [1957 c.549 §3; 1989 c.1066 §3; 1991 c.454 §3; 2001 c.621 §70]

(Measure Filing)

171.127 When proposed measure to bear name of person other than member requesting introduction; statement of chief sponsor. (1) Each proposed legislative measure shall at the time of submission for filing bear the name of any state or other public agency or representative thereof, any private organization or representative thereof, or any person other than a member of the Legislative Assembly at whose specific formal request the measure is being introduced. As used in this subsection, "formal request" means the presentation, submission or providing of a drafted measure to a member or committee of the Legislative Assembly.

(2) Each proposed legislative measure shall bear a statement signed by the chief sponsor thereof, stating that all agencies, organizations and persons that have formally requested the measure are named thereon. [1975 c.783 §§1,2; 1981 c.517 §14; 1999 c.1074 §6]

171.130 Pre-session filing of proposed measures; printing and distribution. (1) At any time in advance of any regular or special session of the Legislative Assembly fixed by the Legislative Counsel Committee, or at any time in advance of a special session as may be fixed by joint rules of both houses of the Legislative Assembly, the following may file a proposed legislative measure with the Legislative Counsel:

(a) Members who will serve in the session and members-elect.

(b) Interim and statutory committees of the Legislative Assembly.

(2) On or before December 15 of the year preceding a regular legislative session, or at any time in advance of a special session as may be fixed by joint rules of both houses of the Legislative Assembly, the following may file a proposed legislative measure with the Legislative Counsel:

(a) The Oregon Department of Administrative Services, to implement the fiscal recommendations of the Governor contained in the budget report of the Governor.

(b) The person who will serve as Governor during the session.

(c) The Secretary of State, the State Treasurer, the Attorney General, the Commissioner of the Bureau of Labor and Industries and the Superintendent of Public Instruction.

(d) The Judicial Department.

(3) Notwithstanding subsection (2) of this section, a statewide elected official who initially assumes office in January of an odd-numbered year may submit proposed measures for introduction by members or committees of the Legislative Assembly until the calendar day designated by rules of either house of the Legislative Assembly. The exemption granted by this subsection to a newly elected Governor does not apply to state agencies in the executive branch.

(4) On or before December 15 of the year preceding a regular legislative session, a state agency may file a proposed legislative measure with the Legislative Counsel through a member or committee of the Legislative Assembly.

(5) The Legislative Counsel shall order each measure filed pursuant to subsections (1) to (4) of this section prepared for printing and may order the measure printed. If the person filing a measure specifically requests in writing that the measure be made available for distribution, the Legislative Counsel shall order the measure printed and shall

make copies of the printed measure available for distribution before the beginning of the session to members and members-elect and to others upon request.

(6) Copies of all measures filed and prepared for printing or printed pursuant to this section shall be forwarded by the Legislative Counsel to the chief clerk of the house designated by the person filing the measure for introduction.

(7) The costs of carrying out this section shall be paid out of the money appropriated for the expenses of that session of the Legislative Assembly for which the measure is to be printed.

(8) The Legislative Counsel Committee may adopt rules or policies to accomplish the purpose of this section.

(9) This section does not affect any law or any rule of the Legislative Assembly or either house thereof relating to the introduction of legislative measures. [1961 c.167 §17; 1969 c.374 §1; 1971 c.638 §1; 1981 c.517 §15; 1999 c.1074 §1; 2001 c.45 §1]

171.132 [1975 c.783 §3; 1979 c.237 §2; repealed by 1999 c.1074 §8]

171.133 Approval of Governor required for measure introduction. (1) A state agency shall not cause a bill or measure to be introduced before the Legislative Assembly if the bill or measure has not been approved by the Governor.

(2) As used in ORS 171.130 and this section, “state agency” means every state agency whose costs are paid wholly or in part from funds held in the State Treasury, except the Legislative Assembly, the courts and their officers and committees, and except the Secretary of State, the State Treasurer, the Attorney General, the Commissioner of the Bureau of Labor and Industries and the Superintendent of Public Instruction. [1979 c.237 §3; 1999 c.1074 §5]

(Readability)

171.134 Readability test for legislative digests and summaries. Any measure digest or measure summary prepared by the Legislative Assembly shall be written in a manner that results in a score of at least 60 on the Flesch readability test or meets an equivalent standard of a comparable test. [1979 c.270 §1]

(Supplies)

171.135 [Formerly 171.100; 1969 c.620 §6; repealed by 1981 c.517 §4 (171.136 enacted in lieu of 171.135 and 171.140)]

171.136 Supplies and equipment. (1) The Legislative Administrator, subject to the policies of the Legislative Administration Committee and the rules of each house, shall furnish necessary office supplies, equipment and stationery for the use of all members, officers and employees of the Legislative Assembly, taking their receipt therefor. It is the duty of such members, officers and employees to return to the Legislative Administrator any unused stationery or supplies and all equipment at the close of each session of the Legislative Assembly unless otherwise directed by the Legislative Administrator. The Legislative Administrator is authorized to charge the cost of any unreturned nonconsumable supplies or equipment against the final payroll check of the member, officer or employee responsible therefor.

(2) Unless otherwise directed by joint resolution, the Legislative Administrator shall cause to be forwarded to each member of the Legislative Assembly all materials furnished to them by statute, rule or resolution that do not remain the property of the state and that are left by the member with the Legislative Administrator to be so forwarded at the close of each regular or special session of the Legislative Assembly. The member shall designate the address to which the materials are to be forwarded.

(3) The expenses incurred in carrying out the provisions of this section shall be paid out of the appropriation for the expenses of that session of the Legislative Assembly for which the services were performed or the supplies provided. [1981 c.517 §5 (enacted in lieu of 171.135 and 171.140)]

171.137 [1969 c.620 §16; repealed by 1981 c.130 §1]

171.140 [1961 c.167 §15; 1969 c.620 §7; repealed by 1981 c.517 §4 (171.136 enacted in lieu of 171.135 and 171.140)]

ELECTION DATES

171.180 State policy governing election dates. The Legislative Assembly finds that to limit the number of days on which elections are held in this state would consolidate separate single purpose elections, reduce the cost of elections and local government, and increase participation in the electoral process. It, therefore, finds that the number of election days in this state is a matter of statewide concern. [1979 c.316 §1]

171.185 Dates for legislatively prescribed elections; emergency election. (1) Except as provided in subsection (2) of this section, an election called by the Legislative Assembly shall be held only on:

- (a) The second Tuesday in March;
- (b) The third Tuesday in May;
- (c) The third Tuesday in September; or
- (d) The first Tuesday after the first Monday in November.

(2) An election may be held on a date other than that provided in subsection (1) of this section, if the Legislative Assembly by resolution or Act finds that an election sooner than the next available election date is required on a measure to finance repairs to property damaged by fire, vandalism or a natural disaster. [1979 c.316 §2; 1981 c.639 §1; 1987 c.267 §63; 1989 c.923 §3; 1991 c.71 §1; 1993 c.713 §50; 1995 c.712 §112]

PUBLICATIONS

171.200 “Publications” defined for ORS 171.206. As used in ORS 171.206, “publications” does not include materials published under ORS 171.236 or 171.275, but does include:

- (1) Bills, resolutions and memorials and amendments thereto.
- (2) Reports of statutory, standing, special or interim legislative committees.
- (3) Periodic legislative calendars and periodic journals, if any of these are published.
- (4) Other documents or papers which the Legislative Assembly, or either house thereof, orders printed. [1961 c.167 §18; 1965 c.424 §4]

171.205 [Formerly 171.090; 1965 c.424 §5; 1971 c.638 §2; repealed by 1981 c.517 §6 (171.206 enacted in lieu of 171.205, 171.211, 171.215 and 171.625)]

171.206 Legislative publications, publication and distribution; form and number; charges; disposition of publications. (1) Except as provided in ORS 171.236 and 171.275, all publications printed for either house of the Legislative Assembly and their committees, including joint committees created by law, rule or joint resolution, shall be published and distributed by the Legislative Administrator, subject to the rules of each house and under the direction of the Legislative Administration Committee.

(2) Unless otherwise directed by joint resolution and except as otherwise provided by law, the Legislative Administrator may cause to be distributed the publications of the Legislative Assembly among such state officers, departments and agencies, public officers and state institutions of higher learning as the Legislative Administration Committee determines necessary for their requirements. Each house shall receive from the Legislative Administrator such number of publications as it deems necessary.

(3) Notwithstanding any other provision of law, the Legislative Administrator shall make available to the State Librarian for distribution and exchange purposes 50 copies of each printed measure and daily calendar issued by authority of the Legislative Assembly and 50 copies of each legislative interim committee report, or such lesser number as is desired by the State Librarian.

(4) Unless otherwise directed by joint resolution, the Legislative Administration Committee shall determine the form, number and distribution of and charges for, if any, the materials referred to in subsection (1) of this section. In determining charges, the committee shall take into account the cost of publishing and distributing copies other than those it distributes under subsections (2) and (3) of this section.

(5) All money received under subsection (4) of this section shall be deposited in the General Fund and be available for payment of the general expenses of the state, except that so much thereof is appropriated as is necessary to reimburse the Legislative Administration Committee for its actual costs incurred in publishing and distributing the copies for which it charges a fee.

(6) The Legislative Administration Committee may order the disposition of legislative publications which in its

judgment are no longer of value to the state. [1981 c.517 §7 (enacted in lieu of 171.205, 171.211, 171.215 and 171.625); 1991 c.842 §6]

171.210 [Repealed by 1961 c.150 §9]

171.211 [1961 c.167 §20; 1965 c.424 §6; 1969 c.620 §8; repealed by 1981 c.517 §6 (171.206 enacted in lieu of 171.205, 171.211, 171.215 and 171.625)]

171.215 [Formerly 171.092; repealed by 1981 c.517 §6 (171.206 enacted in lieu of 171.205, 171.211, 171.215 and 171.625)]

171.218 [1961 c.167 §22; repealed by 1965 c.424 §8]

171.220 [Amended by 1959 c.577 §2; renumbered 171.405]

171.222 [1961 c.167 §23; repealed by 1965 c.424 §8]

171.225 [1965 c.424 §1; repealed by 1981 c.517 §8 (171.236 enacted in lieu of 171.225 and 171.235)]

171.226 [1961 c.167 §24; repealed by 1965 c.424 §8]

171.230 [Amended by 1959 c.577 §3; repealed by 1965 c.424 §8]

171.235 [1965 c.424 §7; 1969 c.174 §1; 1969 c.620 §9; repealed by 1981 c.517 §8 (171.236 enacted in lieu of 171.225 and 171.235)]

171.236 Advance sheets; session laws; publication; distribution; disposition. (1) The Legislative Counsel, under the direction of the Legislative Counsel Committee, shall publish and distribute the laws enacted by the Legislative Assembly.

(2) The Legislative Counsel Committee shall determine the form, number and distribution of and charges for, if any, the publications referred to in subsection (1) of this section and may perform other functions necessary for the publication and distribution thereof.

(3) The Legislative Counsel shall provide sufficient copies of the publications prepared under this section to the Legislative Administrator for distribution in accordance with ORS 171.206 (2).

(4) The Legislative Counsel Committee may order the disposition of any publications referred to in this section which in its judgment are no longer of value to the state. [1981 c.517 §9 (enacted in lieu of 171.225 and 171.235)]

171.240 [Amended by 1959 c.577 §4; repealed by 1965 c.424 §8]

171.245 Legislative Publications Account. (1) There is established in the General Fund an account to be known as the Legislative Publications Account. All moneys collected or received under ORS 171.236 shall be paid into the account. All moneys in the account are appropriated continuously for and shall be used for the purposes described in ORS 171.236.

(2) Disbursements of moneys from the Legislative Publications Account shall be approved by either of the presiding officers of the Legislative Assembly; but the presiding officers may jointly designate an individual to approve disbursements from the account. A statement designating the individual, together with a sample of the individual's signature, shall be filed as provided in ORS 293.335. [1965 c.424 §3; 1969 c.174 §2; 1981 c.517 §16; 1999 c.117 §9]

171.250 [Repealed by 1965 c.424 §8]

171.255 Evidentiary status of published session laws. The laws enacted by the Legislative Assembly and by the people, when published in accordance with the provisions of ORS 171.236, shall be received in all courts of this state as an authorized publication of the laws of Oregon published therein. [1965 c.424 §2; 1981 c.517 §17]

171.260 [Amended by 1959 c.577 §5; repealed by 1965 c.424 §8]

171.270 Legislative materials furnished public officers without charge are public property. Except as otherwise provided by or pursuant to law, the copies of the legislative materials referred to in ORS 171.236 furnished free of charge to the public officers of this state pursuant to law are public property and shall be delivered over by them to their successors in office. [Amended by 1969 c.174 §3; 1981 c.517 §18]

171.272 [1953 c.546 §1; 1961 c.167, §27; renumbered 173.152]

OREGON REVISED STATUTES

171.275 Oregon Revised Statutes; committee policy; charges. (1) The Legislative Counsel, under the direction of the Legislative Counsel Committee, shall publish and distribute the Oregon Revised Statutes, including index, replacement parts, annotations and supplements, and all editions thereof.

(2) The Legislative Counsel Committee shall establish policies for the revision, clarification, classification, arrangement, codification, annotation, indexing, printing, binding, publication, copyrighting, sale and distribution of the publications referred to in subsection (1) of this section.

(3) The Legislative Counsel Committee shall establish such charges as may be necessary to recover the costs of publishing the materials sold and distributed under this section. [1981 c.517 §11 (enacted in lieu of 173.150)]

171.280 [1963 c.418 §2; repealed by 1969 c.174 §5]

171.285 Legislative Counsel certificate. (1) When any edition of the statutes, or part or supplement designed to replace parts of or to supplement a previous edition and to bring such edition up to date, is published by the Legislative Counsel Committee, the Legislative Counsel shall cause to be printed in the edition, part or supplement a certificate that the Legislative Counsel has compared each section in such edition, part or supplement with the original section in the enrolled bill or, if the enrolled bill is stored in a computer or similar device, with any printout or other output readable by sight, shown to reflect the enrolled bill accurately, and that, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law, the sections in the published edition, part or supplement are correctly copied.

(2) Any edition, part or supplement certified as provided in subsection (1) of this section shall constitute prima facie evidence of the law in all courts and proceedings, and any section in such edition, part or supplement may be amended or repealed by amending or repealing such section of the edition, part or supplement without reference to the legislative Act from which it was derived. No compilation of the statute laws of Oregon not bearing such certificate, or a similar certificate of the Reviser of Statutes, shall be admissible as evidence of the law in any court or proceeding. [Formerly 173.170; 1983 c.740 §37]

171.295 Preservation and use of ORS type. (1) In any contract for the printing of any editions of the statutes, provision may be made for preservation or purchase, on behalf of the state, of the type or plates from which the editions were printed, for use in producing future editions or publications.

(2) The Legislative Counsel Committee may permit the use of such type or plates or material printed therewith for the production of pamphlets of particular portions of the statute laws requested by any public agency, under such terms and conditions as the committee considers reasonable. [Formerly 173.180]

171.305 ORS Revolving Account. (1) The proceeds from the sale of any edition or publication made pursuant to ORS 171.275 shall be deposited in the State Treasury to the credit of a revolving account for the use of the Legislative Counsel Committee in publishing and distributing future editions or publications. The account, to be known as the ORS Revolving Account, shall be continuously appropriated for such purpose.

(2) There shall also be deposited to the credit of the ORS Revolving Account any moneys received through the sale of type metal or plates belonging to the Legislative Counsel Committee or any moneys received by the committee in connection with the use of type or plates, or material printed therewith pursuant to ORS 171.295.

(3) The Legislative Counsel Committee, from time to time, may cause to be transferred from the ORS Revolving Account to the General Fund such moneys as the committee may consider unnecessary for use in publishing and

distributing future editions or publications.

(4) Any unexpended and unobligated balance in the ORS Revolving Account in excess of \$400,000 as of July 1 of any odd-numbered year, as certified by the Legislative Counsel, shall be transferred from the account to the General Fund to be available for general governmental expenditures. [Formerly 173.250; 1983 c.178 §4; 1991 c.579 §1]

171.315 Free distribution of ORS. (1) The Legislative Counsel, in addition to distribution otherwise authorized of copies of Oregon Revised Statutes, including index and annotations, shall furnish free of charge:

(a) For each member of the Legislative Assembly who did not serve during the session immediately preceding, one set and, throughout the term of the member, the current replacement parts therefor as issued. Such sets shall be furnished, for issuance to the members, to the Legislative Administrator.

(b) For each member of the Legislative Assembly who served during the session immediately preceding, one set for official use during each session. Such sets shall be furnished, for issuance to the members, to the Legislative Administrator, who upon final adjournment of each session shall collect sets issued pursuant to this paragraph for reissue during subsequent sessions. Current replacement parts for these sets shall be furnished as issued.

(c) For each judgeship, the salary of which is paid by the state, one set and current replacement parts therefor as issued, for each county in which the judge regularly holds court. Sets and current replacement parts distributed pursuant to this paragraph shall be delivered by the recipients to their successors in office.

(2)(a) The costs of furnishing sets and replacement parts therefor to members of the Legislative Assembly shall be paid from the appropriations made for the payment of the expenses of the Legislative Assembly.

(b) The costs of furnishing sets and replacement parts therefor pursuant to subsection (1)(c) of this section shall be paid from the state appropriations made for the payment of the expenses of the various judgeships. [Formerly 173.152]

171.325 Certified copy of statute or rule of civil procedure published in Oregon Revised Statutes; form; fee.

(1) Upon request of any person, the Secretary of State may certify under the seal of the State of Oregon:

(a) A copy of any statute of this state published in the Oregon Revised Statutes.

(b) A copy of any rule contained in the Oregon Rules of Civil Procedure and published in the Oregon Revised Statutes.

(2) The certification of the Secretary of State shall state that the statute or rule was published in the Oregon Revised Statutes and shall specify the edition of the Oregon Revised Statutes in which the statute or rule appeared.

(3) The Secretary of State may charge a fee for the cost of reproducing and certifying a copy of a statute or rule requested under this section. [1983 c.245 §1]

RECORDS

171.405 Binding original enrolled laws and joint resolutions. The Legislative Administration Committee shall cause the original enrolled laws and joint resolutions passed at each session of the Legislative Assembly to be bound in a volume in a substantial manner in the order in which they are approved. The Legislative Administration Committee is not required to keep any further record of the official acts of the Legislative Assembly, so far as relates to Acts and joint resolutions. [Formerly 171.220; 1971 c.638 §3]

171.407 Sound recordings of legislative proceedings required; State Archivist to provide public access. (1) Sound recordings, produced on equipment selected by the Legislative Administration Committee for compatibility with equipment for reproduction by the State Archives, shall be made of every meeting of the Legislative Assembly and of every hearing and meeting of every standing, special and interim committee of the Legislative Assembly, or subcommittee thereof.

(2) The sound recordings required under subsection (1) of this section are part of the legislative records of the Legislative Assembly or committee and shall be subject to the provisions of ORS 171.410 to 171.430.

(3) Except as provided in ORS 171.425, the State Archivist shall not loan any sound recording required under subsection (1) of this section, but may arrange to have such recordings copied in an appropriate manner and may make a reasonable charge therefor. [1973 c.555 §1]

171.410 “Legislative record” defined for ORS 171.410 to 171.430. As used in ORS 171.410 to 171.430, unless the context requires otherwise, “legislative record” means a measure or amendment thereto, a document, book, paper, photograph, sound recording or other material exclusive of personal correspondence, regardless of physical form or

characteristics, made by the Legislative Assembly, a committee or employee thereof, in connection with the exercise of legislative or investigatory functions, but does not include the record of an official act of the Legislative Assembly kept by the Secretary of State under section 2, Article VI of the Oregon Constitution. [1961 c.150 §1; 1981 c.517 §19]

171.415 Delivery to Legislative Administration Committee; exception. (1) Except as provided in subsections (2) and (3) of this section, a committee or employee of the Legislative Assembly having possession of legislative records that are not required for the regular performance of official duties shall, within 10 days after the adjournment sine die of a regular or special session, deliver all such legislative records to the Legislative Administration Committee.

(2) The chairperson, member or employee of a legislative interim committee responsible for maintaining the legislative records of that committee shall, within 10 days after the committee ceases to function or before January 1 next preceding the beginning of a regular biennial session of the Legislative Assembly, whichever is earlier, deliver all such legislative records to the Legislative Administration Committee.

(3) This section does not apply to the records of the Emergency Board, the Legislative Administration Committee, the Legislative Counsel Committee or the Joint Committee on Ways and Means. [1961 c.150 §2; 1969 c.620 §10; 1973 c.555 §4; 1981 c.517 §20]

171.420 Classification and arrangement; delivery to State Archivist. The Legislative Administrator shall classify and arrange the legislative records delivered to the Legislative Administrator pursuant to ORS 171.415, in a manner that the Legislative Administrator considers best suited to carry out the efficient and economical utilization, maintenance, preservation and disposition of the records. The State Archivist shall assist the Legislative Administrator in the performance of this work. The Legislative Administrator shall deliver to the State Archivist all legislative records in the possession of the Legislative Administrator when such records have been classified and arranged. The State Archivist shall thereafter be official custodian of the records so delivered. [1961 c.150 §3; 1969 c.620 §11]

171.425 Borrowing by certain legislative personnel. The State Archivist shall allow the Legislative Fiscal Officer, the Legislative Administrator, the Legislative Counsel, or the Legislative Revenue Officer to borrow and temporarily have possession of such legislative records as such officer requests. [1961 c.150 §4; 1969 c.620 §12; 1975 c.789 §6]

171.427 Schedule for retention, destruction or disposition of records. The Legislative Administration Committee and State Archivist shall establish and from time to time may revise a schedule that shall govern the retention and destruction or other disposition of legislative records delivered to and in the custody of the archivist under ORS 171.420 or 171.430 and of sound recordings retained by a committee under ORS 171.430 (2). The schedule agreed upon by the committee and archivist shall be set forth in the rules and regulations issued by the archivist. [1973 c.555 §3]

171.430 Disposal by certain committees; sound recordings by certain committees. (1) Except for legislative records borrowed under ORS 171.425 and except as provided in subsection (2) of this section, the Emergency Board, the Legislative Administration Committee, the Legislative Counsel Committee or the Joint Committee on Ways and Means may cause any legislative records in its possession to be destroyed or otherwise disposed of, if such legislative records are considered by such committee to be of no value to the state or the public and are no longer necessary under or pursuant to any statute requiring their creation or maintenance or affecting their use. However, such committee shall prior to destruction or disposal notify the State Archivist and transfer to the official custody of the State Archivist any such legislative records that are requisitioned by the State Archivist, except those designated as confidential by statute or by rule or resolution of the Legislative Assembly or of such committee.

(2) The Emergency Board, the Legislative Administration Committee, the Legislative Counsel Committee and the Joint Committee on Ways and Means shall cause sound recordings of its hearings or meetings to be retained, or if not retained, to be delivered to the State Archivist. The archivist shall be official custodian of the sound recordings so delivered. [1961 c.150 §6; 1969 c.620 §13; 1973 c.555 §5]

INVESTIGATIONS OF LEGISLATOR AND LEGISLATOR-ELECT

171.450 Legislative intent. In enacting ORS 171.455 to 171.465, it is the intention of the Legislative Assembly to support the privilege of free suffrage and to protect the integrity of the election process against improper conduct:

(1) By establishing a procedure to examine complaints about election conduct of members or members-elect of the Legislative Assembly; and

(2) By assisting the Legislative Assembly in carrying out its constitutional duties to judge of the election, qualifications and returns of its own members. [1985 c.693 §1]

171.455 Complaint of elector; content. (1) Within 30 days after a general election, any elector may file a complaint with the Secretary of State alleging a criminal violation of any election law by a member or member-elect of the Legislative Assembly.

(2) The complaint shall be specific in its allegations. If the complaint pertains to campaign publications or material, a copy of the material shall be filed with the complaint. If the charge is incapable of such documentation, the affidavits of at least two persons who witnessed the conduct that is subject of the complaint shall be attached. Each affidavit shall contain the name and address of the affiant and a detailed statement describing the conduct that is the subject of the complaint. [1985 c.693 §2]

171.460 Secretary of State to conduct investigation; findings; report. (1) Upon receipt of the complaint, the Secretary of State shall conduct an investigation to determine whether there is probable cause to believe that the alleged violation occurred, and that it was both deliberate and capable of having some possible effect upon the election.

(2) Upon a finding of probable cause, the Secretary of State shall report the finding to the Legislative Assembly that will convene on the second Monday in January by delivery to the Secretary of the Senate or Chief Clerk of the House of Representatives, as appropriate, at least five days prior to the convening of the regular session.

(3) The findings under this section are a public record available for public inspection.

(4) Action under this section is in addition to and not in lieu of action under ORS 260.345. [1985 c.693 §3]

171.465 Credentials committee; appointment; duties. The presiding officer of each house of the Legislative Assembly shall appoint a credentials committee. The credentials committee shall review the finding of any report of the Secretary of State submitted under this section and ORS 171.450 to 171.460, hear additional evidence if it so chooses, and make recommendations to the appropriate legislative body. [1985 c.693 §4]

WITNESSES IN LEGISLATIVE PROCEEDINGS

171.505 Administering oaths to witnesses. The President of the Senate, the Speaker of the House of Representatives, the chairperson or vice chairperson of any statutory, standing, special or interim committee of either house of the Legislative Assembly, or the chairperson or vice chairperson of a statutory, standing, special or interim joint committee of the two houses, may administer oaths to witnesses in any proceedings under their examination. [Formerly 171.075]

171.510 Legislative process to compel attendance and production of papers; service. (1) The President of the Senate, the Speaker of the House of Representatives, or the chairperson or vice chairperson of any of the legislative committees referred to in ORS 171.505 upon a majority vote of any such committee, may issue any processes necessary to compel the attendance of witnesses and the production of any books, papers, records or documents as may be required.

(2) Process may be served by a sergeant-at-arms of either house when the Legislative Assembly is in session or by a person authorized to serve summons and in the manner prescribed for the service of a summons upon a defendant in a civil action in a circuit court. The process shall be returned to the authority issuing it within 10 days after its delivery to the person for service, with proof of service as for summons or that the person cannot be found. When served outside of the county in which the process originated, the process may be returned by mail. The person to whom the process is delivered shall indorse thereon the date of delivery. [Formerly 171.076; 1973 c.827 §21; 1977 c.877 §16; 1979 c.284 §117]

171.515 Reimbursement of witnesses appearing under legislative process. (1) Witnesses appearing under process issued pursuant to ORS 171.510:

(a) Before the Senate or House of Representatives, or a standing, special or statutory committee of either or both, or a subcommittee thereof, except as provided in paragraph (b) of this subsection, shall be reimbursed from funds appropriated for the expenses of that session of the Legislative Assembly during which the witnesses appear.

(b) Before the Legislative Counsel Committee, the Emergency Board, the Joint Committee on Ways and Means or an interim committee, or a subcommittee thereof, shall be reimbursed from funds appropriated for the expenses of the committee or subcommittee before which the witnesses appear.

(2) The amount of reimbursement payable to a witness under subsection (1) of this section shall not exceed the fees and mileage provided for witnesses in ORS 44.415 (2). All claims for reimbursement are subject to the approval of the Legislative Fiscal Officer. [1961 c.167 §11; 1981 c.892 §91a; 1989 c.980 §9]

171.520 Reporting violations of ORS 171.510. (1) Whenever a person summoned as provided in ORS 171.510 fails to appear to testify or fails to produce any books, papers, records or documents as required, or whenever any person so summoned refuses to answer any question pertinent to the subject under inquiry before either house or any of the committees referred to in ORS 171.505, the fact of such failure may be reported to either house while in session.

(2) If the Legislative Assembly is not in session, a statement of facts constituting such failure may be filed with the President of the Senate or the Speaker of the House of Representatives. The President of the Senate or the Speaker of the House of Representatives, as the case may be, shall certify the statement of facts to the district attorney for the county in which the offense occurred, who shall take appropriate action. [Formerly 171.077]

171.522 Judicial enforcement of legislative process; order; service. (1) Whenever a person summoned as provided in ORS 171.510 fails to appear to testify or fails to produce any books, papers, records or documents as required, or whenever any person so summoned refuses to answer any question pertinent to the subject under inquiry before either house, any statutory committee, any standing committee of either house, or any special or interim committee created by both houses, the house or committee, in lieu of proceeding under ORS 171.520, may apply to the circuit court for the county in which the failure occurred for an order to the person to attend and testify, or otherwise to comply with the demand or request of the house or committee.

(2) The application to the court shall be by ex parte motion upon which the court shall make an order requiring the person against whom it is directed to comply with the demand or request of the house or committee within three days after service of the order, or within such further time as the court may grant, or to justify the failure within that time.

(3) The order shall be served upon the person to whom it is directed in the manner required by this state for service of process, which service is required to confer jurisdiction upon the court. Failure to obey an order issued by the court under this section is contempt of court.

(4) This section does not affect the exercise of the powers of either house under section 16, Article IV, Oregon Constitution. [1965 c.294 §1]

171.525 Immunities of witness before legislative committee. Any testimony given by a witness before any legislative committee shall not be used against the witness in any criminal action or proceeding, nor shall any criminal action or proceeding be brought against such witness on account of any testimony so given by the witness, except for perjury committed before such committee. [Formerly 171.078]

171.530 Privilege of witness before legislative committee. (1) The privilege of a witness who appears voluntarily or under subpoena before a committee of the Legislative Assembly in a matter within the jurisdiction of the committee is the same as that of a witness in judicial proceedings. A statement made by the witness before a legislative committee which is pertinent to the matter before the legislative committee is privileged and the witness shall not be subject to an action for civil damages as a result thereof unless the witness knowingly makes a false and immaterial statement for the purpose of defaming another.

(2) As used in this section, "legislative committee" means a statutory, standing, special or interim committee of either or both houses, including a legislative task force, established by rule of either or both houses, by resolution or by law and whether or not all members of the legislative committee are also members of the Legislative Assembly. [1987 c.797 §1]

WATER POLICY COMMITTEE

171.535 Definitions for ORS 171.540 to 171.550. As used in ORS 171.540 to 171.550, unless the context requires otherwise, "committee" means the Joint Legislative Committee on Water Policy. [1983 c.796 §5]

171.540 Joint Legislative Committee on Water Policy. (1) The Joint Legislative Committee on Water Policy is

established as a committee of the Legislative Assembly.

(2) The Joint Legislative Committee on Water Policy shall consist of five members of the House appointed by the Speaker of the House of Representatives and five members of the Senate appointed by the President of the Senate. No more than four of the House members, nor more than four of the Senate members, shall be of the same political party. If the Speaker or the President is a member, either from time to time may designate an alternate from among the members of the appropriate body to exercise powers as a member of the committee, except that the alternate shall not preside if the Speaker or the President is a chairperson.

(3) A committee shall be appointed within 30 days after the convening of the Legislative Assembly in regular session. Vacancies occurring in the membership of the committee shall be filled by the appointing authority. If a vacancy occurs in the membership of the committee during the interim, the vacant position shall not be counted for the purpose of determining a quorum until the vacancy is filled.

(4) Any action of the committee must be approved by an affirmative vote of a majority of the members of the committee.

(5) The committee shall have 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. During the sessions of the Legislative Assembly, the committee may conduct its business as a joint committee or as separate water committees for the Senate and the House of Representatives, as determined by the President of the Senate and the Speaker of the House of Representatives.

(6) Each presiding officer shall designate a chairperson who shall serve as cochairperson and who shall perform such duties as the members require including the approval of voucher claims. [1983 c.796 §6; 1989 c.180 §1]

171.545 Duties of committee. The Joint Legislative Committee on Water Policy shall:

(1) Review the progress of the department and the commission in carrying out the provisions of ORS 536.235.

(2) Review and make recommendations to the Legislative Assembly on rules and policies adopted by the department and the commission.

(3) Study and make recommendations to the Legislative Assembly on the following:

(a) The implementation of a process for long range policy planning, conservation, development and management of the state's water resource;

(b) The establishment of a database for use by all state agencies and local governments for water resources planning purposes;

(c) Water conservation measures including, but not limited to, incentive programs and best available agriculture, forestry, fisheries, municipal and industrial technologies;

(d) Methods to provide funding for water resource planning;

(e) Methods for increasing the quantity and quality of water for in-stream uses while maintaining and increasing quantities available for consumptive uses;

(f) Methods for insuring the orderly development of hydroelectric resources, including but not limited to a process of classifying stream segments as to their suitability for hydroelectric development;

(g) The extent of ground water decline within the state, its long term effects on agriculture and other development, approaches for abating the declines and practices that affect ground water recharge; and

(h) Any other matter relating to water resources in Oregon. [1983 c.796 §7]

171.550 Reports to committee. The Water Resources Director and the chairperson of the Water Resources Commission shall report periodically to the Joint Legislative Committee on Water Policy on the progress achieved in carrying out responsibilities under ORS 536.235 and on any other matters requested by the committee. The report shall be made in a form and manner as the committee may prescribe. [1983 c.796 §8]

COMMITTEE ON OREGON PLAN

171.551 Joint legislative committee on Oregon Plan. (1) There is hereby created a bipartisan joint legislative committee for the consideration of issues related to the Oregon Plan, as described in ORS 541.405, and of other issues related to water quality, stream restoration and species recovery generally. The joint legislative committee shall consist of members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom the Speaker shall designate as cochair, and members of the Senate appointed by the President of the Senate, one of whom the President shall designate as cochair.

(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) The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, 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 Assembly.

(5) Action of the committee shall be taken only upon the affirmative vote of the majority of members of the committee.

(6) Existing legislative staff 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. [1997 c.7 §2; 1999 c.270 §1]

171.553 Authority of committee. The joint legislative committee created pursuant to ORS 171.551:

(1) Shall be responsible for oversight and coordination of Oregon Plan activities and other stream restoration and species recovery activities;

(2) Shall be responsible for any additional coordination, oversight or advisory duties related to the management of natural resources in Oregon, as the President of the Senate and the Speaker of the House of Representatives may assign; and

(3) May:

(a) Receive informational reports from the Healthy Streams Partnership established under ORS 541.407, from the Independent Multidisciplinary Science Team created under ORS 541.409, from the Coastal Salmon Restoration and Production Task Force established under section 2, chapter 544, Oregon Laws 1995, and from other sources and, on the basis of such informational reports, recommend changes to the statewide stream and fish and wildlife species enhancement efforts undertaken to prevent a species listing as threatened or endangered, or to restore a species that is listed.

(b) Review the activities of the individuals and state and federal agencies implementing the Oregon Plan and other programs related to species enhancement, protection and restoration of wildlife habitat, and improvement of the health of Oregon's streams.

(c) Review requests for and make recommendations to the Joint Legislative Committee on Ways and Means or, during the interim between legislative sessions, to the Emergency Board, regarding grant proposals and other requests for funds submitted by the Oregon Watershed Enhancement Board or other state agencies responsible for implementing the Oregon Plan or other species enhancement, protection and restoration of wildlife habitat, or stream enhancement projects.

(d) Review any memorandum of understanding or intergovernmental agreement between a state agency and any other local, state or federal agency to implement all or any portion of a program described in ORS 541.405.

(e) Review rules proposed for adoption by an agency to implement the programs described in ORS 541.405.

(f) Review the effectiveness of existing projects and programs.

(g) Review research projects related to all factors that influence the health of Oregon's streams.

(h) Recommend implementation principles, priorities and guidance for the programs described in ORS 541.405. [1997 c.7 §3; 1999 c.270 §2; 1999 c.1026 §24]

WAYS AND MEANS COMMITTEES

171.555 Ways and means committees. The President of the Senate, upon election as President, shall appoint a committee of ways and means consisting of eight members. The Speaker of the House of Representatives, upon election as Speaker, shall appoint a committee of ways and means consisting of eight members. At least two of the members appointed from each house shall have had previous experience on the committee of 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 chairperson. As soon as practicable after their appointment, the committees shall meet jointly, the chairpersons of the respective committees alternating as presiding officers. The chairpersons of the joint committee 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. [Formerly 171.080; 1977 c.891 §1; 1981 c.2 §1]

STATE BUDGET POLICY

171.557 State budget policy. (1) The Legislative Assembly finds that there is a need for a comprehensive, specific budget format available to all members of the Legislative Assembly so that:

- (a) Effective policy decisions can be made;
- (b) Line items in agency budgets can be identified by program function;
- (c) Decisions to increase or decrease agency budgets can be made with knowledge as to policy and programmatic impact; and
- (d) A more objective comparison can be made to the Governor's budget.

(2) The Legislative Assembly also finds that the goal of the legislative budgeting process is to afford members a thorough understanding of:

- (a) The policies of state government regarding the definition and delivery of state services;
 - (b) What program functions are necessary to state operations and the cost of these functions; and
 - (c) The means whereby these policies and programs are administered.
- (3) The goal of the Legislative Assembly is to decide, as a body, which policies and programs are necessary to discharge its public responsibilities. Consequently, the Legislative Assembly finds that there is a need to examine the legislative budgeting process so that:

- (a) Policy decisions are made by the Legislative Assembly as a whole;
- (b) Program functions are more closely identified with line items in agency budgets;
- (c) Funding options and priorities are defined in terms of policies; and
- (d) Legislative budgeting identifies programs which are necessary in terms of policies and state responsibilities, as opposed to the need to maintain existing program activities. [1989 c.652 §1]

171.559 Duty of Joint Legislative Committee on Ways and Means. The Joint Legislative Committee on Ways and Means shall examine budgets based upon policy where budget policies affect more than one agency pursuant to the policies stated in ORS 171.557. [1989 c.652 §2]

171.560 [1961 c.167 §39 (enacted in lieu of 351.030); 1969 c.695 §2; 1971 c.638 §16; 1977 c.891 §2; 1979 c.351 §1; repealed by 1979 c.351 §5; 171.562 enacted in lieu of 171.560]

SENATE CONFIRMATION OF EXECUTIVE APPOINTMENTS

171.562 Procedures for confirmation. The Senate by rule adopted during a session or at a convening of the Senate to carry out its duties under section 4, Article III of the Oregon Constitution, shall specify its procedures for the confirming of appointments by the Governor that are by law subject to confirmation by the Senate. [1981 c.4 §1; enacted in lieu of 171.560]

171.565 Vote required for confirmation; interim Senate meetings. (1) In case of any executive appointment made subject to confirmation of the Senate, the affirmative vote of a majority of the members of the Senate shall be necessary for confirmation. If an appointment is not confirmed by the Senate, the Governor shall make another appointment, subject to confirmation by the Senate.

(2) The name of the individual to be appointed or reappointed shall be submitted to the Senate by the Governor. The Senate shall take up the question of confirmation as soon after the convening of a regular or special session as is appropriate or upon a convening of the Senate to carry out its duties under section 4, Article III of the Oregon Constitution. The question of confirmation may be referred to committee or it may be acted upon without such referral.

(3) Members of the Senate convened to carry out duties of the Senate under section 4, Article III of the Oregon

Constitution, shall be considered in attendance at a meeting of an interim committee during the period of convening for purposes of ORS 171.072.

(4) If the name of an individual to be appointed or reappointed submitted by the Governor is not acted upon during the term of the Legislative Assembly to which it is submitted, the name may be resubmitted to the subsequent term by the Governor on or after the date the Legislative Assembly convenes in the subsequent regular session. [1981 c.4 §2; enacted in lieu of 171.570; 1985 c.35 §1]

171.570 [1969 c.695 §1; 1979 c.351 §2; repealed by 1979 c.351 §5; 171.565 enacted in lieu of 171.570]

171.572 [1981 c.517 §12; repealed by 2001 c.45 §8]

COMPENSATION AND CLASSIFICATION SYSTEM OVERSIGHT

171.575 Oversight over state compensation and classification system. The Legislative Assembly shall provide continuing oversight, by committee, task force or other appropriate means, to insure that compensation and classification in the state service meet the requirements of ORS 240.190 and other applicable provisions of state law. Members performing the oversight function shall review the proposed changes to classification and compensation plans and their implementation as necessary to determine the progress within each branch of government in achieving policies stated in ORS 240.190 and other applicable provisions of state law. The oversight function shall include recommending appropriate actions to remedy any inequities in the plan. [1989 c.975 §1]

AUDIT COMMITTEE

171.580 Joint Legislative Audit Committee. (1) There is created a Joint Legislative Audit Committee consisting of the chair of the House Ways and Means Committee, the chair of the Senate Ways and Means Committee, four members of the House of Representatives appointed by the Speaker and four members of the Senate appointed by the President.

(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) The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, 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) Action of the committee shall be taken only upon the affirmative vote of the majority of members of the committee.

(6) 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. [1989 c.128 §1; 1997 c.331 §1; 1999 c.59 §34; 1999 c.567 §1]

171.585 Duties of committee. The Joint Legislative Audit Committee shall:

(1) Review all audits and make recommendations for change or remediation by the agency or other organization under review to the Emergency Board, the Joint Ways and Means Committee and other persons receiving the audit report under ORS 192.245.

(2) Accept requests for performance and program audits from individual legislators, legislative committees, the Division of Audits, the Budget and Management Division and the Legislative Fiscal Office.

(3) In conjunction with the Director of the Division of Audits, set priorities on the basis of risk assessment for performance and program audits and program evaluations.

(4) With the advice and assistance of the Legislative Fiscal Officer, the Administrator of the Budget and Management Division and the Director of the Division of Audits, determine the type of audit, evaluation or review utilizing criteria to include but not be limited to the nature and scope of the task, the time frame involved, necessary professional guidelines, economy, efficiency, cost and cost responsibility.

(5) Not later than 12 months after the issuance of an audit report, review the actions of an agency or other government organization for compliance with the recommendations of the audit report.

(6) Assign tasks to the Legislative Fiscal Office, the Budget and Management Division, the Division of Audits or a special task force. [1989 c.128 §2; 1997 c.847 §3]

171.590 Cooperation of state agencies. (1) In carrying out specific program evaluations and reviews, the Legislative Fiscal Office may utilize the services of the Division of Audits, the Budget and Management Division, other statutory agencies of the Legislative Assembly and staff of the substantive committees as necessary. The Division of Audits shall undertake a performance audit at the direction of the Joint Legislative Audit Committee and report to the committee.

(2) The Emergency Board shall make funds available to the Division of Audits to reimburse it for expenses incurred under this section for a performance audit. [1989 c.128 §3]

TRANSPORTATION COMMITTEE

171.595 Joint Legislative Committee on Transportation. (1) The Legislative Committee on Transportation is established as a joint committee of the Legislative Assembly.

(2) The committee shall consist of five members of the House of Representatives appointed by the Speaker of the House of Representatives and five members of the Senate appointed by the President of the Senate. If possible, at least one of the members appointed by each appointing authority shall have served on the committee in the preceding interim between legislative sessions.

(3) The appointing authorities shall appoint members of a new committee within 30 days after the convening of the Legislative Assembly in regular session.

(4) If the Speaker of the House of Representatives or the President of the Senate is a member of the committee, either may designate an alternate from among the members of the respective house from time to time to exercise powers as a member of the committee when the Speaker or the President is not in attendance at a meeting of the committee. The alternate shall not preside if the Speaker or President is a cochairperson of the committee.

(5) The term of a member of the committee shall expire upon the convening of the Legislative Assembly in regular session next following the member's appointment. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(6) 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. During the sessions of the Legislative Assembly, the committee shall conduct its business as a joint committee.

(7) Each appointing authority shall designate a cochairperson for the committee. The cochairpersons shall preside alternately over meetings of the committee when the committee meets as a joint committee.

(8) The committee may appoint advisory committees or subcommittees, which may include individuals other than members of the Legislative Assembly. A member of an advisory committee or subcommittee appointed under this subsection who is not a member of the Legislative Assembly shall be compensated and reimbursed in the manner provided in ORS 292.495.

(9) The Legislative Administration Committee shall provide staff necessary to the performance of the functions of the Legislative Committee on Transportation. The committee shall use the services of permanent legislative staff to the greatest extent practicable. [1999 c.1039 §1]

171.600 Authority of committee. The Legislative Committee on Transportation may:

(1) Review policies, laws and regulations related to administration, operation, planning, design, construction and maintenance of highways.

(2) Review policies, laws and regulations related to motor vehicles and other modes of transportation.

(3) Study any other issue or policy related to transportation as authorized by the Speaker of the House of Representatives or the President of the Senate.

(4) Make recommendations to the Legislative Assembly on any subject the committee is authorized to review or

study. [1999 c.1039 §2]

INTERIM COMMITTEES

171.605 Construction of ORS 171.605 to 171.635. (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 interim 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 supersedes as to the particular interim committee that it creates. [1961 c.167 §1]

171.610 Functions. The Legislative Assembly may by joint resolutions create interim committees to:

(1) Make studies of and inquiries into any subject of assistance to the Legislative Assembly, or either house thereof, in exercising its legislative authority.

(2) Report information of assistance to the Legislative Assembly, or either house thereof, in exercising its legislative authority.

(3) Prepare and submit recommendations, which may include proposed legislative measures, to the Legislative Assembly. [1961 c.167 §2]

171.615 Duration. An interim committee may function during the period beginning at the adjournment sine die of that session of the Legislative Assembly during which it was created, and ending at the convening of the next regular biennial legislative session. [1961 c.167 §4]

171.620 Powers. Unless otherwise specifically provided by law or by the joint resolution creating it, and in addition to any other powers it possesses, an interim committee may:

(1) Perform such acts as the committee finds necessary to carry out its powers and the purposes expressed in the joint resolution creating it.

(2) Select its officers and adopt such rules for its organization and proceedings as the committee considers convenient to exercise its powers and accomplish its purposes.

(3) Hold meetings at such times and places, whether within or without this state, as the committee considers expedient.

(4) Use advisory committees or subcommittees, the members to be appointed by the chairperson of the interim committee subject to approval by a majority of the members of the interim committee. The advisory committees or subcommittees may include individuals other than members of the Legislative Assembly.

(5) Reimburse members of advisory committees or subcommittees who are not members of the Legislative Assembly for their actual and necessary travel and other expenses incurred in the performance of their duties. [1961 c.167 §5; 1975 c.530 §2]

171.625 [1961 c.167 §6; 1969 c.620 §14; 1977 c.121 §1; repealed by 1981 c.517 §6 (171.206 enacted in lieu of 171.205, 171.211, 171.215 and 171.625)]

171.630 Vacancies; appointment of alternates by presiding officers. (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.

(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. [1961 c.167 §7; 2001 c.31 §1]

171.635 Appointment of nonlegislators. Provision may be made, in the joint resolution creating an interim committee, for the appointment to the committee of individuals other than members of the Legislative Assembly. [1961 c.167 §3]

171.640 Appointment of interim committees; membership; topics of study; employees; expenses. (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 such committee is called 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 which may consist of members of the house over which the particular authority presides, or members of both houses, including or not including public members, and may assign thereto the general topic of study or concern to the committee.

(3) Chairpersons and members of interim committees shall be appointed by the appointing authorities. Public members may be appointed to serve on joint interim committees by the appointing authorities acting in consultation with each other. Public members may also be appointed by the appointing authority to serve on other interim committees created. The appointing authorities shall 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. Notwithstanding the provisions of ORS 171.206, 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) The appointing authority or authorities may cause to be employed such persons as are necessary to the performance of the function of the interim committees created under authority of this section. The appointing authority or authorities 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 shall be entitled to an allowance as authorized by law for each day they are engaged in interim committee business as approved by the appointing authority or authorities. 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. [1987 c.879 §24]

171.645 [1991 c.693 §1a; 1993 c.45 §22; repealed by 1995 c.79 §55]

INTERIM AUTHORITY FOR STAFF AND DISBURSEMENTS

171.650 Interim staff for presiding officers. The President of the Senate and the Speaker of the House of Representatives each may appoint an interim staff to assist the President or Speaker during the period between sessions of the Legislative Assembly. Each presiding officer shall fix the compensation and prescribe the duties of the interim staff of the presiding officer. Expenses incurred for each interim staff appointed under this section shall be paid from amounts appropriated by law out of the General Fund for payment of the expenses of the Legislative Assembly. [1969 c.236 §2]

171.660 [1969 c.236 §3; repealed by 1975 c.530 §9]

171.670 Authority for approval of disbursements during interim. Subject to any other grant of or limitation on authority to authorize the incurring of and approve disbursements for indebtedness or expenses of the Legislative Assembly to be paid from amounts appropriated by law out of the General Fund for that purpose, which may be

adopted by joint resolution of both houses, such authority is vested as follows:

(1) For general expenses of the Legislative Assembly not specifically attributable to either house, in the Legislative Administration Committee.

(2) For expenses specifically attributable to either house, in the President of the Senate or the Speaker of the House of Representatives, as the case may be. [1975 c.530 §8]

171.705 [1963 s.s. c.1 §1; 1975 c.136 §1; 1979 c.593 §1; renumbered 183.710]

171.707 [1975 c.136 §3 (enacted in lieu of 171.710); 1977 c.344 §1; 1979 c.593 §2; renumbered 183.715]

171.709 [1975 c.136 §4 (enacted in lieu of 171.710); 1977 c.344 §3; 1979 c.593 §3; renumbered 183.720]

171.710 [1963 s.s. c.1 §2; repealed by 1975 c.136 §2 (171.707, 171.709, 171.713 enacted in lieu of 171.710)]

171.713 [1975 c.136 §5 (enacted in lieu of 171.710); 1977 c.344 §4; renumbered 183.725]

171.715 [1977 c.161 §3; repealed by 1979 c.593 §34]

LOBBYING REGULATION

171.725 Definitions for ORS 171.725 to 171.785. As used in ORS 171.725 to 171.785, unless the context requires otherwise:

(1) “Compensation” has the meaning given that term in ORS 292.951.

(2) “Consideration” includes a gift, payment, distribution, loan, advance or deposit of money or anything of value, and includes a contract, promise or agreement, whether or not legally enforceable.

(3) “Executive agency” means a commission, board, agency or other body in the executive branch of state government that is not part of the legislative or judicial branch.

(4) “Executive official” means any member or member-elect of an executive agency and any member of the staff or an employee of an executive agency. A member of a state board or commission, other than a member who is employed in full-time public service, is not an executive official for purposes of ORS 171.725 to 171.785.

(5) “Judge” means an active judge serving on the Oregon Supreme Court, Court of Appeals, Oregon Tax Court, or an Oregon circuit court.

(6) “Legislative action” means introduction, sponsorship, testimony, debate, voting or any other official action on any measure, resolution, amendment, nomination, appointment, or report, or any matter that may be the subject of action by either house of the Legislative Assembly, or any committee of the Legislative Assembly, or the approval or veto thereof by the Governor.

(7) “Legislative official” means any member or member-elect of the Legislative Assembly, any member of an agency, board or committee that is part of the legislative branch, and any staff person, assistant or employee thereof.

(8) “Lobbying” means influencing, or attempting to influence, legislative action through oral or written communication with legislative officials, solicitation of others to influence or attempt to influence legislative action or attempting to obtain the goodwill of legislative officials.

(9) “Lobbyist” means:

(a) Any individual who agrees to provide personal services for money or any other consideration for the purpose of lobbying.

(b) Any person not otherwise subject to paragraph (a) of this subsection who provides personal services as a representative of a corporation, association, organization or other group, for the purpose of lobbying.

(c) Any public official who lobbies.

(10) “Public agency” means a commission, board, agency or other governmental body.

(11) “Public official” means any member or member-elect of any public agency and any member of the staff or an employee of the public agency. [1973 c.802 §2; 1975 c.747 §1; 1977 c.588 §1; 1987 c.566 §1; 1991 c.378 §1; 2001 c.751 §1]

171.730 Lobbying regulation purpose. The Legislative Assembly finds that, to preserve and maintain the integrity of the legislative process, persons who engage in efforts to persuade members of the Legislative Assembly or the

executive branch to take specific actions, either by direct communication with members or employees of the Legislative Assembly or the executive branch or by solicitation of others to engage in those efforts, should regularly report their efforts to the public. [1973 c.802 §1; 2001 c.751 §2]

171.735 Application of ORS 171.740 and 171.745 to certain persons. ORS 171.740 and 171.745 do not apply to the following persons:

- (1) News media, or their employees or agents, that in the ordinary course of business directly or indirectly urge legislative action but that engage in no other activities in connection with the legislative action.
- (2) Any legislative official acting in an official capacity.
- (3) Any individual who receives no compensation or reimbursement of expenses for lobbying, who limits lobbying activities solely to formal appearances to give testimony before public sessions of committees of the Legislative Assembly, or public hearings of state agencies, and who, when testifying, registers an appearance in the records of the committees or agencies.
- (4) A person who spends not more than 24 hours during any calendar quarter lobbying and who does not spend an amount in excess of \$100 lobbying during any calendar quarter.
- (5) The Governor, Executive Assistant to the Governor, Legal Counsel to the Governor, Secretary of State, Deputy Secretary of State appointed pursuant to ORS 177.040, State Treasurer, Chief Deputy State Treasurer appointed pursuant to ORS 178.060, Attorney General, Deputy Attorney General appointed pursuant to ORS 180.130, Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries and any judge. [1973 c.802 §3; 1974 c.72 §27; 1975 c.747 §2; 1977 c.588 §1a; 1979 c.666 §1; 1981 c.528 §1; 1987 c.566 §2; 1991 c.378 §2; 1993 c.714 §1; 2001 c.751 §3]

171.740 Lobbyists required to register; contents of statement. (1) Within three working days after exceeding the limit of time or expenditure specified in ORS 171.735 (4), a lobbyist shall register with the Oregon Government Standards and Practices Commission by filing with the commission a statement containing the following information:

- (a) The name, address and telephone number of the lobbyist.
- (b) The name, address and telephone number of each person that employs the lobbyist or in whose interest the lobbyist appears or works.
- (c) A general description of the trade, business, profession or area of endeavor of any person designated under paragraph (b) of this subsection, and a statement by the person that the lobbyist is officially authorized to lobby for the person.
- (d) The name of any member of the Legislative Assembly employed, retained or otherwise compensated by:
 - (A) The lobbyist designated under paragraph (a) of this subsection; or
 - (B) A person designated under paragraph (b) of this subsection.
- (e) The general subject or subjects of the legislative action of interest to the person for whom the lobbyist is registered.

(2) The designation of official authorization to lobby shall be signed by an official of each person that employs the lobbyist or in whose interest the lobbyist appears or works.

(3) If a lobbyist appears for a person for whom the lobbyist has not registered, the lobbyist shall register with the commission within three working days of the lobbyist's appearance.

(4) If any of the information submitted by a lobbyist in the statement required under subsection (1) of this section changes, the lobbyist shall revise the statement within 30 days of the change.

(5) A lobbyist registration expires December 31 of an odd-numbered year. If a lobbyist renews the registration before March 31 of the following even-numbered year, the commission shall consider the registration to have been effective as of December 31 of the odd-numbered year on which the registration expired.

(6) For the statement required by this section, an entity comprised of more than one lobbyist may file one statement for the lobbyists that comprise the entity. The statement the entity files must include the names of the individuals authorized to lobby on behalf of the client listed in the statement. [1973 c.802 §4; 1974 c.72 §28; 1975 c.747 §3; 1987 c.566 §3; 1993 c.714 §2; 2001 c.751 §4]

171.743 [1993 c.714 §3; repealed by 2001 c.751 §9]

171.745 Statements of lobbying expenses required; contents; time of filing. (1) A lobbyist registered with the Oregon Government Standards and Practices Commission or required to register with the commission shall, on January

31 and July 31, of each even-numbered year, and on January 31, April 30 and July 31 of each odd-numbered year, file with the commission a statement showing:

(a) The total amount of all moneys expended by the lobbyist for the purpose of lobbying in the preceding reporting period for:

- (A) Food, refreshments and entertainment;
- (B) Printing, postage and telephone;
- (C) Advertising, public relations, education and research; and
- (D) Miscellaneous; and

(b) The name of any legislative or executive official to whom or for whose benefit, on any one occasion, an expenditure in excess of \$25 is made for the purposes of lobbying, and the date, name of payee, purpose and amount of that expenditure.

(2) Beginning on July 1, 1979, the dollar amount specified in subsection (1)(b) of this section shall be adjusted annually by the commission based upon the change in the Portland Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States Department of Labor or its successor during the preceding 12-month period. The amount determined under this subsection shall be rounded to the nearest dollar.

(3) Statements required by this section need not include amounts expended by the lobbyist for personal living and travel expenses and office overhead, including salaries and wages paid for staff and secretarial assistance, and maintenance expenses. If the amount of any expenditure required to be included in a statement is not accurately known at the time the statement is required to be filed, an estimate of the expenditure shall be submitted in the statement and designated as an estimate. The exact amount expended for which a previous estimate was made shall be submitted in a subsequent report when the information is available.

(4) Notwithstanding ORS 171.735, 171.740 and subsections (1) to (3) of this section, a registered lobbyist, who engages in lobbying activities without compensation on behalf of an organization is not required to register as a lobbyist for the organization as long as the lobbying activity does not exceed the financial or time limits set in ORS 171.735 (4).

(5) A statement required by this section shall include a copy of any notice provided to a public official under ORS 244.100 (3).

(6) For each statement required by this section, an entity comprised of more than one lobbyist may file one statement that reports expenditures by the entity and not by individual lobbyists. [1973 c.802 §5; 1974 c.72 §29; 1975 c.747 §4; 1979 c.666 §2; 1987 c.158 §32; 1987 c.566 §4; 1991 c.354 §1; 1991 c.677 §2; 1993 c.743 §4; 2001 c.751 §5]

171.750 Employers of lobbyists required to file expense statements; annual revision of base amount. (1) Any person on whose behalf a lobbyist was registered, or was required to register with the Oregon Government Standards and Practices Commission at any time during the preceding calendar year, shall file with the commission, by January 31st of each year, a statement showing, for the preceding calendar year:

(a) The total amount of all moneys expended for lobbying activities on the person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services.

(b) The name of any legislative or executive official to whom or for whose benefit, on any one occasion, an expenditure in excess of \$25 for the purpose of lobbying is made by the person, but not including information previously reported in compliance with ORS 171.745, and the date, name of payee, purpose and amount of that expenditure.

(2) Using July 1, 1979, as the base, the dollar amount specified in subsection (1)(b) of this section shall be adjusted annually by the commission based upon the change in the Portland Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States Department of Labor, or its successor, during the preceding 12-month period. The amount determined under this subsection shall be rounded to the nearest dollar.

(3) A statement required under subsection (1) of this section shall include a copy of any notice provided to a public official under ORS 244.100 (3). [1973 c.802 §6; 1975 c.747 §5; 1979 c.666 §3; 1987 c.566 §5; 1991 c.677 §3; 2001 c.751 §6]

171.755 [1965 c.488 §1; repealed by 1973 c.802 §15]

171.756 Prohibited conduct. (1) A lobbyist may not instigate the introduction of any legislative action for the purpose of obtaining employment to lobby in opposition to the legislative action.

(2) A lobbyist may not attempt to influence the vote of any member of the Legislative Assembly by the promise of financial support of the candidacy of the member, or by threat of financing opposition to the candidacy of the member, at any future election.

(3) A person may not lobby or offer to lobby for consideration any part of which is contingent upon the success of any lobbying activity.

(4) A legislative or executive official may not receive consideration other than from the State of Oregon for acting as a lobbyist in Oregon. [1973 c.802 §7; 1974 c.72 §30; 1975 c.747 §6; 1987 c.566 §6; 1989 c.340 §1; 1993 c.743 §5; 2001 c.751 §7]

171.760 [1965 c.488 §4; repealed by 1973 c.802 §15]

171.762 Verification of reports, registrations and statements. (1) Each report, registration or statement required by ORS 171.725 to 171.785 shall contain or be verified by a written declaration that it is made under the penalties of false swearing. Such declaration shall be in lieu of any oath otherwise required.

(2) No person shall willfully make and subscribe any document which contains or is verified by a written declaration for false swearing which the person does not believe to be true and correct to every matter. [1973 c.802 §8; 1979 c.666 §4]

171.764 False statement or misrepresentation by lobbyist or public official prohibited; defense. (1) No lobbyist or public official, as defined in ORS 244.020, shall make any false statement or misrepresentation to any legislative or executive official or, knowing a document to contain a false statement, cause a copy of such document to be received by a legislative or executive official without notifying such official in writing of the truth as prescribed in subsection (2) of this section.

(2) It is a defense to a charge of violation of subsection (1) of this section if the person who made the false statement or misrepresentation retracts the statement or misrepresentation and notifies the official in writing of the truth:

- (a) In a manner showing complete and voluntary retraction of the prior false statement or misrepresentation; and
- (b) Before the subject matter of the false statement or misrepresentation is submitted to a vote of a legislative committee or either house of the Legislative Assembly or is relied upon by an executive official in an administrative hearing.

(3) As used in this section:

- (a) "False statement or misrepresentation" means the intentional misrepresentation or misstatement of a material fact.
- (b) "Material" means that which may have affected the course or outcome of any proceeding or transaction if known prior to the proceeding or transaction. [1993 c.743 §6]

171.765 [1965 c.488 §2; repealed by 1973 c.802 §15]

171.766 Public nature of reports, registrations and statements. All information submitted to the Oregon Government Standards and Practices Commission in any report, registration or statement required by ORS 171.725 to 171.785 is a public record. [1973 c.802 §9; 1983 c.740 §38]

171.770 [1965 c.488 §3; repealed by 1973 c.802 §15]

171.772 Commission to prescribe forms, accept voluntary filings and provide public access to filed information. In carrying out the provisions of ORS 171.725 to 171.785, the Oregon Government Standards and Practices Commission shall:

- (1) Prescribe forms for registrations, statements and reports required to be filed by ORS 171.725 to 171.785, and provide such forms to persons required to register and to file such statements and reports;
- (2) Accept and file any information voluntarily supplied that exceeds the requirements of ORS 171.725 to 171.785; and
- (3) Make registrations, statements and reports filed available for public inspection and copying during regular

office hours, and make copying facilities available at a charge not to exceed actual cost. [1973 c.802 §10; 1983 c.740 §39]

171.775 [1965 c.488 §5; repealed by 1973 c.802 §15]

171.776 Commission's duties; advisory opinions; status of opinions. (1) In addition to the duties prescribed in ORS 171.772, the Oregon Government Standards and Practices Commission may make inquiries or investigations in the manner prescribed in ORS 171.778 with respect to registrations, statements and reports filed under ORS 171.725 to 171.785, and with respect to any alleged failure to register or to file any statements or reports required under ORS 171.725 to 171.785, and upon signed complaint by any individual or on its own instigation, with respect to apparent violation of any part of ORS 171.725 to 171.785.

(2) Upon written request of any lobbyist, lobbyist employer or any person, or upon its own motion, the commission, under signature of the chairperson, may issue and publish opinions on the requirements of ORS 171.725 to 171.785, based on actual or hypothetical circumstances.

(3) If any lobbyist or lobbyist employer associated with the lobbyist is in doubt whether a proposed transaction or action constitutes a violation of ORS 171.725 to 171.785, the lobbyist or lobbyist employer may request in writing a determination from the commission. The requester shall supply such information as the commission requests to enable it to issue the interpretation.

(4) A lobbyist or lobbyist employer associated with the lobbyist shall not be liable under ORS 171.725 to 171.785 for any action or transaction carried out in accordance with an advisory interpretation issued under subsection (3) of this section. Such an advisory interpretation shall be considered a formal opinion having precedential effect and shall be subject to review by legal counsel to the commission before the interpretation is sent to the requester. [1973 c.802 §11; 1983 c.740 §40; 1993 c.743 §7]

171.778 Investigation and review of complaints of violations of ORS 171.725 to 171.785; procedure; confidentiality; order; court review. (1) Upon its own instigation or signed complaint of any person, the Oregon Government Standards and Practices Commission may undertake action in the Preliminary Review Phase with respect to any alleged violation of ORS 171.725 to 171.785. The person who is the subject of a complaint or of the commission's own action shall be notified immediately upon receipt of the complaint or upon adoption of a motion by the commission to undertake any action concerning the person. The notice shall be given by telephone if the person can be reached and a notice shall also be mailed to the person. The notice shall include the nature of the complaint or motion and a copy of all materials submitted along with the complaint or materials which give rise to the commission's instigation of action on its own motion. However, the person must also be notified in advance if an issue that may give rise to a motion to undertake action on the commission's own instigation is to be discussed at a commission meeting. Before investigating any complaint or undertaking an investigation on its own instigation, the commission shall make a finding that there is cause to undertake an investigation, notify the person who is the subject of the investigation, identify the issues to be examined and shall confine its investigation to those issues. If the commission finds reason to expand its investigation, it shall move to do so and shall record in its minutes the issues to be examined before expanding the scope of its investigation and formally notify the complainant and the person who is the subject of the complaint of the expansion and the scope thereof. If the commission does not make a finding of cause, it shall dismiss the complaint or rescind its motion and shall formally enter the dismissal or rescission on its records. The commission shall notify the person of the dismissal or rescission. After dismissal or rescission, the commission shall take no further action involving the person unless a new and different complaint is filed or action at its own instigation is undertaken based on different conduct.

(2) The commission may:

(a) During the Preliminary Review Phase, seek, solicit or otherwise obtain any books, papers, records, memoranda or other additional information, administer oaths, and take depositions necessary to determine whether there is cause; and

(b) During the Investigatory Phase, require any additional information, administer oaths, take depositions and issue subpoenas to compel attendance of witnesses and the production of books, papers, records, memoranda or other information necessary to complete the investigation. If any person fails to comply with any subpoena issued under this section or refuses to testify on any matters on which the person may be lawfully interrogated, the procedure provided in ORS 183.440 shall be followed to compel compliance.

(3) The person conducting any inquiry or investigation shall do so in an impartial, objective manner. All favorable

and unfavorable information collected by the investigator shall be turned over to the commission.

(4) The findings of the commission in any inquiry or investigation shall be reported impartially, including both favorable and unfavorable findings, and shall be made available to the person who is the subject thereof and to any employer of the person.

(5) Hearings relating to any charge of alleged violation of ORS 171.725 to 171.785 may be held before the commission or before a hearing officer assigned from the Hearing Officer Panel established under section 3, chapter 849, Oregon Laws 1999. The procedure shall be that for a contested case under ORS 183.310 to 183.550.

(6)(a) The period of time from the filing of a complaint or from acting on the commission's own instigation to the finding of cause or dismissal of the complaint or rescission of the motion shall be termed the Preliminary Review Phase and shall not exceed 90 days unless a delay is stipulated to by both the subject person and the Oregon Government Standards and Practices Commission, with the commission reserving a portion of the delay period to complete its actions.

(b) The Preliminary Review Phase shall be confidential. Commission members and staff may acknowledge receipt of a complaint but shall make no public comment or publicly disclose any materials relating to a case during the Preliminary Review Phase. A person who intentionally violates this paragraph is subject to a civil penalty in an amount not to exceed \$1,000. Any person aggrieved as a result of a violation of this paragraph by a member of the commission or its staff may file a petition in a court of competent jurisdiction in the county in which the petitioner resides in order to enforce the civil penalty provided in this paragraph.

(c) The commission's deliberations of a case at the conclusion of the Preliminary Review Phase shall be conducted in executive session. All case related materials and proceedings shall be open to the public after the commission makes a finding of cause, dismisses a complaint or rescinds a motion. Prior to the end of the Preliminary Review Phase, the executive director of the commission shall prepare a statement of the facts determined during the phase, including appropriate legal citations and relevant authorities. Before presentation to the commission, the executive director's statement shall be reviewed by legal counsel to the commission.

(d) The time limit imposed in this subsection and the commission's inquiry are suspended if:

(A) There is a pending criminal investigation that relates to the issues arising out of the underlying facts or conduct at issue in the matter before the commission, unless the parties stipulate otherwise; or

(B) A court has enjoined the commission from continuing its inquiry.

(7)(a) The period of time from the finding of cause to the beginning of any contested case proceedings shall be termed the Investigatory Phase and shall not exceed 120 days unless a delay is stipulated to by both the subject person and the Oregon Government Standards and Practices Commission, with the commission reserving a portion of the delay period to complete its actions.

(b) The time limit imposed in this subsection and the commission's investigation are suspended if:

(A) There is a pending criminal investigation that relates to the issues arising out of the underlying facts or conduct at issue in the matter before the commission, unless the parties stipulate otherwise; or

(B) A court has enjoined the commission from continuing its investigation.

(c) At the end of the Investigatory Phase, the commission shall take action by order, which action may include:

(A) Dismissal, with or without comment;

(B) Continuation of the investigation to determine further facts, but no more than one continuation, not to exceed 30 days' duration, shall be taken;

(C) Moving to a contested case proceeding;

(D) Seeking a negotiated settlement; or

(E) Taking other appropriate action if justified by the findings.

(8) If, at the end of the Investigatory Phase, the commission takes action by order to move to a contested case proceeding, a person may notify the commission that the person elects to have the commission file a lawsuit against the person in the Marion County Circuit Court in lieu of the contested case proceeding. The court may impose the penalty described in ORS 171.992. The person shall notify the commission of the election in writing no later than 21 days after receiving notification of the commission's action by order to move to the contested case proceeding. The commission shall file suit within 30 days after receiving notice that the person has elected the lawsuit procedure.

(9) The commission shall not inquire into or investigate any complaint or act at its own instigation on alleged conduct that occurred more than four years before the complaint is filed or action is undertaken.

(10) Nothing in this section is intended to prevent the commission and the person alleged to have violated ORS 171.725 to 171.785 from stipulating to a finding of fact concerning the violation and consenting to an appropriate penalty. The commission shall enter an order accordingly.

(11) As used in this section, “cause” and “pending” have the meanings given those terms in ORS 244.260. [1993 c.743 §2; 1993 c.747 §1; 1999 c.849 §48]

Note: The amendments to 171.778 by section 49, chapter 849, Oregon Laws 1999, become operative January 1, 2004. See section 50, chapter 849, Oregon Laws 1999. The text that is operative on and after January 1, 2004, is set forth for the user’s convenience.

171.778. (1) Upon its own instigation or signed complaint of any person, the Oregon Government Standards and Practices Commission may undertake action in the Preliminary Review Phase with respect to any alleged violation of ORS 171.725 to 171.785. The person who is the subject of a complaint or of the commission’s own action shall be notified immediately upon receipt of the complaint or upon adoption of a motion by the commission to undertake any action concerning the person. The notice shall be given by telephone if the person can be reached and a notice shall also be mailed to the person. The notice shall include the nature of the complaint or motion and a copy of all materials submitted along with the complaint or materials which give rise to the commission’s instigation of action on its own motion. However, the person must also be notified in advance if an issue that may give rise to a motion to undertake action on the commission’s own instigation is to be discussed at a commission meeting. Before investigating any complaint or undertaking an investigation on its own instigation, the commission shall make a finding that there is cause to undertake an investigation, notify the person who is the subject of the investigation, identify the issues to be examined and shall confine its investigation to those issues. If the commission finds reason to expand its investigation, it shall move to do so and shall record in its minutes the issues to be examined before expanding the scope of its investigation and formally notify the complainant and the person who is the subject of the complaint of the expansion and the scope thereof. If the commission does not make a finding of cause, it shall dismiss the complaint or rescind its motion and shall formally enter the dismissal or rescission on its records. The commission shall notify the person of the dismissal or rescission. After dismissal or rescission, the commission shall take no further action involving the person unless a new and different complaint is filed or action at its own instigation is undertaken based on different conduct.

(2) The commission may:

(a) During the Preliminary Review Phase, seek, solicit or otherwise obtain any books, papers, records, memoranda or other additional information, administer oaths, and take depositions necessary to determine whether there is cause; and

(b) During the Investigatory Phase, require any additional information, administer oaths, take depositions and issue subpoenas to compel attendance of witnesses and the production of books, papers, records, memoranda or other information necessary to complete the investigation. If any person fails to comply with any subpoena issued under this section or refuses to testify on any matters on which the person may be lawfully interrogated, the procedure provided in ORS 183.440 shall be followed to compel compliance.

(3) The person conducting any inquiry or investigation shall do so in an impartial, objective manner. All favorable and unfavorable information collected by the investigator shall be turned over to the commission.

(4) The findings of the commission in any inquiry or investigation shall be reported impartially, including both favorable and unfavorable findings, and shall be made available to the person who is the subject thereof and to any employer of the person.

(5) Hearings relating to any charge of alleged violation of ORS 171.725 to 171.785 may be held before the commission or before a hearing officer appointed by the commission. The procedure shall be that for a contested case under ORS 183.310 to 183.550.

(6)(a) The period of time from the filing of a complaint or from acting on the commission’s own instigation to the finding of cause or dismissal of the complaint or rescission of the motion shall be termed the Preliminary Review Phase and shall not exceed 90 days unless a delay is stipulated to by both the subject person and the Oregon Government Standards and Practices Commission, with the commission reserving a portion of the delay period to complete its actions.

(b) The Preliminary Review Phase shall be confidential. Commission members and staff may acknowledge receipt of a complaint but shall make no public comment or publicly disclose any materials relating to a case during the Preliminary Review Phase. A person who intentionally violates this paragraph is subject to a civil penalty in an amount not to exceed \$1,000. Any person aggrieved as a result of a violation of this paragraph by a member of the commission or its staff may file a petition in a court of competent jurisdiction in the county in which the petitioner resides in order to enforce the civil penalty provided in this paragraph.

(c) The commission’s deliberations of a case at the conclusion of the Preliminary Review Phase shall be conducted

in executive session. All case related materials and proceedings shall be open to the public after the commission makes a finding of cause, dismisses a complaint or rescinds a motion. Prior to the end of the Preliminary Review Phase, the executive director of the commission shall prepare a statement of the facts determined during the phase, including appropriate legal citations and relevant authorities. Before presentation to the commission, the executive director's statement shall be reviewed by legal counsel to the commission.

(d) The time limit imposed in this subsection and the commission's inquiry are suspended if:

(A) There is a pending criminal investigation that relates to the issues arising out of the underlying facts or conduct at issue in the matter before the commission, unless the parties stipulate otherwise; or

(B) A court has enjoined the commission from continuing its inquiry.

(7)(a) The period of time from the finding of cause to the beginning of any contested case proceedings shall be termed the Investigatory Phase and shall not exceed 120 days unless a delay is stipulated to by both the subject person and the Oregon Government Standards and Practices Commission, with the commission reserving a portion of the delay period to complete its actions.

(b) The time limit imposed in this subsection and the commission's investigation are suspended if:

(A) There is a pending criminal investigation that relates to the issues arising out of the underlying facts or conduct at issue in the matter before the commission, unless the parties stipulate otherwise; or

(B) A court has enjoined the commission from continuing its investigation.

(c) At the end of the Investigatory Phase, the commission shall take action by order, which action may include:

(A) Dismissal, with or without comment;

(B) Continuation of the investigation to determine further facts, but no more than one continuation, not to exceed 30 days' duration, shall be taken;

(C) Moving to a contested case proceeding;

(D) Seeking a negotiated settlement; or

(E) Taking other appropriate action if justified by the findings.

(8) If, at the end of the Investigatory Phase, the commission takes action by order to move to a contested case proceeding, a person may notify the commission that the person elects to have the commission file a lawsuit against the person in the Marion County Circuit Court in lieu of the contested case proceeding. The court may impose the penalty described in ORS 171.992. The person shall notify the commission of the election in writing no later than 21 days after receiving notification of the commission's action by order to move to the contested case proceeding. The commission shall file suit within 30 days after receiving notice that the person has elected the lawsuit procedure.

(9) The commission shall not inquire into or investigate any complaint or act at its own instigation on alleged conduct that occurred more than four years before the complaint is filed or action is undertaken.

(10) Nothing in this section is intended to prevent the commission and the person alleged to have violated ORS 171.725 to 171.785 from stipulating to a finding of fact concerning the violation and consenting to an appropriate penalty. The commission shall enter an order accordingly.

(11) As used in this section, "cause" and "pending" have the meanings given those terms in ORS 244.260.

171.780 [1973 c.802 §14; repealed by 1981 c.522 §2]

171.785 Sanctions to be prescribed by either chamber of Legislative Assembly; uniform application. (1) In addition to such penalties as otherwise may be provided by law, a person is subject to such sanctions as either house of the Legislative Assembly may prescribe if the person:

(a) Violates any provision of ORS 171.740 to 171.762; or

(b) Fails to file any report, registration or statement or to furnish any information required by ORS 171.725 to 171.785 and 171.992.

(2) The sanctions referred to in subsection (1) of this section shall be uniformly applied to all persons subject to ORS 171.725 to 171.785 and 171.992. [1973 c.802 §12]

CONTACT WITH LEGISLATIVE ASSEMBLY

171.790 Local government officials and employees authorized to contact Legislative Assembly.

Notwithstanding any provision of a city or county charter or any ordinance or order adopted thereunder, a city or county shall not:

(1) Prohibit an elected official, other officer or employee of the city or county from initiating contacts with

legislators or giving testimony before public sessions of committees of the Legislative Assembly or public hearings of state agencies when:

- (a) The contacts are made or testimony given as a representative of the city or county;
- (b) The contacts are made or testimony given to represent the interests of the city or county or the residents thereof;
- (c) No substantial part of the duties performed by the official, officer or employee consists of influencing or attempting to influence matters which may be the subject of action by either house of the Legislative Assembly or any of its committees;
- (d) The official, officer or employee receives no consideration for making the contacts or giving testimony other than the remuneration ordinarily paid to the official, officer or employee out of the funds of the city or county in return for duties performed for the city or county, together with reimbursement for expenses actually and necessarily incurred in appearing before the legislative committees or state agencies; and

(e) The official, officer or employee is not required to register with the Oregon Government Standards and Practices Commission under ORS 171.725 to 171.785 and the rules of the commission adopted thereunder.

(2) Prohibit an elected official, other officer or employee of the city or county from initiating contacts with legislators when the contacts are made to express personal political views and do not occur during working hours while the official, officer or employee is on the job.

(3) Prohibit an elected official, other officer or employee of the city or county from responding to requests from legislators or committees of the Legislative Assembly for information, data or opinions. [1985 c.788 §1]

171.795 Electronic distribution of information. (1) The Legislative Assembly finds and declares that it is now possible and feasible in this electronic age to distribute information more widely by way of electronic communication. The Legislative Assembly further finds that it is desirable to make information available to the citizens of this state in a timely manner and for the least possible cost. The use of electronic communication will:

- (a) Better inform the public of legislative proceedings and matters pending before the Legislative Assembly;
- (b) Allow broader participation among Oregonians in the legislative process;
- (c) Make information regarding legislative matters and proceedings more readily available to the citizens of this state;
- (d) Allow constituents to better communicate with their elected representatives, irrespective of where they reside;
- (e) Make administrative rules adopted or amended by state agencies more readily available to the citizens of this state; and
- (f) Provide the public with a better insight into the operations of state government.

(2) This section and ORS 173.763, 173.766 and 183.365 may be cited as the Oregon Public Access Act. [1995 c.614 §§1,2]

TRADE AND ECONOMIC DEVELOPMENT COMMITTEE

171.800 Definitions for ORS 171.800 to 171.845. As used in ORS 171.800 to 171.845, unless the context requires otherwise, “committee” means the Legislative Committee on Trade and Economic Development. [1973 c.700 §1; 1975 c.225 §7]

171.805 Committee established; members; term; advisory committees; cochairpersons; executive officer. (1) The Legislative Committee on Trade and Economic Development is established as a joint committee of the Legislative Assembly.

(2) The Legislative Committee on Trade and Economic Development shall consist of the Speaker of the House of Representatives, the President of the Senate, six members of the House appointed by the Speaker of the House of Representatives, at least one of whom shall have served on the committee in the preceding interim between legislative sessions, and five members of the Senate appointed by the President of the Senate, at least one of whom shall have served on the committee in the preceding interim between legislative sessions. The appointing authorities shall appoint members of a new committee within 30 days after the convening of the Legislative Assembly in regular session.

(3) The Speaker of the House of Representatives and the President of the Senate may each designate an alternate from among the members of the respective house from time to time to exercise powers as a member of the committee when the Speaker or the President is not in attendance at a meeting of the committee except that the alternate shall not preside if the Speaker or President is chairperson.

(4) The term of a member of the committee shall expire upon the convening of the Legislative Assembly in regular

session next following the member's appointment. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(5) 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.

(6) The cochairpersons, one from each house, shall preside alternately during the regular session of the Legislative Assembly. The chairperson and vice chairperson shall be alternated between the Senate and the House of Representatives each interim.

(7) The committee may appoint advisory committees or subcommittees, which may include individuals other than members of the Legislative Assembly. A member of such committee or subcommittee who is not a member of the Legislative Assembly shall be compensated and reimbursed in the manner provided in ORS 292.495.

(8) The President of the Senate and the Speaker of the House of Representatives, jointly, shall appoint an executive officer who shall serve at their pleasure. Subject to the approval of appointing authorities, the executive officer may appoint such other staff as is necessary to carry out the functions of the committee. [1973 c.700 §2; 1975 c.225 §8; 1975 c.530 §3a; 1977 c.891 §3; 1983 c.150 §1]

171.810 [1973 c.700 §3; 1975 c.225 §9; repealed by 1983 c.150 §3]

171.815 [1973 c.700 §4; 1975 c.225 §10; repealed by 1983 c.150 §3]

171.820 [1973 c.700 §5; 1975 c.225 §11; repealed by 1983 c.150 §3]

171.825 Duties of executive officer to prepare studies and reports; assistance for Legislative Assembly. (1) Pursuant to policies established by the Legislative Committee on Trade and Economic Development, the executive officer of the committee:

(a) Shall obtain information and reports relating to international trade and economic development when requested to do so by a member of the Legislative Assembly.

(b) Shall give such consideration to and service concerning any measure or matter before the Legislative Assembly as circumstances will permit, and which is in any way requested by the House of Representatives or Senate, or any committee of the Legislative Assembly having the measure or matter before it for consideration.

(c) In conformity with any applicable rules of the House or Senate, shall perform or cause to be performed, as circumstances will permit, service requested by any committee of the Legislative Assembly in connection with the performance of its functions.

(d) Shall attend, in person or by a representative, meetings of the Oregon Economic and Community Development Commission, all regional meetings of port districts and meetings of state agencies having responsibility for international trade or economic development and report to the committee on such meetings.

(2) Assignments made to the committee by joint or concurrent resolution of the Legislative Assembly shall be given priority over other requests received or initiated by the committee. [1973 c.700 §6; 1975 c.225 §12; 1995 c.79 §56]

171.830 Committee duties. The Legislative Committee on Trade and Economic Development shall:

(1) Maintain access to a current inventory of all international exports from this state, their value and the markets to which they were sent.

(2) Receive and evaluate studies and research concerning the impact of international trade, trade development efforts and economic development activities upon the State of Oregon.

(3) Receive and evaluate studies and research for the purpose of improving legislative knowledge of international trade potentials for Oregon products and the effects of trade development efforts and economic development activities.

(4) Engage in international, national, regional or local cooperative efforts for the study and the development of international trade as it may affect the State of Oregon.

(5) Seek the advice and assistance of political subdivisions of the state, any governmental agencies, representatives of foreign governments, institutions of higher learning, research and trade organizations, representatives of private industry and agriculture, associations which have an interest in international trade, trade development and economic development and any other party who is interested in such fields.

(6) Recommend to the Legislative Assembly legislative alternatives for the utilization of existing markets, identification and development of new avenues and markets for Oregon products, and the enhancement of favorable

impacts of trade upon the economy of the State of Oregon.

(7) Serve as a clearinghouse for information that will assist all public and private agencies with activities in the areas of international trade and economic development so that they may be better able to coordinate their activities. [1973 c.700 §7; 1975 c.225 §13]

171.833 Other duties of committee. (1) In addition to any other duties imposed on the Legislative Committee on Trade and Economic Development by law or joint resolution of the Legislative Assembly, the committee shall study and review international trade, trade development and economic development activities in the State of Oregon in order to assure a strong, coordinated program. The committee shall engage in appropriate legislative activities to extend and strengthen strong interstate programs in international trade from which the people of Oregon will benefit.

(2) The committee shall confer with the Economic and Community Development Department in carrying out its duties at least once annually. [1975 c.225 §6]

171.835 Committee authorized to contract for performance of duties; applicability of federal laws. The Legislative Committee on Trade and Economic Development may enter into any contracts necessary for the performance of its duties and functions. All contracts entered into by the committee shall be made in accordance with the laws of the state governing the making of such contracts. However, contracts entered into with the United States or any agency of the United States shall be made in accordance with applicable laws of the United States or any rule or regulation made thereunder. [1973 c.700 §8]

171.840 Committee authorized to receive funds to carry out functions; conditions on receipt of certain funds. (1) The Legislative Committee on Trade and Economic Development may accept, receive, receipt for, disburse and expend federal moneys and other moneys, public or private, for the accomplishment of the purposes of ORS 171.800 to 171.845.

(2) All federal moneys accepted under this section shall be accepted and transferred or expended by the committee upon such terms and conditions as are prescribed by the United States.

(3) All other moneys accepted under this section shall be accepted and transferred or expended by the committee upon such terms and conditions as are prescribed by law.

(4) All moneys received by the committee pursuant to this section shall be deposited in the State Treasury and, unless otherwise prescribed by the authority from which such moneys were received, shall be kept in separate funds designated according to the purposes for which the moneys were made available, and held by the state in trust for such purposes. All such moneys are continuously appropriated to the committee for the purposes for which they were made available, to be disbursed or expended in accordance with the terms and conditions upon which they were made available. [1973 c.700 §9]

171.845 Reports on economic development consequences from lottery expenditures; content; submittal to Legislative Assembly. (1) All agencies, persons and organizations expending moneys from the net proceeds of the lottery authorized by section 4, Article XV of the Oregon Constitution for the public purpose described in section 4, Article XV of the Oregon Constitution shall report to the Joint Legislative Committee on Trade and Economic Development on the economic development consequences of those expenditures. Such reports shall be submitted in accordance with an annual schedule and in a form prescribed by the committee, and shall include at a minimum information on the following:

(a) An accounting of the amounts expended from the lottery proceeds;

(b) An estimate of the amounts of public and private funds expended in concert with lottery funds to achieve the public purpose described in section 4, Article XV of the Oregon Constitution;

(c) An estimate of the number of jobs produced by the total expenditure of funds for the public purpose described in section 4, Article XV of the Oregon Constitution; and

(d) Such other information as the committee may require.

(2) The reports required by subsection (1) of this section shall be submitted to the Legislative Assembly. [Formerly 461.720; 1993 c.18 §29]

171.850 Agency report on business activities. Every agency that adopts a rule affecting business as described in ORS 183.335 or 183.540 shall submit annually a report of its activities concerning business to the Legislative Committee on Trade and Economic Development. [1981 c.755 §7]

COMMITTEE ON INFORMATION MANAGEMENT AND TECHNOLOGY

171.852 Joint Legislative Committee on Information Management and Technology; membership; term; expenses of members. (1) There is hereby created a Joint Legislative Committee on Information Management and Technology consisting of four members appointed by the Speaker of the House of Representatives, at least two of whom shall have served on the Joint Ways and Means Committee, and three members of the Senate appointed by the President of the Senate, at least one of whom shall have served on the Joint Ways and Means Committee.

(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) The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, 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) Action of the committee shall be taken only upon the affirmative vote of the majority of members of the committee.

(6) 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. [Formerly 182.115; 1993 c.724 §15a]

171.855 Duties of committee. The Joint Legislative Committee on Information Management and Technology shall:

(1) Establish statewide goals and policy regarding information systems and technology, including telecommunications.

(2) Conduct studies of information management and technology efficiency and security.

(3) Review the activities of the Oregon Department of Administrative Services, Information Resources Management Council.

(4) Make recommendations regarding established or proposed information resource management programs and information technology acquisitions. [1975 c.731 §2; formerly 182.121; 1993 c.724 §15b]

COMMITTEE ON PUBLIC EDUCATION APPROPRIATION

171.857 Appointment; report. (1) 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.

(2) 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 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).

(3)(a) Notwithstanding subsection (2) 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 (2) 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.

(4) 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.

(5) The report shall be issued within 180 days after the regular session of the Legislative Assembly adjourns sine die.

(6) 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. [2001 c.895 §7]

Note: Section 8, chapter 895, Oregon Laws 2001, provides:

Sec. 8. (1) Notwithstanding sections 6 and 7 of this 2001 Act [171.857 and 291.228], the Legislative Assembly and the Governor shall publish a report on the appropriation for the state's system of public education for the 2001-2003 biennium that addresses the kindergarten through grade 12 quality goals created by the Quality Education Commission established by the Governor in Executive Order 99-16.

(2) Notwithstanding subsection (1) of this section, the Legislative Assembly may choose not to use the quality goals created by the Quality Education Commission established by the Governor in Executive Order 99-16 if the Legislative Assembly meets the requirements of section 7 (3) of this 2001 Act [171.857 (3)]. [2001 c.895 §8]

WESTERN STATES LEGISLATIVE FORESTRY TASK FORCE

171.860 Western States Legislative Forestry Task Force; membership; duties; expenses. (1) The President of the Senate and the Speaker of the House of Representatives, joining with the presiding officers of the legislatures of Washington, Idaho, Montana, California and Alaska, shall appoint, respectively, two Senators and two Representatives to represent Oregon on the Western States Legislative Forestry Task Force, which shall operate as a clearinghouse for opinion from all the various interests involved in the western states forest industries, and which shall include among its duties the duty to report to the legislatures of the participating states and to the state delegations in the United States Congress concerning means of protecting and fostering the forest industries of the participating states.

(2) The legislators appointed to represent Oregon shall receive no compensation or per diem for service as a member unless the service is performed during a legislative session but may receive actual and necessary travel and other expenses under ORS 171.072 from funds appropriated therefor. [1987 c.678 §1; 1987 c.879 §26]

PACIFIC FISHERIES LEGISLATIVE TASK FORCE

171.865 Pacific Fisheries Legislative Task Force; membership; duties; expenses. (1) The President of the Senate and the Speaker of the House of Representatives, joining with the presiding officers of other jurisdictions, shall appoint, respectively, two Senators and two Representatives to represent Oregon on the Pacific Fisheries Legislative Task Force, which represents the legislative interests of Alaska, California, Idaho and Washington. The task force shall operate as a clearinghouse for opinion from all the various interests involved in Pacific fishing, and which shall include among its duties the duty to report to the legislatures of the participating jurisdictions and to the state delegations in the United States Congress concerning means of protecting and fostering Pacific fishing in the participating jurisdictions.

(2) Participation in the activities of the task force by individuals appointed to represent the State of Oregon is subject to the following conditions:

- (a) Members must use existing staff personnel for administrative support work.
- (b) Members shall receive no compensation or per diem for service as a member unless the service is performed during a legislative session but may receive actual and necessary travel and other expenses incurred in the performance of their official duties under ORS 171.072 from funds appropriated therefor. [1987 c.678 §2; 1987 c.879 §27]

COLUMBIA RIVER RESOURCE TASK FORCE

171.867 Columbia River Resource Task Force; membership; duties; staff; expenses. (1) The President of the Senate and the Speaker of the House of Representatives, shall appoint, respectively, two Senators and two Representatives to represent Oregon on the Columbia River Resource Task Force. The task force shall operate as a clearinghouse for issues of interest and concern on the Columbia River and shall include among its duties the duty to report to the legislatures of the participating jurisdictions and to the state delegations in the United States Congress concerning those interests and concerns in the participating jurisdictions.

(2) The appointments shall become operative when the presiding officers from Washington, Idaho and Montana, or any two of them, make legislative appointments for the same purpose.

(3) Participation in the activities of the task force by legislators appointed to represent the State of Oregon is subject to the following conditions:

- (a) Legislative members must use existing staff personnel for administrative support work.
- (b) Legislative members shall receive no compensation or per diem for service as a member unless the service is performed during a legislative session but may receive actual and necessary travel and other expenses incurred in the performance of their official duties under ORS 171.072 from funds appropriated therefor. [1991 c.926 §1]

STUDIES OF MANDATED HEALTH COVERAGE

171.870 Legislative findings. (1) The Legislative Assembly takes notice of the increasing number of legislative proposals for mandating certain health coverages, whether such proposals mandate payments for certain providers of health care or mandate the offering of health coverages by insurance carriers and health care service contractors as a component of individual or group policies. Improved access to these health care services to segments of the population who desire them may provide social and health consequences that are beneficial and in the public interest.

(2) The Legislative Assembly also takes notice of the fact that the cost ramifications of expanding health coverages is resulting in a growing public concern. The way that the coverages are structured and the steps taken to create incentives to provide cost-effective services or to take advantage of features of services that offset costs can significantly affect the cost of mandating particular coverages.

(3) The Legislative Assembly hereby finds and declares the following:

- (a) The merits of a particular coverage mandate must be balanced against a variety of consequences that may go far beyond the immediate effect upon the cost of insurance coverage.
- (b) A systematic review of legislation proposing mandated or mandatorily offered health coverage that explores all ramifications of the proposed legislation will assist the Legislative Assembly determining whether mandating a particular coverage or offering is in the public interest. [1985 c.747 §55]

171.875 Report required to accompany measures proposing mandated coverage. Every proposed legislative measure that mandates a health insurance coverage, whether by requiring payment for certain providers or by requiring an offering of a health insurance coverage by an insurer or health care service contractor as a component of individual or group health insurance policies, shall be accompanied by a report that assesses both the social and financial effects of the coverage in the manner provided in ORS 171.880, including the efficacy of the treatment or service proposed. The report may be prepared either by the chief sponsor or by any other proponent of the proposed measure. The report shall be submitted with the proposed measure when the proposed measure is submitted for filing, and shall be in writing and be a public record. [1985 c.747 §56]

171.880 Content of report. The report required under ORS 171.875, to the extent that information is available, shall include but need not be limited to the following:

- (1) Answers to the following questions concerning the social effect of the proposed measure:
 - (a) To what extent is the treatment or service used by the general population of Oregon?
 - (b) To what extent is the insurance coverage already generally available in Oregon?

- (c) What proportion of the population of Oregon already has such coverage?
- (d) To what extent does the lack of coverage result in financial hardship in Oregon?
- (e) What evidence exists to document the medical need in Oregon for the proposed treatment or services?
- (2) Answers to the following questions concerning the financial effect of the proposed measure:
 - (a) To what extent is the coverage expected to increase or decrease the cost of treatment or services?
 - (b) To what extent is the coverage expected to increase the use of the treatment or services?
 - (c) To what extent is the mandated treatment or services expected to be a substitute for more expensive treatment or services?
 - (d) To what extent is the coverage expected to increase or decrease the administrative expenses of insurance companies and the premium and administrative expenses of policyholders?
 - (e) What will be the effect of this coverage on the total cost of health care? [1985 c.747 §57]

PENALTIES

171.990 Penalty for witness failing to appear or to give testimony in legislative proceeding. Every person who, having been summoned as a witness under ORS 171.510 to give testimony or to produce books, papers, records or documents upon any matter under inquiry before either house or any of the committees referred to in ORS 171.505, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the matter under inquiry, is guilty of a misdemeanor. [1953 c.544 §3; 1961 c.167 §13]

171.992 Civil penalty for violation of lobby regulation. (1) Any person who violates any provision of ORS 171.740 to 171.762, or any rule adopted pursuant thereto, shall forfeit and pay to the General Fund a civil penalty for each violation of not more than \$1,000, to be determined by the Oregon Government Standards and Practices Commission.

(2) The civil penalty referred to in subsection (1) of this section may be recovered in an action brought thereon in the name of the State of Oregon in any court of appropriate jurisdiction or may be imposed as provided in ORS 183.090. In any proceedings before the court, including judicial review under ORS 183.090, the court may review the penalty as to both liability and reasonableness of amount. [1973 c.802 §13; 1987 c.566 §6a; 1991 c.734 §9]