

# OREGON HOUSE OF REPRESENTATIVES

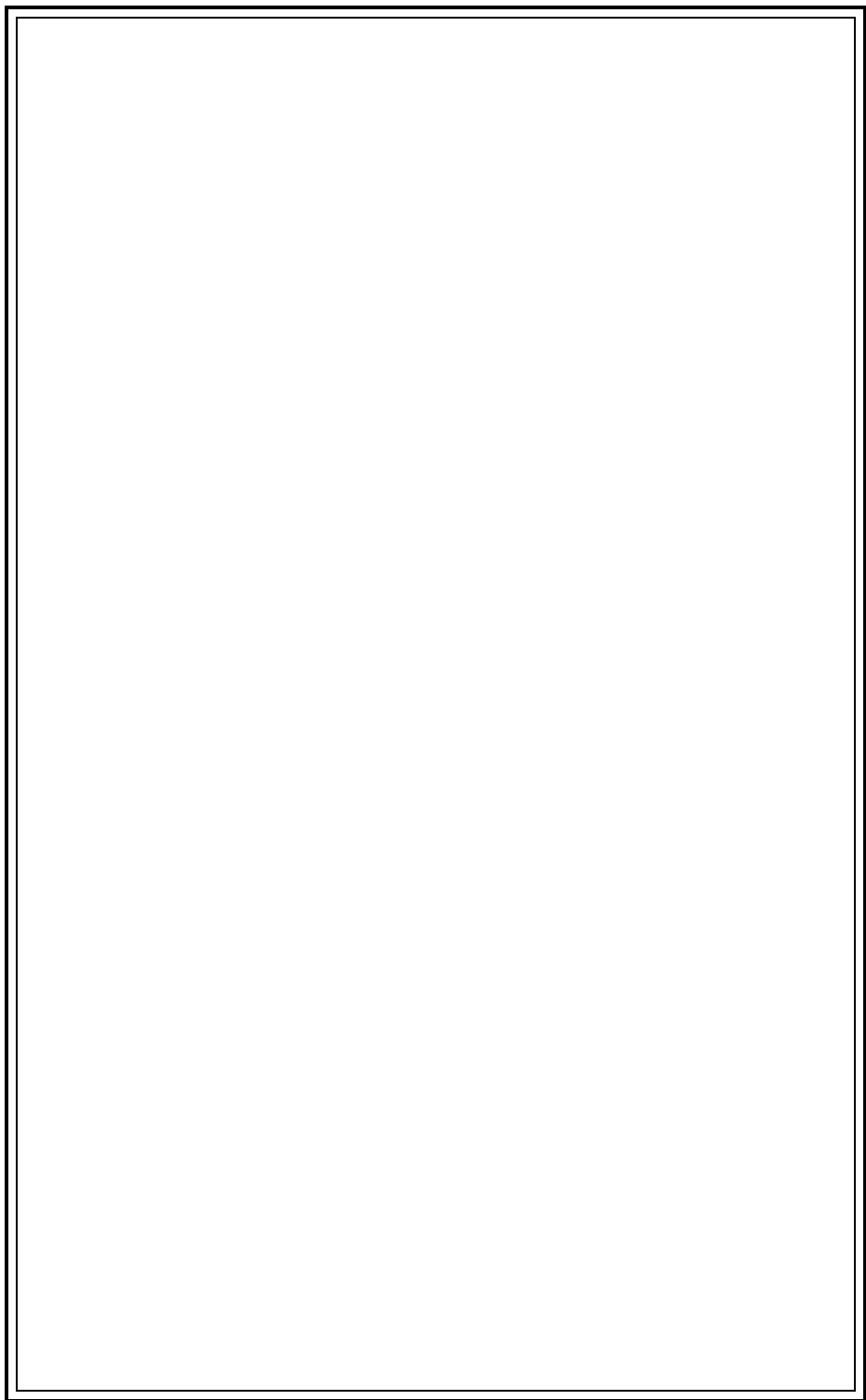


## **RULES of the HOUSE**

*78th Legislative Assembly  
2015 - 2016*

**Representative Tina Kotek  
Speaker of the House**





# OREGON

## ~ HOUSE OF REPRESENTATIVES ~

### House Officers

Tina Kotek, *Speaker*

Timothy G. Sekerak, *Chief Clerk*

Tobias Read, *Speaker Pro  
Tempore*

Tom Mathews, *Sergeant at Arms*

### House Caucus Leaders

Val Hoyle, *Majority Leader*

Jessica Vega Pederson, *Majority  
Whip*

Jennifer Williamson, *Deputy  
Majority Whip*

Nancy Nathanson, *Assistant  
Majority Leader*

Ann Lininger, *Assistant Majority  
Leader*

Barbara Smith Warner, *Assistant  
Majority Leader*

Mike McLane, *Republican Leader*

Carl Wilson, *Deputy Republican  
Leader*

Sherrie Sprenger, *Republican  
Whip*

Cliff Bentz, *Assistant Republican  
Leader*

John Davis, *Assistant Republican  
Leader*

Gene Whisnant, *Assistant  
Republican Leader*

### House Desk Personnel

Cathy Conerly, *Assistant Chief  
Clerk*

Obie Rutledge, *Reading Clerk*

Todd Kenady, *Measure and  
Agenda Coordinator*

Joe Prange, *Journal Editor*  
Sarah Curry, *Recording Clerk*

# **RULES OF THE HOUSE**

## **Seventy-Eighth Legislative Assembly**

**2015 - 2016**

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## DEFINITIONS

### **1.01 Definitions**

(1) "Business day" means any day that the House meets in floor session or committees hold meetings.

(2) "Committee" includes standing, special, and statutory committees or task forces, boards, commissions, any subcommittee thereof and conference committees.

(3) "Measure" means bill, resolution or memorial, but does not include amendments.

(4) "Member" means member of the House.

(5) "Printing" includes electronic transmission of data and/or other means of reproducing copy.

(6) "Remonstrance" shall be considered as a "protest" under Article IV, section 26, of the Oregon Constitution.

(7) "Rule" means a rule and "rules" means the rules of the House of Representatives of the Seventy-eighth Legislative Assembly.

(8) "Session day" begins with the initial convening of the House that particular calendar day and ends with the adjournment of that session.

(9) "Within the bar" means within the area in the chamber that contains the members' desks and the rostrum and that is enclosed by waist-high partitions and the east and west walls of the chamber.



## RULES

### **2.01 Use of Mason's Manual**

*Mason's Manual of Legislative Procedure* (2010 edition) shall apply to cases not provided for in the Oregon Constitution or these rules.

### **2.03 Legislative Branch Personnel Rules**

All provisions of the Legislative Branch Personnel Rules, as amended by the Legislative Administration Committee on December 10, 2014, are

incorporated herein by reference and are considered as an addendum to these rules and have the effect of a rule herein.

### **2.05 Procedure for Amending Rules**

Thirty-one votes are required to adopt, amend or rescind any rule. However, forty votes are required to amend or rescind Rule 9.30. The adoption, amendment or rescission of any rule must be proposed in writing, read at a regular business session under the order of business Other Business of the House, referred to the Committee on Rules by the presiding officer, and if reported from the Committee on Rules, upon distribution of the report, it shall be in order to vote on the proposed amendment immediately.

### **2.10 Procedure for Suspending Rules**

(1) Forty votes are required to suspend any rule.

(2) When a motion to suspend the rules is defeated, the motion shall not be renewed until after an intervening recess or adjournment.

### **2.20 Rules of the House**

Except as modified or rescinded under Rule 2.05, these rules shall be in effect for the entire term of the Seventy-eighth Legislative Assembly, whether the House is in session or has adjourned sine die.



## **CONVENING**

### **3.01 Quorum**

(1) A quorum of the House is forty members.

(2) If a quorum is present, the House shall proceed to transact its business. If there is no quorum present, a lesser number of members may adjourn from day to day and compel the attendance of absent members.

### **3.03 Attendance**

Except for emergencies, a member shall attend all sessions of the House unless an Excused Absence Request is filed with the Chief Clerk forty-eight (48) hours in advance. All requests for an excused absence will be presumed approved unless the member is otherwise notified by leadership. A member shall attend all meetings of the committees of the House of which he or she is a member unless excused by a chair. No member shall be



considered excused, however, unless the presiding officer or a chair has announced the excuse at the opening of the House session or committee meeting, or at the earliest possible time thereafter. No excuse may be announced while the House is under a Call of the House.

### **3.05 Session Hour**

Unless otherwise ordered by the presiding officer or a majority of the members present, the regular hour of meeting shall be 11:00 a.m.

### **3.07 Open Sessions**

All deliberations and meetings of the House shall be open to the press and public.

### **3.08 Daily Session Length**

(1) A session day begins with the initial convening of the House that calendar day and ends with the adjournment of that session. The House shall not meet for more than twelve hours on any session day, excluding time used in recess, unless a majority of those members present vote to suspend this provision.

(2) The convening of a session after adjournment constitutes the beginning of a new session day.



## **VOTING**

### **3.12 Electronic Roll Call System**

The electronic voting system shall be under the control of the presiding officer and shall be operated by the Chief Clerk. The names of the members shall be listed on the electronic roll call board in alphabetical order, except that the name of the Speaker shall be last.

### **3.15 Roll Call**

(1) The electronic voting system shall be used as the roll call to determine the presence of a quorum and/or the presence of members under a Call of the House. Members shall press the "yea" button to record their attendance.

(2) A roll call vote of "yeas" and "nays" shall be taken and recorded on the final passage of all bills and joint and concurrent resolutions. Except as

otherwise provided in these rules, the vote shall be recorded by the electronic voting system.

(3) Upon demand of two members, an oral roll call shall be taken and recorded on any measure that requires more than 31 affirmative votes. The Clerk shall call the roll of the membership, alternating between alphabetical order and reverse alphabetical order. The Speaker's name shall be called last.

(4) If the presiding officer is in doubt on any motion or a division is called for on a motion, a roll call shall be taken and recorded by the electronic voting system on the motion. On all other questions to be voted upon, unless otherwise provided in these rules, the presiding officer may order the "yeas" and "nays" taken by the electronic voting system.

(5) The electronic voting system shall not be used for election of officers.

(6) Individual votes shall not be displayed until the time for voting has expired and the electronic voting system has been closed.

(7) In the event the electronic voting system is not in operating order when voting on any question, the presiding officer shall order all "yea" and "nay" votes be taken by oral roll call. The Clerk shall call the roll of the membership in alphabetical order. The Speaker's name shall be called last.

(8) The vote of any member that has not been recorded because of malfunction of the electronic voting system shall be entered into the record if that member was within the bar of the House chamber at the time of the vote and attempted to cast their vote at the appropriate time, and the fact of such malfunction is reported to the presiding officer prior to the announcement of the result of the vote.

### **3.20 Requirements for Voting**

(1) Each member within the bar when the question is stated and the member's name is called shall vote. No member shall be allowed to abstain from voting.

(2) If a member refuses to vote when the member's name is called, the presiding officer shall immediately call for the member's vote a second time. If the member again refuses to vote, the presiding officer shall read subsection (3) of this rule. The presiding officer shall then call for the member to announce the member's vote immediately. If the member fails to vote immediately after this third request, the presiding officer shall state for the record: "The member's failure to vote constitutes an intentional violation of House Rule 3.20, subsection (1) and a high breach of decorum. The Journal shall show that the Representative is censured for the violation; the clerk shall record the Representative's vote on the measure on which

the member refused to vote as a 'yea;' and the member may also be subject to other penalties as the House may order."

(3) Any member's refusal to vote, as required by House rules, shall be recorded in the Journal as an intentional violation of Rule 3.20 (1) and a high breach of decorum. The Representative shall be censured; the Clerk shall record the Representative's vote on the measure on which the member refused to vote as a "yea;" and the member may also be subject to other penalties as the House may order.

(4) No member, except by unanimous consent, shall be permitted to vote upon any question unless he or she is within the bar before the last name on an oral roll call was called or is within the bar before the electronic voting system is closed. No member shall vote or be allowed to change their vote after the presiding officer announces the result of the roll call by declaring the question has passed or failed to pass.

### **3.21 Announcement of Conflict of Interest**

(1) When involved in an actual or potential conflict of interest, as defined by ORS 244.020, a member shall announce, on the floor or in the committee meeting, the nature of the actual or potential conflict prior to voting on the issue giving rise to the conflict.

(2) The member shall file in writing a statement of the nature of the actual or potential conflict with the Chief Clerk or the committee assistant by 5:00 p.m. the next business day following the vote on the measure. The statement shall be limited to the substance of the oral explanation given on the floor or in committee. The member's announcement of an actual or potential conflict of interest shall be recorded in the Journal or in the committee minutes.

### **3.26 Electronic Roll Call; Time & Changes**

When a vote is taken using the electronic voting system, the members shall be allowed at least thirty seconds to vote, at the end of which time, the Clerk will display the vote. After the individual votes have been displayed, any member desiring to change his or her vote may so announce. The presiding officer shall direct the Chief Clerk to make the proper entry into the electronic voting system.

### **3.28 Electronic Roll Call; Misuse & Penalties**

No member shall vote for another member using the electronic voting system. No member shall tamper with, alter or attempt to alter the electronic voting system, or cause the electronic voting system to register a vote without the member personally depressing a voting button during each roll call vote. Any member who violates this rule may be punished as determined by the

vote of 31 members. If a person not a member votes or attempts to vote for any member or violates a provision of this rule, he or she shall be barred from the floor of the House for the remainder of the session, and he or she may be punished further as determined by the vote of 31 members.

### **3.30 Voting by Presiding officer**

The Speaker shall vote whenever a roll call is required. The Speaker's name shall be called last on an oral roll call vote.

### **3.35 Explanation of Vote**

(1) Any member who wishes to explain his or her vote shall file the written explanation with the Chief Clerk by 5:00 p.m. the next business day following the vote on the measure. The vote explanation filed under this subsection must comply with subsection (2) of this rule. If the explanation does not meet those requirements, the Speaker may refuse to cause the explanation to be printed in the Journal.

(2) The vote explanation shall be germane to the subject and shall not reflect on the honor or integrity of any other member.

### **3.45 Printed Measures Required for Voting**

No measure or amendment to a measure shall be finally voted on until it has been made available electronically or printed and placed on the desks of the members.

### **3.50 Third Reading Requirement**

(1) No bill shall pass the House until after third reading and no measure shall be read more than once in any one day.

(2) A bill may be referred or re-referred to committee on third reading.

### **3.55 Call of the House**

(1) Six members may demand a Call of the House at any time before a roll call has begun.

(2) Upon a Call of the House, the doors shall be closed until proceedings under the Call have been terminated. No other business shall be transacted until the proceedings are so terminated.

(3) Upon a Call of the House, the Sergeant at Arms shall cause all members who are not excused to come to the floor. If the Sergeant at Arms cannot locate any unexcused member, the Sergeant at Arms shall so report to the presiding officer, who shall announce the fact to the members.

(4) All members must remain within the bar of the House until the vote is taken for which the Call was made. However, when the House is waiting for an unexcused member and the presiding officer has announced that the House is "at ease," the members may have access to the area behind the rostrum until the presiding officer calls the House to order. Members must then return to within the bar.

(5) A Call of the House shall be considered terminated when the question for which the Call was invoked has been voted upon or when a motion to terminate the Call is approved by forty members. The motion to terminate the Call shall be in order when the Sergeant at Arms has reported that unexcused members cannot be returned within a reasonable time. Termination of the Call under this subsection terminates the requirement that the Sergeant at Arms search for unexcused members. In the absence of a quorum after the report of the Sergeant at Arms is received, the House may terminate the Call by the unanimous consent of the members present.

(6) Upon a Call and until the proceedings are terminated, the presiding officer may direct the Sergeant at Arms to authorize members of the Senate, representatives of the news media and staff to leave or enter the chamber.

(7) Subsection (2) of this rule does not apply to the third-floor gallery.



## **ORDER OF BUSINESS**

### **4.01 Order of Business**

(1) The general order of business shall be:

(a) Call to Order

(b) Opening Ceremony, prayer and/or inspirational message (at the opening session of the day only)

(c) Courtesies

(d) Verification of Quorum

(e) Messages from the Governor

(f) Messages from the Senate

(g) Introduction and First Reading of Memorials and Resolutions

- (h)** Reports from Standing Committees
- (i)** Reports from Special Committees
- (j)** Propositions and Motions
- (k)** Introduction and First Reading of House Bills
- (l)** Second Reading of House Bills
- (m)** Consent Calendar
- (n)** Third Reading of House Bills
- (o)** Final Reading of Memorials and Resolutions
- (p)** Bills, Reports and Other Business Lying on the Table
- (q)** First Reading of Senate Bills
- (r)** Second Reading of Senate Bills
- (s)** Third Reading of Senate Bills
- (t)** Other Business of the House
- (u)** Other Business of the Senate
- (v)** Announcements
- (w)** Remonstrances

**(2)** The presiding officer, under the orders of business Reports from Standing Committees and Reports from Special Committees, may announce the distribution of the committee report file to the members' desks. No reading of such reports will then take place.

**(3)** Messages from the Governor, the Senate or any state official may be read at any time.

**(4)** A quorum is not required under the orders of business Opening Ceremony, Courtesies or Remonstrances, nor will a Call of the House be in order.

**(5)** Under the order of business Courtesies, all honorary pages and/or groups shall be greeted by the presiding officer on behalf of the House. A request to return to the order of business Courtesies shall be out of order until all other orders of the day have been completed.

(6) Under the order of business Remonstrances, no member may speak for longer than three minutes, or for a second time, or yield time to another member. The motives or integrity of any member of the House or the Senate shall not be impugned.

(7) Questions relating to the priority of business shall be decided without debate.

(8) The general order of business shall not be varied except upon suspension of the rules. However, any subject before the House may be made a Special Order of Business upon the vote of a majority of the members present and, when the time fixed for consideration of the subject arrives, the presiding officer shall take up the subject.

(9) Appropriation bills shall take precedence over all other measures on the Third Reading Calendar.

#### **4.05 Consent Calendar**

(1) Each session day, a consent calendar of measures may be presented for consideration and vote of the House. The consent calendar shall be made available to members prior to consideration.

(2) (a) Any measure reported out of committee unanimously, with or without amendments, may be placed on the consent calendar if the committee reporting the bill so recommends.

(b) Any measure reported out of committee with the recommendation that it be placed on the consent calendar shall be placed on the second reading calendar under House Rule 9.32 (1) and (2).

(3) Any measure recommended for the consent calendar shall be placed on the calendar but held at the Desk for two days after the day on which the measure was listed on the committee report file or read under the order of business of Standing Committee Reports. During that period, members may submit written objection to the placing of the measure on the consent calendar. If four objections signed by members of the House are received at the Desk within the two-day period, the measure shall be removed from the consent calendar and placed in its proper order on the third reading calendar for the next session day. A measure may also be removed from the consent calendar by order of the Speaker.

(4) If no objections or an insufficient number are filed within the two-day period, the measure shall be placed in numerical order on the next consent calendar. When the order of business Consent Calendar is reached, the presiding officer shall announce the calendar. The clerk shall read each measure by number, title, and short summary. Immediately following the

reading, the presiding officer shall place the question of third reading and final passage and call for the vote. Only a Call of the House shall be in order prior to a roll call being taken.

(5) No measure which has been made the subject of a motion to reconsider shall be placed on the consent calendar.



## MOTIONS

### **5.01 Making a Motion**

(1) When a motion is made, it shall be restated by the presiding officer.

(2) A motion shall be reduced to writing upon request of the presiding officer or of any member.

(3) No second to a motion is required.

### **5.05 Motion in Possession of the House**

After a motion is restated by the presiding officer, it is in the possession of the House. The motion may be withdrawn only with the affirmative vote of a majority of the members present and at a time before decision is made on the motion or the motion is amended.

### **5.10 Precedence of Motions**

(1) When a question is under debate, no motion shall be received except the following:

- (a) To adjourn
- (b) To recess
- (c) To lay on the table
- (d) For the previous question
- (e) To postpone to a certain time or day
- (f) To refer or re-refer
- (g) To amend
- (h) To postpone indefinitely



(i) To reconsider

(2) The motions listed in subsection (1) of this rule shall have precedence in the order in which they are listed.

**5.15 Nondebatable Motions**

Motions to adjourn, to recess, to lay on the table, to withdraw a measure from committee and for the previous question are not debatable. Pending a decision on any of those motions, all incidental questions of order, whether or not on appeal, shall be decided without debate.

**5.20 Votes on Motions**

If the presiding officer is in doubt of the outcome on any motion, the vote on the question shall be conducted as provided under Rule 3.15 (3).

**5.30 Division of the Question**

Any member may call for a division of a question if it comprehends propositions in substance so distinct that, if one is taken away, a substantive proposition remains for the decision of the House. The question of final passage or adoption of any measure is not subject to division.

**5.35 Amendments to be Germane**

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

**5.37 Amendments to the Title of a Bill**

No title ("Relating to" clause) of a bill shall be amended by the House. If a title of a House bill is amended by the Senate, the bill upon return shall be held at the Desk and no further consideration of the bill shall occur.

**5.40 Amendments on the Floor**

No measure shall be amended on the floor of the House.



**DEBATE AND DECORUM**

**6.01 Decorum During Session and Committee Proceedings**

(1) No one shall be disruptive during proceedings of the House.

(2) To maintain professionalism in the legislative process, members and employees should dress according to standards of contemporary business attire.

### **6.05 Use of Electronic Devices**

(1) Audible use of cellular phones is prohibited during floor sessions and committee meetings.

(2) Any use of electronic equipment that distracts from the proceedings of the House is prohibited during floor sessions and committee meetings.

### **6.07 Recognition of Members**

(1) When a member seeks to be recognized by the presiding officer, the member shall use the appropriate electrical signal device at the member's desk.

(2) The device labeled "to speak" shall be used when a member seeks recognition for purposes of debate or making motions.

(3) The device labeled "personal privilege" shall be used only for purposes requiring immediate consideration by the House as described under *Mason's Manual of Legislative Procedure*, section 92.

(4) The only exceptions to this rule shall be when demanding a Call of the House or a roll call.

### **6.10 Conduct in Debate**

(1) When a member is recognized by the presiding officer, the member shall rise from his or her seat, unless this requirement is waived by the presiding officer, and respectfully address the presiding officer.

(2) In speaking, the member must confine discussion to the question under debate, avoid personalities and not impugn the motives of another member's vote or argument.

(3) (a) All questions asked of a member shall be addressed to the member through the presiding officer.

(b) In speaking, a member shall address another member by using the title of Representative and the member's district number or other description of district, or the title of Representative and his or her surname.

(4) A member may refer to discussions or actions that have taken place in committee meetings.

### **6.20 Interrupting a Member**

Only the presiding officer is authorized to interrupt without consent a member who is speaking.

### **6.25 Frequency with Which a Member May Speak**

(1) The author of a motion or the member designated to carry a measure shall have the privilege of closing the debate on the motion or the measure.

(2) Except as authorized by subsection (1) of this rule, no member shall speak more than once on any question until every member wishing to speak on the question has spoken.

(3) If a pending question is lost by reason of adjournment and is revived on the following day, a member who has spoken on the question on the preceding day shall not be permitted to speak again on the question until every member wishing to speak on the question has spoken.

(4) No member may speak more than twice on any question.

### **6.30 Limitation on Duration of Debate**

The following rules apply to the length of debate:

(1) On the final passage or repassage of a measure, the chair of the committee that reports the measure shall designate a carrier that may speak for ten minutes. Other members may speak for five minutes.

(2) When a committee report is accompanied by a minority report, the member carrying the committee report may speak for ten minutes, and upon a motion to substitute a minority report for the committee report, the member carrying the minority report may speak for ten minutes. Other members may speak for five minutes.

(3) The carrier shall have ten minutes to close on final passage of a measure or on a motion to substitute a minority report.

(4) On other debatable motions, no member shall speak longer than five minutes.

(5) Any member may yield his or her time allowed under subsection (1) of this rule to another member. However, no member may yield his or her time to a member closing debate.

### **6.35 Call to Order**

(1) The presiding officer shall call to order any member who violates the rules of the House. The member who is called to order shall cease speaking and shall be seated immediately unless the presiding officer permits him or her to explain.

(2) If the member who is called to order appeals the ruling of the presiding officer, the House shall decide the appeal without debate. If the House decides the appeal in favor of the member, the member may proceed with the debate. If the House decides the appeal against the member, the member may be liable to a motion of censure of the House.

### **6.40 Discipline**

If a member objects to words spoken in debate, the member shall immediately depress the electrical device labeled “personal privilege.” The presiding officer shall recognize the member prior to any other member. Once recognized, the member shall repeat the words to which the objection is taken and they shall be recorded by the Desk personnel. However, if any other member has spoken or other business has intervened after the words were spoken and before the objection to them was made, the member shall not be held answerable or subject to censure therefor.



## **OFFICERS OF THE HOUSE**

### **7.01 Election of Officers**

(1) The members shall elect a presiding officer who shall be Speaker of the House. They shall also elect a Speaker *Pro Tempore* of the House and a Chief Clerk of the House.

(2) Officers of the House of Representatives must receive the affirmative vote of a majority of the members elected.

### **7.05 Temporary Presiding Officers**

(1) The Speaker may designate a member other than the Speaker *Pro Tempore* to act temporarily as the presiding officer. The designation shall not extend beyond the daily adjournment of the day of appointment. The member does not lose the right to vote while presiding. The Speaker may resume the chair at any time.

(2) If at any time the office of Speaker becomes vacant because of the removal from office, death, resignation, or other disability of the person holding that office, then the Speaker *Pro Tempore* becomes Speaker until the disability is removed or a new Speaker is elected. The Speaker *Pro Tempore* shall not be considered the Speaker within the meaning of Article V, section 8a, of the Oregon Constitution, providing for succession to the Governorship.

### **7.10 Duties of Presiding Officers**

(1) The Speaker shall enforce all rules, laws and regulations applicable to the body.

(2) The Speaker, as presiding officer, or in the Speaker's absence, another member acting as temporary presiding officer, shall take the chair every session day at the hour as provided in these rules or the hour to which the body adjourned the preceding daily session, and immediately call the members to order.

(3) The presiding officer shall preserve order and decorum and decide questions of order subject to appeal by any two members.

(4) The presiding officer shall have general control and direction of all employees of the Legislative Assembly when they are on the floor of the House.

(5) The Speaker shall have control of the area set aside for use by the House and the ways adjacent thereto.



## **COMMITTEES**

### **8.01 Names of Committees**

(1) There shall be the following 18 standing committees to which shall be referred all measures:

- (a) Agriculture and Natural Resources
- (b) Business and Labor
- (c) Consumer Protection and Government Effectiveness
- (d) Education
- (e) Energy and Environment
- (f) Health Care
- (g) Health Insurance Transition
- (h) Higher Education, Innovation and Workforce Development

- (i) Human Services and Housing
- (j) Implementing Measure 91
- (k) Judiciary
- (l) Revenue
- (m) Rules
- (n) Rural Communities, Land Use and Water
- (o) Tax Credits
- (p) Transportation and Economic Development
- (q) Veterans and Emergency Preparedness
- (r) Ways and Means

(2) The Speaker may appoint special committees.

### **8.05 Committee Appointments**

(1) Except as otherwise provided by law or resolution, members of all committees, and the Chairs and Vice-Chairs thereof, shall be appointed by the Speaker.

(2) The Speaker shall appoint majority party and minority party members to all committees, in the same proportion as the number of majority party members and the number of minority party members in the House bear respectively to the total membership of the House. Except as otherwise provided by law, the Speaker shall determine the number of members of each committee.

### **8.10 Committee Quorum & Rules**

(1) A majority of the members of a committee shall constitute a quorum for the transaction of business before the committee, provided, however, that each committee may by rule designate a lesser number of its members as a quorum for receiving public testimony.

(2) Except as otherwise provided in these rules, all committees of the House shall be governed by *Mason's Manual of Legislative Procedure*.

### **8.15 Committee Meetings**

(1) All committees shall meet at the call of the Chair, or upon the request of a majority of the members of the committee directed by and with the approval of the Speaker.

**(2)** No committee shall meet during the time the House is in session without leave of the Speaker. Any member attending such a meeting shall be considered excused to attend business of the House subject to a Call of the House.

**(3) (a)** Meetings of the House and its committees shall be open to the public. No quorum of any committee shall meet in private for the purpose of deliberating or taking collective action on any matter.

**(b)** As used in this subsection:

**(i)** "Collective action" means a joint decision, commitment or promise made between two or more persons.

**(ii)** "Deliberate" means to discuss for the purpose of taking collective action, whether or not collective action is actually taken.

**(4)** The House and its committees shall not hold a meeting in any building where discrimination on the basis of race, creed, color, sex, age, disability, religion, sexual orientation or national origin is practiced.

**(5) (a)** The House and its committees shall provide for and give public notice, reasonably calculated to give actual notice to interested persons, of the time, place and subject matter of regular and special meetings.

**(b)** As used in this rule, "notice" includes but is not limited to posting of notice immediately outside the House chamber.

**(c)** All notices required under this rule shall be available on the legislative website.

**(d)** All committee meetings during the organizational session shall be considered emergency meetings under the provision of ORS 192.640.

**(e)** Notice requirements for the 2015 regular session are as follows:

**(i)** Measures scheduled for their first public hearing shall not be held without at least 72 hours' notice.

**(ii)** All other committee meetings shall not be held without at least 48 hours' notice.

**(iii)** Committees may conduct public hearings on measures with one hour's notice if notice of the public hearing was posted three weekdays prior to the convening of the 2015

regular session. This subparagraph applies to only the first three days of the 2015 regular session.

**(f)** Notice requirements for the 2016 regular session are as follows:

**(i)** Measures scheduled for their first public hearing shall not be held without at least 48 hours' notice.

**(ii)** All other committee meetings shall not be held without at least 24 hours' notice.

**(iii)** Committees may conduct public hearings on measures with one hour's notice if notice of the public hearing was posted two weekdays prior to the convening of the 2016 regular session. This subparagraph applies to only the first three days of the 2016 regular session.

**(g)** In case of an actual emergency, a meeting may be held upon notice appropriate to the circumstances.

**(h)** With approval of the Speaker, interim committees may conduct public hearings on pre-session filed measures.

**(6)** When the Speaker has reason to believe that adjournment sine die of the session is imminent or that the public interest would be seriously prejudiced by delay, the Speaker may invoke the provisions of subsection (5) (g) of this rule relating to emergencies by declaring that an emergency exists. If the House is in session, the presiding officer shall announce the emergency and the reasons why it is declared to exist. If the House is not in session, the Speaker shall notify members that an emergency exists and the reasons therefor by distributing such information to the desks of the members. For any meeting called under this emergency provision, notice shall be posted outside the House chamber and any other suitable and conspicuous place. If the meeting scheduled is for the purpose of taking public testimony, at least 24 hours' notice must be given by posting the notice outside the House chamber and any other suitable and conspicuous place. A majority of the members may invoke this subsection and notice shall be given as described in this subsection.

**(7)** The Chair or the Speaker shall cause notice of each committee meeting to be given to the public and notice to be posted outside the House chamber. Such posting and notice to the public shall be given immediately upon call of meetings, and notice of the meeting shall be announced on the floor if the House is in session.



(8) Except for pre-session notice under subsection (5) of this rule, only business days, as defined under Rule 1.01, will be used to determine the number of hours required for meeting notice.

(9) All meetings of House committees shall be recorded and the minutes transcribed. Minutes shall be available to the public within a reasonable time after the meeting and shall contain at least the following information:

(a) Members present, excused, or absent

(b) All motions and their disposition

(c) The results of all votes

(d) References to the recording log, sufficient to serve as an index to the original sound recording.

(10) Testimony and exhibits submitted in writing shall be attached to the minutes and considered as part of the official record.

(11) Committee members may, upon approval of the Chair, participate in a public hearing through the use of telephone or other electronic communication.

(12) Whenever any person has cause to believe that either the declared purpose or the procedure specified in this rule has been violated by the House, by any committee or by any member, the person is entitled to file a complaint with the Committee on Rules. The committee shall conduct a hearing on the matter and shall, if it concludes that the complaint is justified, recommend to the House that censure or other action be taken.

### **8.20 Committee Action Required**

(1) The Chair shall schedule a hearing or work session on a measure in possession of the committee upon receipt of a written request signed by a majority of committee members. The request must be filed with the Chair, the Speaker and the Chief Clerk. The hearing or work session shall be held only after notice as required by Rule 8.15 (5) but shall be held within five business days after the date of the request.

(2) Except by a suspension of the rules by the affirmative vote of a two-thirds majority of the members of the committee, a committee may take action on amendments to a measure only after the full text of the amendments has been made publically available online for at least one hour.

(3) A committee may act on each measure in its possession:

(a) By tabling the measure in committee or

**(b)** By reporting the measure out of the committee:

**(i)** With the recommendation that it be referred to another committee,

**(ii)** Favorably as to passage, or

**(iii)** Without recommendation

**(4)** In reporting a measure out, a committee shall include in its report:

**(a)** The measure in the form reported out

**(b)** The recommendation of the committee

**(c)** An identification of all substantive changes made by the committee in the measure;

**(d)** An analysis of the measure

**(e)** The fiscal impact statement, if any, prepared by the Legislative Fiscal Officer

**(f)** The revenue impact statement, if any, prepared by the Legislative Revenue Officer, and

**(g)** The budget notes, if any, as adopted by a majority of the Joint Committee on Ways and Means

**(5)** In compliance with Enrolled House Concurrent Resolution 15 (Seventy-eighth Legislative Assembly), all committees shall complete their work as outlined. No exception to this rule shall be allowed unless provided for by 40 affirmative votes.

**(6)** For the 2015 regular session, when a measure is reported out of committee, it shall be delivered to the Chief Clerk of the House within three session days after the committee action reporting the measure out.

**(7)** For the 2016 regular session:

**(a)** When a measure is reported out of committee without amendments, it shall be delivered to the Chief Clerk of the House within one business day after the committee action reporting the measure out.

**(b)** When a measure is reported out of committee with amendments, it shall be delivered to the Chief Clerk of the House within two business days after the committee action reporting the measure out.

### **8.22 Limitation on Committee Amendments**

Whenever a measure has a subsequent referral to the Ways and Means Committee or Revenue Committee, neither of those committees shall propose to amend the measure in a manner that affects the substance with any other than a fiscal or revenue impact unless the Chair of the House committee to which the initial referral was made consents to the amendments. The proposed amendments must be consistent with Rule 5.35.

### **8.25 Committee Actions to be Recorded and Reported**

(1) Motions on measures before a committee shall be voted on by the members of the committee, and the vote of each member shall be recorded in the committee minutes. All motions on measures shall be adopted only on the affirmative vote of a majority of the members of the committee.

(2) The report of committee action on each measure must be made to the Chief Clerk who shall cause the report to be entered appropriately in the House Measure History Report and Journal as a part of the history of the measure.

### **8.30 Committee of the Whole Prohibited**

No motion to resolve into the committee of the whole shall be allowed.



## **REFERRAL OF MEASURES AND COMMITTEE REPORTS**

### **9.01 Referral to Committee**

(1) Upon first reading of any measure, the measure shall be referred to the Speaker. For the 2015 regular session, not later than seven calendar days following such reading, the measure shall be referred by the Speaker to any standing or special committee, however, those measures read for the first time during the organizational session shall be referred no later than eight calendar days from the opening day of that session. For the 2016 regular session, not later than five calendar days following such reading, the measure shall be referred by the Speaker to any standing or special committee.

(2) Referrals shall be listed on the committee referral notice which shall be made available to the members or announced by the presiding officer immediately following the measure's first reading. Referrals shall be posted in the House Measure History Report and upon convening of the House, the Journal shall include a cumulative listing of all referrals in order by date.

(3) In carrying out the provisions of this rule, at the time of initial referral, the Speaker may make a subsequent referral of any measure to any standing or special committee to be effective after the measure is reported out of the committee to which it was initially referred.

(4) At the request of a committee reporting on a measure, the Speaker may rescind or add a subsequent referral to another committee.

(5) The Chair of the committee having jurisdiction of a measure by referral or subsequent referral under this rule may request the Chair of any other standing or special committee to review the measure. Upon acceptance of the measure by the Chair of the reviewing committee, and with the consent of the Speaker, the reviewing committee may conduct hearings, hold work sessions and forward a recommendation, including proposed amendments, to the original committee, which shall retain jurisdiction over the measure.

### **9.05 Committee Reports**

After it is submitted to the Desk, every committee report recommending amendments to a measure shall be sent by the Chief Clerk to the Publication Services unit of the Legislative Counsel for examination in the same manner as bills are examined by the unit.

### **9.10 Consideration of Committee Reports**

(1) Reports from standing committees shall be listed on the committee report file, which shall be made available to the members or be read under the order of business of Standing Committee Reports in the numerical order of the measure, except that reports on appropriation measures shall precede reports of other measures. Committee recommendations shall be posted in the House Measure History Report and upon convening of the House, the Journal shall include a cumulative listing of all committee recommendations in order by date.

(2) No motion is required to adopt a committee report.

### **9.15 Minority Reports; Dissents**

(1) If a minority report, subscribed to by at least two members who are present and vote in opposition to the committee report, accompanies the committee report, both shall be filed and placed on the calendar under the order of business Propositions and Motions. No member may sign on to more than one report. For the 2015 regular session, the minority report shall be filed and placed on the calendar no later than the second session day after distribution of amendments. For the 2016 Regular Session, the minority report shall be filed and placed on the calendar no later than the session day following second reading.

**(2)** As all committee reports are properly before the House without debate or requirement of adoption prior to third reading and final passage, when the committee report is accompanied by a minority report the following process shall be in order. The carrier of the committee report shall explain the committee report and without debate the carrier of the minority report may move immediately that the minority report be substituted for the committee report. After the motion to substitute has been decided, the measure, if a bill, shall be further considered as provided by Rule 9.37 (2) or, if other than a bill, as provided by Rule 9.35 (3).

**(3)** The notice of intent to file a minority report may only be applied to a measure reported out of a policy committee. They shall notify the Chair and committee staff no later than two hours after adjournment of the committee meeting during which such final action was taken.

**(4)** The deadlines for delivery of the minority report to committee staff shall be as follows:

**(a)** For the 2015 regular session, any members giving such notice shall have until 5 p.m. of the second business day after giving notice to deliver the minority report, including a Legislative Counsel draft, to the committee staff. Minority reports shall be filed at the Desk on the same day the committee report is filed.

**(b)** For the 2016 regular session, any members giving such notice shall have until 5 p.m. of the next business day after giving notice to deliver the minority report, including a Legislative Counsel draft, to the committee staff. Minority reports shall be filed at the Desk on the same day the committee report is filed.

**(5)** Any member of a committee who dissents from the committee report shall be listed in the committee report as not concurring therein. The names of members dissenting shall be recorded in the Journal and House Measure History Report.

**(6)** A minority report must be filed with the committee staff not later than the next business day following the day on which notice is given to the committee of intent to file the report, if the presiding officer has ruled that adjournment sine die is imminent.

**(7)** The minority report is subject to the requirements of Rule 5.35.

**(8)** Issues contained within a minority report must have been submitted as proposed Legislative Counsel amendments and distributed to the committee for possible consideration.

(9) If a work session occurs within 24 hours of the first public hearing, subsection (8) will not apply. However, the issues contained within the minority report must have come under discussion of the measure, in the committee filing the committee report.

### **9.30 Withdrawing Measure from Committee**

(1) A measure, including one referred by the House to a joint committee, may be withdrawn from a committee by the affirmative vote of 31 members.

(2) The motion to withdraw a measure from committee shall be in order only under the order of business Propositions and Motions.

(3) Immediately following a motion to withdraw a measure from committee, the presiding officer shall direct the Clerk to read the measure's number, title and summary and without debate place the question and call for the vote. The measure shall be scheduled in compliance with Rules 9.32, 9.35 and 9.37. The version withdrawn from committee shall be the version that exists at the time the motion is made as provided under subsection (2) of this rule.

### **9.32 When a Bill Goes to Second Reading**

(1) When a bill is reported favorably without amendments, the bill shall be placed on the next available calendar for second reading. No motion affecting the status of the bill will be in order.

(2) When a bill is reported favorably with amendments, the bill shall be placed on the next available calendar for second reading after the amendments or the engrossed bill is made available electronically or printed and distributed to the desks of the members.

(3) When a bill is reported with a minority report, the bill shall be placed on the next available calendar for second reading after the amendments or engrossed bills are made available electronically or printed and distributed to the desks of the members.

### **9.35 When a Measure Other Than a Bill Goes to Final Reading**

(1) When a measure other than a bill is reported favorably and without amendments, the measure shall be placed on the calendar for final reading the next session day following receipt.

(2) When a measure other than a bill is reported favorably with amendments, the measure shall be placed on the calendar for final reading the next session day after the amendments or the engrossed measure is made available electronically or printed and distributed to the desks of the members.

(3) When a measure other than a bill is reported with a minority report, the measure shall be placed on the calendar for final reading on the same session day on which the minority report was substituted or rejected.

### **9.37 When a Bill Goes to Third Reading**

(1) A bill shall be placed on the Third Reading Calendar on the session day following its second reading.

(2) When a bill is reported with a minority report, the bill shall be placed on the calendar for third reading on the same session day on which the minority report was substituted or rejected.



## **RECONSIDERATION**

### **10.01 Reconsideration**

(1) When a measure has passed or failed to pass or a motion has been adopted or defeated, any member voting on the prevailing side may move for reconsideration of the measure or motion. The motion for reconsideration is not in order on a vote whereby a measure is indefinitely postponed.

(2) The member who intends to move for reconsideration must state his or her intent orally prior to adjournment on the same day on which the vote to be reconsidered was taken.

(3) A motion to reconsider may be debated together with the main question if the subject of the main question is debatable and the vote on the main question was not ordered by a motion for the previous question. If the vote on the main question was ordered by the previous question, neither the motion to reconsider nor the main question is debatable. However, a debatable motion to refer shall be allowed if the vote on the main question is reconsidered.

(4) The motion to reconsider shall be voted on the first session day after that on which the vote to be reconsidered was taken. The motion for reconsideration has precedence over any other motion, subject to the provisions of Rule 5.10.

(5) Thirty-one affirmative votes are required to reconsider the final vote on a measure.

(6) There shall be only one motion for reconsideration of any final vote even though the action of the House reverses its previous action.

### **10.05 Transmitting Measures on Which Notice of Reconsideration Has Been Moved**

When a member has given notice of intention to move for reconsideration of the final vote passing a measure, the Chief Clerk shall not thereafter transmit that measure to the Senate until the motion for reconsideration has been disposed of or time for making the motion has expired. However, if the measure subject to reconsideration was passed so late in the session that the Speaker has reasonable cause to believe that its retention will unnecessarily delay the orderly process of legislative business, the Speaker shall immediately lay the motion for reconsideration before the House.

### **10.10 Recall of Measure**

(1) If a measure has been transmitted to the Senate before the motion to reconsider is made, the motion to reconsider must be preceded by a motion to recall the measure. The motion to recall a measure is subject to the same time limit as the motion to reconsider.

(2) A motion to recall a measure shall be acted upon immediately, with debate on the motion but not on the merits of the measure.

(3) If a bill has been transmitted to the Governor before the motion to reconsider is made, the bill may be recalled from the Governor without regard to which house originated the bill and at any time prior to the signing and filing of the bill by the Governor.



## **CONCURRENCE AND CONFERENCE**

### **11.01 Vote to Concur in Amendments of Other House**

(1) (a) For the 2015 regular session, upon the return to the House of a House measure amended in the Senate, the vote to concur and re-pass the measure or not to concur in the Senate amendments shall not be taken sooner than the first session day after the message from the Senate has been read.

(b) For the 2016 regular session, upon the return to the House of a House measure amended in the Senate, the vote to concur and re-pass the



measure or not to concur in the Senate amendments shall be in order immediately after the message from the Senate has been read.

(2) A motion to concur and repass the measure or not to concur in the Senate amendments shall come under the order of business Propositions and Motions and is not subject to referral to committee.

(3) A majority of the members present may order that the questions of concurrence and repassage be divided.

(4) Thirty-one affirmative votes on a roll call are required to adopt a motion to concur and repass a measure.

### **11.05 Conference Committee**

When the House fails to concur in amendments made to one of its measures by the Senate, or when the House is notified that the Senate has failed to concur in amendments made to one of its measures by the House, the Speaker shall appoint a conference committee of not less than two members to represent the House to meet with a similar committee of the Senate.

### **11.10 Authority of Conference Committee**

(1) The conference committee has authority to propose amendments only within the scope of the issue between the houses.

(2) As soon as practicable after appointment, the House conferees shall meet with the Senate conferees at a time and place agreed upon by a majority of all the conferees, and shall cause notice of the meeting to be given to the public and to be posted on a bulletin board outside the House chamber. Notice of the meeting shall be announced on the floor if the House is in session.

### **11.15 Adoption of Conference Committee Report**

(1) If a majority of the members of the House conference committee and a majority of the members of the Senate conference committee agree to an amendment, or otherwise resolve the issue between the houses, each shall file its report in triplicate with both houses. All conferees shall sign the report. A dissenting conferee shall indicate that fact when signing the report.

(2) No motion is required to adopt the conference committee report if repassage of the measure is not required. A motion is required to adopt the conference committee report if repassage of the measure is required. If the motion to adopt the report prevails, it shall be in order to repass the measure.

(a) For the 2015 regular session, a motion to adopt a conference committee report shall not be made sooner than the first session day after the

conference committee report has been printed and distributed to the members.

(b) For the 2016 regular session, a motion to adopt a committee report shall be in order immediately after the conference committee report has been made available electronically or printed and distributed to the members.

(3) It shall not be in order to refer or re-refer or to amend a conference committee report.

### **11.20 Discharge of Conferees**

(1) If the House conferees cannot agree with the Senate conferees within a reasonable time, the House conferees shall so advise the Speaker and request discharge. The Speaker shall then discharge the House conferees and may appoint a new conference committee to represent the House.

(2) If a conference committee does not report within a reasonable period of time after its appointment, the Speaker may discharge the House conferees and appoint a new conference committee to represent the House.



## **SPONSORSHIP AND INTRODUCTION OF MEASURES**

### **12.00 Sponsorship**

(1) Every measure introduced in the House by a member or special, standing or joint committee shall bear the name of the member or special, standing or joint committee sponsoring the measure.

(2) Every measure introduced at the request of a person, state agency or legislative interim committee shall bear the statement "Introduced and printed pursuant to House Rule 12.00" and indicate the identity of the requester.

(3) Upon written request, filed with the Chief Clerk, a member may be added as a co-sponsor to any measure introduced by another member, after the measure has been first read and prior to the clerk reading the bill number and title for final consideration. To be added to any measure as a chief sponsor the member must provide the Chief Clerk written approval from the first listed chief sponsor of the measure, after the first reading and prior to the clerk reading the bill number and title for final consideration.

(4) (a) A sponsor may be withdrawn from a measure at any time the measure is in possession of the House by filing a written request with the Chief Clerk by 5:00 p.m. the next business day following final consideration of the measure.

(b) If all of the chief sponsors are withdrawn, the House committee shall become the chief sponsor of the measure.

### **12.10 Committee Sponsorship**

(1) Any measure introduced by a committee must be approved by the Chair and a majority of the members of the committee.

(2) The Chair shall sign the proposed measure for presentation to the Chief Clerk for introduction.

### **12.20 Requirements for Introduction**

(1) Except for all pre-session filing, for which two copies of a Legislative Counsel draft are required, all drafts of measures presented for introduction shall be submitted in the form of one Legislative Counsel draft of the measure and one properly completed Legislative Counsel bill back. Such presentation shall be submitted in the manner prescribed by the Chief Clerk of the House by a member, an authorized person of the member's staff, an authorized member of the caucus staff or, in the case of a committee, by the Chair or an authorized member of the committee staff. The Chief Clerk or a person authorized by the Chief Clerk shall, upon request, provide a receipt to the person presenting the measure.

(2) Immediately after presentation to the Desk, the measure shall be sent by the Chief Clerk to the Publication Services unit of the Legislative Counsel for examination and any corrections as to accuracy of form and style to conform substantially to the *Form and Style Manual for Legislative Measures* and preparation of a copy for the State Printer. No corrections that might affect the substance of the measure shall be made without the consent of the sponsor of the measure.

(3) An original bill folder shall be created for each measure introduced. The original bill-backed copy of the measure shall be placed in the folder along with all amendments, reports and other official papers, including a recording of all actions taken on the measure.

### **12.25 Executive and Judicial Branch Measures**

Measures being requested by the executive or judicial branches shall be filed and introduced as prescribed in ORS 171.130 or in any applicable joint rule of both houses of the Legislative Assembly authorizing such filing and introduction.

**12.35 Priority Drafting Requests for the 2015 Regular Session**

(1) Every member shall be entitled to not more than five priority drafting requests of the Legislative Counsel during the 2015 regular session.

(2) Every measure bearing a priority designation of the Legislative Counsel must be presented at the Desk for introduction for the 2015 regular session within three business days after delivery of the measure to the member by the Legislative Counsel. The Desk shall not accept any measure showing that it was delivered by the Legislative Counsel to the member more than three business days before it is presented to the Desk.

**12.37 Limitations on Drafting Requests for the 2016 Regular Session**

Every member shall be entitled to not more than two drafting requests of the Legislative Counsel for the 2016 regular session. The requests must be made by the member in compliance with Rule 12.50.

**12.40 Pre-session Drafting and Filing for the 2015 Regular Session**

(1) Except as otherwise provided in these rules, drafting requests and measure filing shall be governed by the applicable Enrolled Concurrent Resolution adopted by the Seventy-eighth Legislative Assembly. After 5 p.m. on the Friday immediately following the opening day of the organizational session, the Legislative Counsel shall discontinue accepting requests for drafting of all measures except:

(a) Appropriation or fiscal measures approved for drafting by the Committee on Ways and Means.

(b) Measures approved for drafting by the Chair of the Committee on Rules.

(c) A proposal requested for drafting by a member under Rule 12.35.

(2) Members, members-elect and committees may not request drafting services from the Legislative Counsel for an agency or officer of the executive or judicial departments unless the agency or officer has arranged to pay any charges the Legislative Counsel imposes under ORS 173.130.

(3) No measure shall be accepted by the Chief Clerk for introduction in the House after 5:00 p.m. on the 17th calendar day of the 2015 regular session, except:

(a) Measures approved by the Speaker and identified for introduction by a committee.

(b) Appropriation or fiscal measures sponsored by the Committee on Ways and Means.

(c) Measures drafted by the Legislative Counsel and presented to the Desk as provided in Rule 12.35.

(4) Every measure filed under this rule shall be filed in compliance with Rule 12.20.

(5) The Chief Clerk shall order the measure printed and no printed measure shall be withdrawn.

(6) The content of the measure shall be deemed public information upon receipt by the Chief Clerk.

### **12.50 Pre-session Drafting and Filing for the 2016 Regular Session**

(1) Except as otherwise provided in these rules, drafting requests and measure filing shall be governed by the applicable Enrolled Concurrent Resolution adopted by the Seventy-eighth Legislative Assembly.

(2) Members and committees may not request drafting services from the Legislative Counsel for an agency or officer of the executive or judicial departments unless the agency or officer has arranged to pay any charges the Legislative Counsel imposes under ORS 173.130.

(3) Measure drafting requests made by a member must be made no later than 61 calendar days prior to the first day of the 2016 regular session.

(4) Every measure filed under this rule shall be filed in compliance with Rule 12.20.

(5) The Chief Clerk shall order the measure printed and no printed measure shall be withdrawn.

(6) The content of the measure shall be deemed public information upon receipt by the Chief Clerk.

Rule 13 is Reserved



## **PUBLICATIONS**

### **14.01 Journal; Status Report**

(1) The House shall cause a Journal of its proceedings to be maintained. The Journal shall contain a full, true and correct chronological record of all proceedings of the House.

(2) The House shall cause a House Measure History Report, arranged chronologically by the measure number, to be maintained. The status report shall contain a synopsis of the actions taken in each house on each measure.

### **14.05 Other Legislative Publications**

(1) Unless otherwise directed by resolution or Rule 14.10, the provisions of ORS 171.206 shall govern.

(2) All orders for printing and distribution of publications printed for the House, except those publications the printing or distribution of which are governed specifically by statute or otherwise, shall be signed by the Speaker or by a person authorized by the Speaker.

### **14.10 Distribution of Legislative Publications**

(1) There shall be delivered to the Chief Clerk the numbers of copies of measures, the House Measure History Report, the legislative schedule, and the legislative index as required for the operations of the House.

(2) There may be distributed free of charge to any person one copy of any measure with amendments, corrections or engrossment, the legislative schedule and cumulative index. Additional copies may be obtained upon payment pursuant to the schedule adopted by the Legislative Administrator and posted in the Distribution Center.

(3) Any person, agency or organization wishing a complete set of measures, House Measure History Reports, calendars, legislative schedules and indexes may obtain it upon payment pursuant to the schedule adopted by the Legislative Administrator and posted in the Distribution Center.

(4) Charges that may be imposed pursuant to this rule do not apply to the Chief Clerk and the Secretary of the Senate for the proper functioning of each house, the Legislative Fiscal and Revenue Officers, the Legislative Counsel, and the Legislative Administrator.

### **14.15 Measure Summaries**

(1) No measure shall be accepted at the Desk for introduction unless it is accompanied by an impartial summary of the measure's content, describing new law and changes in existing law proposed by the measure. Any measure

presented to the Chief Clerk which does not comply with this subsection shall be returned to the member who presented it.

(2) The summary shall be printed on the first page of the measure.

(3) If a material error in a printed summary is brought to the attention of the Legislative Counsel, the Legislative Counsel shall cause to be prepared a corrected summary which shall show the changes made in the summary in the same manner as amendments to existing law are shown. The Legislative Counsel shall deliver the corrected summary to the Chief Clerk. The Chief Clerk shall order a printing of the corrected summary for distribution.

(4) Whenever a measure is amended, the person who edits the measure summaries shall prepare an amended summary. The amended summary shall appear on the first page of the measure if engrossed or may be made a part of the amendments. The summary shall be amended to show changes in the measure proposed by the amendments thereto with changes in the summary shown in the same manner as amendments to existing law are shown.

#### **14.25 Financial and Revenue Impact Statements**

(1) A copy of every measure introduced shall be transmitted by the Chief Clerk to the Legislative Fiscal and Revenue Officers. Upon notice of a measure being scheduled by a House committee for work session, the Legislative Fiscal and Revenue Officers shall review each measure and make an estimate of the anticipated change in state, county, and municipal expenditures and revenues under the provisions of the measure. The Legislative Fiscal Officer shall prepare a statement, which will outline the changes in expenditures, to be known as either a Fiscal Impact Statement or Budget Report to be attached to each measure. The Legislative Revenue Officer shall prepare a statement known as a revenue impact statement, which will outline the changes in revenues, to be attached to each measure. The financial and revenue impact statements shall set forth the fiscal and revenue impact of the measure and any governmental subdivision affected by the fiscal and/or revenue impact as determined by the Legislative Fiscal and Revenue Officers.

(2) The fiscal and revenue impact statements shall be delivered by the Legislative Fiscal and Revenue Officers to the committee to which the measure has been referred. When amendments to a measure are adopted by a committee, the appropriate changes shall be made in the fiscal and/or revenue impact statements.

(3) When a measure is reported out of committee, the fiscal and/or revenue impact statements shall be filed with the committee's recommendation and forwarded to the Chief Clerk. The Chief Clerk shall attach the fiscal and revenue impact statements to the original measure and

shall prepare and distribute copies either electronically or in hard copy to each member.

### **14.30 Legislative Newsletters**

(1) Each member may issue legislative newsletters or other informational material to their constituents. Costs for newsletters and informational material may be billed to the member's individual expense account. Such newsletters or other informational material charged in whole or in part against a member's individual expense account may be distributed at any time during a member's term with the following exception:

(a) The period commencing 60 days before the primary election until the day following the election if the member is a candidate for any election or reelection at the primary election.

(b) The period commencing 60 days before the regular general election until the day following the election if the member is a candidate for any election or reelection at the general election.

(2) As used in this rule, "constituent" means an individual that lives within a member's legislative district.

(3) As used in this rule, "distributed" means that the legislative newsletter or informational material has left the possession and control of the member.

(4) As used in this rule, "informational material" and "legislative newsletter" means material suitable for distribution to members of the public informing them of official activities of a legislator and/or concerning legislative related issues. Such material shall not be campaign material, serve partisan political purposes, or take a position on a citizen initiative.



## **RECORDS RETENTION**

### **14.50 Policy on Records Retention**

(1) Except as provided in subsection (3) of this rule, records of members and their legislative assistants that contain information relating to the conduct of the public's business that are prepared, used or retained by the member or assistant must be retained for one year after the records are created.



(2) (a) A member must retain notices of amounts of expenses required by ORS 244.100 (2) for five years.

(b) A member must retain documents in support of statements of economic interest required by ORS 244.050 for two years.

(c) A member must retain relevant documents that are in the member's possession when the member receives a public records request, or a request for discovery of records issued in a court or administrative proceeding, until the request for records is resolved.

(d) Ephemeral communications, including, but not limited to, voicemail, text messages and instant messages, are not required to be retained.

(3) A member or legislative assistant may, at any time, deliver records required to be retained under this rule to the Legislative Administrator. A person who ceases to be a member of the Legislative Assembly shall deliver records under subsection (2) of this rule to the Legislative Administrator within 60 days after the member ceases to be a member. Records delivered to the Legislative Administrator under this rule must identify the person delivering the records and specify the date on which the records may be destroyed.

(4) In order to ensure consistent and timely compliance with the disclosure provisions of the Public Records Law, a member may designate the Legislative Administrator to receive public records requests on their behalf. The Legislative Administrator then will assist the member in preparing responses to requests. Regardless of whether or not a member has designated the Legislative Administrator to receive their public records requests, the member may request assistance from the Legislative Administrator or Legislative Counsel in responding to public records requests at any time.

(5) This rule applies to all records of members and legislative assistants, whether created before, on or after the effective date of this rule.

(6) As used in this rule, "legislative assistant" means a person employed to assist a member, to assist the Speaker of the House or to assist either caucus leader.



## **PERSONNEL RULES AND PROCEDURES**

### **15.01 Personnel Rules and Procedures**

(1) Except as otherwise provided by law, the Speaker may establish such rules of employment for employees of the House that are deemed necessary.

(2) All salaries for legislative officers and legislative personnel elected or appointed shall be fixed by the appointing authority as provided in the current Legislative Assembly budget.

(3) Employees of the House are at-will employees; therefore, they serve at the pleasure of the appointing authority and shall be appointed or discharged by written notice to the Chief Clerk and the Legislative Administrator.



## **CHIEF CLERK, PERSONNEL, ALLOWANCES**

### **15.05 Chief Clerk; Election and Duties**

(1) There shall be a Chief Clerk who shall be elected by the members and shall be an officer of the House. The Chief Clerk shall take an oath to support the Constitution of the United States and the Constitution of the State of Oregon, for the true and faithful exercise of the duties of the Office of the Chief Clerk, and to keep the confidences of the House. The Chief Clerk serves at the pleasure of the body and may be removed only by a majority vote of the members. In the event that the office becomes vacant at a time when the House is not in session, the Speaker may appoint an acting Chief Clerk to serve until the next regular or special session of the House, at which time the members shall elect a Chief Clerk of the House.

(2) The Chief Clerk shall perform the following duties:

(a) Appoint a Sergeant at Arms in consultation with the Speaker.

(b) Appoint such other non-partisan employees deemed necessary for the effective operations of the House of Representatives in compliance with the Legislative Branch Personnel Rules.

(c) Serve as parliamentarian of the House, providing impartial recommendations.

(d) Keep the measures, papers and records of the proceedings and actions of the House and have charge of the publication and distribution of publications related thereto, except as otherwise provided by law.

(e) Prepare all measures, histories, journals and related publications for printing.

(f) Retain all measures and official papers or records in the Chief Clerk's office or in the Chief Clerk's custody except on duly signed receipts from persons authorized to receive custody.

(g) Perform such other duties as directed by the Speaker or prescribed by law.

(3) The Sergeant at Arms shall perform the following duties:

(a) Under direction of the presiding officer and/or the Chief Clerk, the Sergeant at Arms, assisted by Security Personnel when directed by the presiding officer, shall maintain order in the chamber and other areas assigned to the House.

(b) Permit such ingress to and egress from the chamber during sessions as may be directed by the presiding officer or allowed by the rules.

(c) Execute all processes issued by authority of the House or any of its committees.

(d) Perform such other duties as the Chief Clerk or Speaker may direct.

### **15.10 Member's Personal Staff**

(1) (a) A member may appoint personal staff for the session, the interim or both, according to the allowance provided in Rule 15.25.

(b) A member shall establish salaries payable to persons appointed under paragraph (a) of this subsection.

(c) Fringe benefits for persons appointed under paragraph (a) of this subsection shall be as set forth in the Legislative Branch Personnel Rules.

(d) The time of service for all employees begins on the date of filing their appointment with the Legislative Administrator but not sooner than the date set forth in the Legislative Branch Personnel Rules.

**15.15 Leadership Office Personnel**

(1) The Speaker may appoint personnel necessary to perform the functions of the Speaker's office.

(2) In compliance with the Legislative Branch Personnel Rules, the Republican and Democratic leaders may each appoint such employees deemed necessary to perform the functions of the caucus offices.

**15.20 Other Personnel**

(1) In compliance with the Legislative Branch Personnel Rules, the Legislative Administrator shall, in consultation with each chair of a committee and the Speaker, appoint such personnel as deemed necessary in the operations of the committees.

(2) In addition to personnel otherwise authorized, the Speaker may appoint such other personnel as the Speaker considers necessary.

(3) No personnel employed by the House of Representatives shall for the duration of such employment serve as a lobbyist or be employed by a lobbyist; serve as a reporter, commentator or editorialist on legislative matters or be employed by a radio station, television station, newspaper or magazine. All such personnel are subject to ORS 260.432.

**15.25 Expense Allowance**

(1) Each member has an allowance of \$37,662.00 during the 2015 regular session for personal staff, services and supplies as defined in Rule 16.01 and legislative newsletters as defined in Rule 14.30.

(2) Any amount remaining unexpended or unobligated in a member's individual expense account at the end of a regular session may be used during the interim for expenses as described under subsection (1) of this rule.

**SERVICES AND SUPPLIES****16.01 Services and Supplies**

(1) Each member shall have an individual services and supplies account. New members will receive a one-time allowance of \$200.00 for start-up expenses.

**(2)** A member may obtain services and supplies necessary to conduct legislative business by submitting a requisition to personnel responsible for supplying the services or supplies. The requisition shall be signed by the member or by a person authorized by the member. The costs of requisitioned services and supplies shall be charged against the member's individual services and supplies account.

**(3)** Services and supplies that may be obtained under this rule include:

**(a)** Postage (all classes)

**(b)** Subscriptions to newspapers and periodicals

**(c)** Stationery

**(d)** Office supplies

**(e)** Copying

**(f)** Communications with constituents in compliance with Rule 14.30

**(g)** Rental expenses incurred for a town hall meeting

**(h)** Establishment and maintenance of a district office

**(i)** Billings from state agencies for services and supplies

**(j)** Reasonable travel expenses incurred by members while on official legislative business. This item does not include in-district travel.

**(k)** Reasonable travel expenses incurred by member's personal staff while on official legislative business as authorized by the member

**(l)** Any other service or supply authorized by the Speaker

**(4)** Any member who exceeds his or her allowance as provided under these rules or the adopted Legislative Assembly budget will have the overage deducted from his or her personal monthly expense allowance and any additional indebtedness will be prohibited.

**(5)** Should a member resign or be removed from office, the individual expense allowance as provided under these rules or the adopted Legislative Assembly budget shall be prorated based on length of service and, in the event an overage exists, further indebtedness shall be prohibited and the overage shall be deducted from his or her personal monthly expense allowance and any remaining indebtedness shall be billed by the Legislative

Administrator and appropriate steps for collection taken. Any amount expended in excess of allocation is a debt owed to the state.

(6) All equipment, furniture, unused supplies, and stationery are the property of the Legislative Assembly and shall be returned at the end of a member's legislative service in compliance with ORS 171.136.

### **16.05 Attorney General Opinions**

(1) Requests by members for opinions of the Attorney General require approval of either caucus leader or the Speaker as a condition of authorizing payment from legislative appropriations. The legislative appropriation specifically intended for payment of costs for Attorney General opinions shall be divided in the same proportion as the number of party members in the House. The cost of an opinion shall be deducted from the approving leader's allocation. This rule takes precedence over ORS 180.060 (2).

(2) The Legislative Counsel shall provide legal advice and opinions to members without approval of the Speaker, or either caucus leader.



## **PRIVILEGES**

### **17.01 Floor Privileges**

(1) When the House is in session, no person shall be permitted within the bar except:

(a) Members of the Legislative Assembly

(b) Floor personnel of the House

(c) One of the following individuals, seated at a member's desk:

(i) One individual from the member's personal staff employed under Rule 15.10 or receiving credit in the intern program

(ii) A member of the staff of a House standing committee, statutory committee, special committee or the caucus offices employed under Rule 15.15; or

(iii) A family member

(d) Persons authorized by the Speaker

(e) Accredited representatives of the news media

(2) Courtesies of the floor may be extended only to special dignitaries and former members of the Legislative Assembly with permission of the body. However, courtesies shall not be extended to any former member who is a lobbyist.

(3) Seating in the side aisles beyond the bar shall be reserved for the families and guests of members and such other persons as may be authorized by the Speaker. However, the privilege shall not be granted to any person actively engaged in seeking the passage or defeat of any measure.

(4) While the House is in session, the center aisle of the floor shall be kept clear of all persons except members and the Chief Clerk or someone acting under the Chief Clerk's direction in conduct of the business of the House. Access to the chamber while the House is in session shall be by the side doors and side aisles.

(5) During the period beginning thirty minutes before the opening of each session and ending thirty minutes after the session, no person shall be permitted in the House chamber except those authorized to be in the chamber under this rule.

(6) No person who is a lobbyist as defined in ORS 171.725 shall be permitted on the House floor or the adjacent side aisles while the House is in session.

(7) The Sergeant at Arms shall enforce this rule.

### **17.05 Lounge Privileges**

The privilege of using the House lounge shall be limited to members of the House and the Chief Clerk except as otherwise authorized by the Speaker.

### **17.10 Assembly Transition**

Those members not returning to serve in the next Legislative Assembly shall vacate their office space in the State Capitol 30 days prior to the convening of that assembly.



## ACCREDITATION OF NEWS MEDIA

### **18.01 Accreditation of News Media**

(1) As used in these rules, "accredited representatives of the news media" means bona fide representatives of publications of general circulation and of news wire services and bona fide representatives of radio and television facilities.

(2) In order to obtain accreditation, representatives of the news media shall register in the office of the Chief Clerk, indicating the publication, news, wire service, radio or television station represented. However, any representative of a news media who is also attending the session as a lobbyist as defined in ORS 171.725 shall not be entitled to accreditation or the privileges of the floor.

(3) If a member of the media disrupts the proceedings of the House or its committees, the presiding officer may call the individual to order and direct the individual to leave the chamber or meeting room.

(4) The Speaker may revoke or suspend the credentials of a member of the media who disrupts the proceedings of the House or its committees.



## LOBBYISTS

### **19.01 Regulation of Lobbyists**

(1) It is the intention of the House to provide opportunity for all individuals who comply with the requirements of ORS 171.725 to 171.785 and subsection (2) of this rule to appear before members and committees of the House on behalf of or in opposition to any measures before the Legislative Assembly.

(2) The Committee on Rules may, and on the complaint of five members of the House, shall investigate and report on any alleged violation of ORS 171.725 to 171.785 or any alleged improper conduct or wrongdoing by any lobbyist. The committee may, as an incident of the investigation, require such additional information about the alleged violation, improper conduct or wrongdoing as the majority of the committee considers pertinent and necessary.

(3) If the committee determines that the lobbyist has violated ORS 171.725 to 171.785 or is guilty of improper conduct or wrongdoing, it shall



report its findings and recommendations to the House. The House may take such action as it deems proper.



## **CAMPAIGN CONTRIBUTIONS AND PROHIBITED ACTIONS**

### **19.10 Statement of Philosophy**

The House of Representatives is committed to open deliberations. Prompt, thorough and accurate reporting of any campaign contribution is an integral factor in maintaining open government.

### **19.20 Campaign Contributions During Session**

No member of the House, during a regular session or during the period between the organizational session and the regular session scheduled during the odd-numbered year, shall accept and/or solicit a contribution to the member or the member's principal campaign committee or accept and/or solicit an expenditure in support of the member from any person. This does not limit a member from using existing campaign funds.



## **POLICY ON A HARASSMENT-FREE WORKPLACE**

### **20.01 Policy on a Harassment-Free Workplace**

(1) The House of Representatives is committed to providing a safe and respectful workplace that is free of harassment. Members and all employees are expected to conduct themselves in a manner that is free of harassment and to discourage all harassment in the workplace and at events, professional meetings, seminars or any events at which legislative business is conducted.

- (a) For purposes of this rule, harassment consists of sexual harassment or workplace harassment.
- (b) For purposes of this rule, sexual harassment is any unwelcome sexual advance, a request for sexual favors or other verbal or physical conduct of a sexual nature if:

**(i)** Submission to the conduct is made either explicitly or implicitly a term or condition of a person's employment;

**(ii)** A person expressly or by implication conveys that declining to submit to the conduct will affect a person's job, benefits, or business before the Legislative Assembly; or

**(iii)** The conduct has the purpose or effect of unreasonably interfering with a person's job performance, or creates a work environment that a reasonable person would find intimidating, hostile or offensive

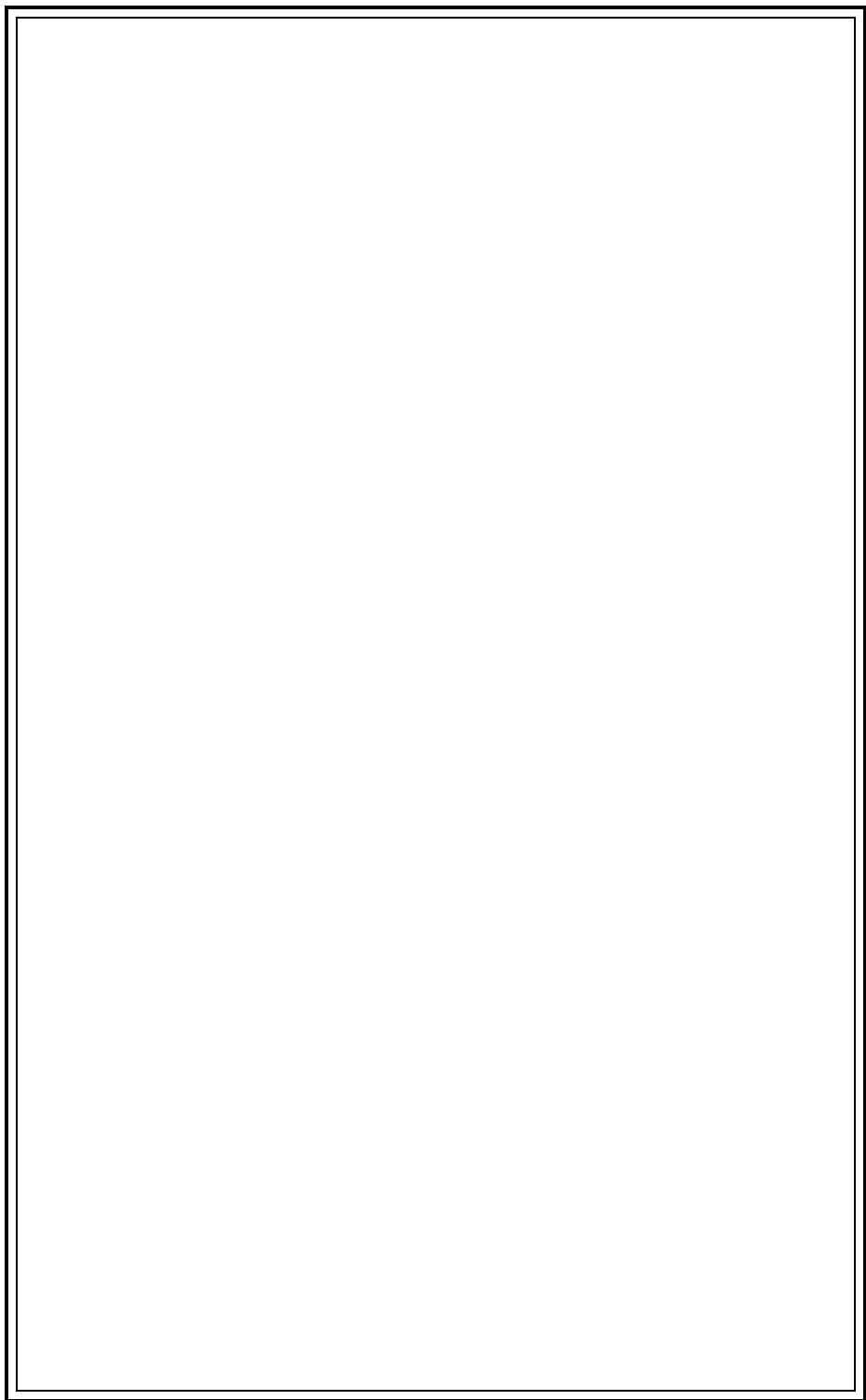
**(c)** For purposes of this rule, workplace harassment means treatment or behavior that, to a reasonable person, creates an intimidating, hostile or abusive work environment. Workplace harassment also includes discrimination based on a person's age, color, disability, race, religion, national origin, sex, sexual orientation or status as a member of a protected class.

**(2)** The formal and informal procedures provided for in Legislative Branch Personnel Rule 27 shall apply.

**(3)** Any recommended action resulting from a formal complaint against a House member shall be recommended to the floor by a committee consisting of equal representation of each caucus. Any formal sanctions recommended against a House member shall be referred to the floor for approval by a 2/3 majority vote of the House before final action is taken against a House Member. Any formal sanctions recommended against a House personal staff member shall be resolved under Legislative Branch Personnel Rule 27.

**(4)** At the convening of each legislative assembly the Speaker shall appoint the membership of the House Special Committee on Conduct in equal numbers of members from the majority party and the minority party for the purpose of deliberations regarding Workplace Harassment complaints only.

**(5)** The House shall provide education concerning harassment and procedures to implement this Rule.





**OFFICE OF THE CHIEF CLERK**