



## Oregon Senate Fact-Finding Mission Application & Approval Form

This application will be used to review and officially approve fact-finding missions allowed under ORS 244.020(6)(b)(H)(i) and required to be reported under ORS 244.060(6) **if the expense per member is estimated to exceed \$50**. This application must be submitted to the Secretary of the Senate **no later than 14 days** before the start of the fact-finding mission, unless as determined by the Secretary good cause exists for submitting the application after the deadline. **To promote transparency, all approved applications and accompanying materials will be posted on the Secretary of the Senate's website.**

**2016 Oregon Legislative Trade Mission to China**

Description of Mission: \_\_\_\_\_

Issues or Legislation Related to Mission: None

Location of Mission: People's Republic of China

Date(s) of Mission: Nov. 26, 2016 to Dec. 5, 2016

Person/Entity Paying Expenses: Legislators & Chinese People's Institute of Foreign Affairs

Address of Person/Entity Paying Expenses: 71 Nanchizi Street, Beijing 100006, China

Invited Members (select one):

☒ All Senators    ☐ The following Senators: \_\_\_\_\_

☐ All Senators on the Committee(s)/Task Force(s) on: \_\_\_\_\_

Staff Invited: ☐ Yes ☒ No    Relatives/Household Members Invited: ☒ Yes ☐ No

Activities will be limited to a factual investigation or other educational purposes: ☒ I agree.

The mission is not being conducted for campaign or partisan political purposes: ☒ I agree.

**Please include the following required attachments with this application:**

1. Written opinion from the Oregon Government Ethics Commission concluding that the event is a permitted fact-finding mission under ORS 244.020(6)(b)(H)(i) and the rules of the commission.
2. Written itinerary or agenda for all scheduled meetings, events, presenters, meals, travel, lodging, or other activities planned during the mission.

**Within thirty (30) days after completion of the mission**, please submit the following required documents to the Secretary of the Senate, which will be posted on the Secretary's website:

1. An attendance sheet listing all Senators, staff, relatives, household members, lobbyists, and all others who participated in the mission.
2. The aggregate value of food, travel, and lodging expenses provided to each Senator, staff member, relative, and household member of the Senator. The aggregate value of expenses for each person shall be determined in the same manner as required by the Oregon Government Ethics Commission for disclosure on a Statement of Economic Interest under ORS 244.060(6).
3. Written confirmation that the mission was conducted substantially according to the itinerary or agenda submitted with the application and, if the mission varied materially from the submitted itinerary or agenda, a written account describing the material variations (i.e., any additional meetings, events, presenters, meals, travel, lodging).

Failure to submit this information within thirty (30) days after completion of the mission will result in an automatic denial of all future applications submitted by the Applicant signing below and the person or entity listed above as paying expenses.

**By signing below, I hereby declare that all information submitted at any time by me, or on my behalf, to the Oregon Senate in connection with this application and fact-finding mission is correct to the best of my knowledge and belief.**

Signature of Applicant: \_\_\_\_\_ Date: **September 23, 2016**

Name of Applicant (print): **Oregon China Sister State Committee**

Address: **900 Court Street, NE, Salem, Oregon**

Telephone Number: **503-986-1557**

E-mail Address: **jlan@chinaselections.com**

All information above is required for the application to be considered.

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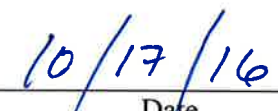
**For Official Use Only**

Based on the written conclusion of the Oregon Government Ethics Commission and the information submitted by the Applicant, under ORS 244.020(6)(b)(H)(i) this fact-finding mission is hereby:

☒ Officially Sanctioned

☐ Denied

  
\_\_\_\_\_  
Secretary of the Senate

  
\_\_\_\_\_  
Date



# Oregon

Kate Brown, Governor

## Government Ethics Commission

3218 Pringle Rd SE Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

E-mail: [ogec.mail@oregon.gov](mailto:ogec.mail@oregon.gov)

Web Site: [www.oregon.gov/ogec](http://www.oregon.gov/ogec)

October 17, 2016

Senator Roblan  
900 Court St. NE  
Salem, Oregon 97301

Dear Senator Roblan:

This letter of advice is provided in response to your request which presented a question regarding the annual Oregon Legislative Trade Mission to China scheduled November 26<sup>th</sup> to December 5<sup>th</sup>, 2016. This analysis and advice is being offered under the authority provided in ORS 244.284 as guidance on how the current provisions of Oregon Government Ethics law may apply to the specific circumstances you have presented.

The Oregon-China Sister State Relations Council (OCSSRC) is organizing a delegation of Oregon State Legislators to represent the State of Oregon to participate in the 2016 Oregon Trade Mission to China this November. The purpose of this trade mission is to enhance economic and trade relations between Oregon and China, specific to relations in the field of agriculture/nursery, tourism, investment and sustainable development.

This letter of advice addresses how the provisions of ORS Chapter 244 may apply to the aforementioned legislative officials, as public officials, relatives or members of the public officials household, considering participation in this trip with reasonable food, travel, lodging expenses to be provided by the Chinese People's Institute of Foreign Affairs (CPIFA), a non-governmental organization (NGO).

Under most circumstances, when a public official is offered meals, lodging and transportation at no cost to the public official, relative or member of the public official's household, it would be a gift as defined in ORS 244.020(7)(a). If the provider of a gift to a public official has a legislative or administrative interest in the votes or decisions of the public official there are conditions and restrictions that apply to the acceptance of the gifts.



It appears that the CPIFA may have an economic interest that is distinct from the economic interest that is distinct from the economic interest held by members of the general public in the votes or decisions of the legislative officials who may wish to participate in this planned event. Therefore, the conditions and restrictions on paid expenses offered to these public officials and their relatives and members of the household could apply.

Under specific circumstances set forth in ORS 244.020(7)(b), there are exceptions when a public official may accept gifts, such as paid expenses for food, lodging, travel or other items of value. The exception relevant to your inquiry is described in ORS 244.020(7)(b)(H) as follows:

ORS 244.020(7)(b)(H) "Reasonable food, travel or lodging expenses provided to a public official, a relative of the public official accompanying the public official, a member of the household of the public official accompanying the public official or a staff member of the public official accompanying the public official, when the public official is representing state government as defined in ORS 174.111, a local government as defined in ORS 174.116 or a special government body as defined in ORS 174.117:

- (i) On an officially sanctioned trade-promotion or fact-finding mission.
- (ii) In officially designated negotiations, or economic development activities, where receipt of the expenses approved in advance.

Based on the information provided, it appears that ORS 244.020(7)(b)(H) may allow legislative officials to accept reasonable food, travel or lodging expenses for their stated participation in this trip to China. In addition, these paid expenses may also be offered to and accepted by a public official's relatives, members of the public official's household and members of the public official's staff who are accompanying a member of the Legislative Assembly on this trip.

While public officials may accept these paid expenses, ORS 244.020(7)(b)(H) requires that they do so as representatives of state government. ORS 244.020(7)(b)(H) also requires that the event be a "fact-finding mission or trade promotion" and be "officially sanctioned" before they can accept the offer of reasonable expenses for food, travel or lodging expenses.

The Oregon Government Ethics Commission (Commission) issued Oregon Administrative Rules (OAR) in which a "fact-finding mission" and "officially sanctioned" were defined. Those definitions are provided in OAR 199-005-0001(2) fact-finding mission and OAR 199-005-0020(3)(b) "officially sanctioned or officially designated" as follows:

"A 'fact-finding mission or trip' is any activity related to a cultural or educational purpose, or any activity aimed at providing intergovernmental assistance, such as for the purpose of international aid or sharing best practices, or developing intergovernmental relationships directly related to the public official's duties. The sponsor of a fact finding mission should be directly and immediately associated with the event or location being visited."  
[OAR 199-005-0001(2)]

"Officially sanctioned or officially designated' means written approval by a state or local public body or by a person authorized by the public body to provide that approval. When the activity is officially designated a negotiations or economic activity, the written notice will include approval for the public official to accept the payment of reasonable expenses. Unless the public body determines otherwise, the written notice form the following is sufficient to constitute an officially sanctioned or officially designated activity under ORS 244.020(7)(b)(H) [OAR 199-005-0020(3)(b)].

A member of the legislative assembly must have their trip sanctioned by:

(C) The President of the Senate, Speaker of the House, the designated majority or minority leaders of either chamber or appointed committees of the Legislative Assembly for any elected member. [OAR 199-005-0020(3)(b)(C)]

It should be understood that ORS 244.020(7)(b)(H) does not allow public officials to accept financial benefits outside of reasonable food, travel or lodging expenses. Under most circumstances, paid expenses for entertainment would likely meet the definition of a gift as defined in ORS 244.020(7)(a).

Legislative officials are required by ORS 244.050 to file with the Commission an Annual Verified Statement of Economic Interest. ORS 244.060(6) requires the identification of all expenses, with an aggregate value exceeding \$50, received when participating in an event described in ORS 244.020(7)(b)(H).

Therefore, based on the information provided, if the legislative officials accept reasonable food, travel or lodging expenses paid by CPIFA for their participation in this event, they would be required to identify those expenses on their Annual Verified Statement of Economic Interest.

Senator Roblan  
October 17, 2016  
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If you have any additional questions regarding the application of Oregon Government Ethics law please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Bersin', with a long horizontal flourish extending to the right.

Ronald A. Bersin  
Executive Director

RAB/th

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This staff advice is provided under the authority given in ORS 244.284(1). This opinion offers guidance on how Oregon Government Ethics law may apply to the specific facts described in your request. This opinion is based on my understanding and analysis of the specific circumstances you described and should not be applied to circumstances that differ from those discussed in this request.

ethicsOP5



## 2016 Oregon Legislative Trade Mission to China

November 26th to December 5th, 2016

**Mission Description:** Oregon -China Sister State Relations Council (OCSSRC) is organizing a delegation of Oregon State Legislators and members of Association of Oregon Counties(AOC) to participate in the 2016 Oregon Trade Mission to China. OCSSRC in collaboration with business leaders and invited guests have worked out the following itinerary for a trade and economic development delegation to China.

In order to enhance economic and trade relations between Oregon and China, especially relations in the field of agriculture/nursery, tourism, investment and sustainable development, OCSSRC is organizing an economic and trade development mission to China to study large infrastructure development, attract investment and enhance Oregon exports to China.

### *[Tentative Itinerary]*

November 26, 2016 Saturday  
Depart for Beijing

November 27, 2016 Sunday  
Arrival in Beijing in evening

November 28, 2016 Monday  
Morning Tianman Square and Forbidden City  
Afternoon Great Wall  
Dinner: Chinese host

November 29, 2016 Tuesday  
Morning: Trip to visit sister relation in Tianjin  
Evening: Return to Beijing

November 30, 2016 Wednesday  
11:40am Leave for Lianyungang, Jiangsu province on MU 3803  
1:00pm Arrive in Lianyugang  
2:00pm Check into hotel

4:00pm Meeting with local officials to discuss sister county relations  
6:00pm Dinner hosted by local officials

December 1, 2016 Thursday  
Morning Visit local factory & port  
8:20pm Leave for Xian on MU2234  
10:35pm Arrive in Xian

December 2, 2016 Friday  
Morning visit Terra Cotta Museum  
Lunch with local officials  
Afternoon visit Xian Museum  
6:25pm Leave for Yichang on CZ5148  
7:35pm Arrive in Yichang

December 3, 2016 Saturday  
Morning: Meeting with Yichang economic development officials  
Lunch with Yichang municipal officials  
Afternoon: Visit 3 Gorges Dam, world largest hydro dam  
9:30pm: Departing for Beijing on JD5396  
11:45pm: Arriving in Beijing

December 4, 2016 Sunday  
8:00am Leaving for Hengshui, Hebei province by bus  
10:00am Meeting with Hengshui Middle School  
12:00pm Lunch at school  
2:00pm Visit Hengshui Lake, National Nature Reserve  
4:00pm Visit local wine company  
5:00pm Meeting with Henghui Mayor  
6:00pm Dinner hosted by local government  
8:00pm Leaving for Beijing  
10:00pm Arrive in Beijing

December 5, 2016 Sunday  
Morning Depart for USA

#### ESTIMATE COST OF PARTICIPATION FOR AOC MEMBER AND BUSINESS

- I. In-country expenses for each delegate:\$3,200.00/pp (Double occupancy will be quoted separately), which includes
- Domestic airplane tickets & coach
  - Hotel (four and five-star hotels, one standard room with breakfasts)
  - Official luncheon or dinner banquet hosted by Chinese government
  - Transportation (to and from airport), plus most costs for tour bus, tour guide, tourist spot entry fees.
  - Presentation opportunity in Beijing , Yichang , and Guangyun counties
  - Business meeting with local companies



-Introduction & participation in key meetings with Chinese government officials.

II. All delegates contribute \$500.00 per person to OCSSRC to help defray the cost of organizing and conducting this tour.

(An additional \$250 for a spouse accompanying legislator or business delegate will be paid under separate "double occupancy" quote)

III. International Airline tickets: You may book with your travel agent. You will need to arrive in Beijing Capital International Airport and depart from Beijing Airport. Estimate for economic class is \$1500.00 round trip. Please contact your travel agent to book or contact Kathie Tong of Sunny Tours at 503-427-9000, Cell: 503-583-3269. Kathie Tong has the itinerary, knows China, speaks Chinese and will make sure delegates have the right connections.

IV. CHINA VISA PROCESSING: \$140.00/pp

Arrangements will be made for filing Visa Applications as a group. To obtain a China Visa each participant will need (1.) a valid Passport, (2.) completed visa application form, (3.) cashier's check, (4.) two passport photos, (5.) \$140.00 visa fee in the form of Cashier's check or Money order. Please make cashier's checks or money order payable to "Chinese Consulate General" (5.) a Prepaid FedEx or UPS envelop with return address for your passport (make sure to write down the tracking number). Please contact Jin Lan, President of OCSSRC for details at [jl原因@chinaselections.com](mailto:jl原因@chinaselections.com) Precise instructions and China Visas application forms are found at:

<http://www.chinaconsulatesf.org/eng/lszj/zgqz/>

PAYMENT INFORMATION AND ADDRESS: All delegate will need to submit a waiver/liability form (supplied separately) and deposit by the following date:

Deposit of \$500 (plus \$250 for spouse, if any) should be paid without delay (by September 15, 2016). Final payment by October 15, 2016.

Please make Deposit check payable to "OCSSRC." And send your check & Liability Waiver before September 15, 2016

OCSSRC

P.O. Box 1274

Portland, OR. 97207-1274

Only 16 slots are available for legislators including their spouses. First come, first reserved. Each legislator is allowed to bring two business delegates, not including their spouse. Your reservation is secured upon receipt of the deposit and Liability Waiver form. Phone call and email does not constitute formal registration nor would they guarantee a spot for the mission.

FOR MORE INFORMATION, PLEASE CONTACT:

Jin Lan/President

Email: [jl原因@chinaselections.com](mailto:jl原因@chinaselections.com) Cell: 360-883-8888

**The above is preliminary information; the itinerary, estimated costs and conditions are subject to change. Additional conditions may apply.**

## HEDRICK Tammy R \* OGEC

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**From:** Sen Roblan <sen.arnieroblan@state.or.us>  
**Sent:** Friday, October 07, 2016 7:40 AM  
**To:** jlan  
**Cc:** HEDRICK Tammy R \* OGEC  
**Subject:** FW: 2016 OCSSRCTrade Mission to China Final.pdf  
**Attachments:** 2016 OCSSRCTrade Mission to China Final.pdf

*Rosie Shatkin*  
*Legislative Policy Advisor*  
*Sen. Arnie Roblan, SD 5*  
*(Coos Bay, Florence, Newport, Tillamook)*  
*Office: 503.986.1705*  
*Cell: 541.999.5327*  
[Sign up for our newsletter](#)



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Dear Board Members:

Attached please find 2016 Oregon Legislative Trade Mission itinerary for Nov., 2016,



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OCSSRC

P.O. Box 1274

Portland, OR. 97207-1274

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Jin Lan/President

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