PROPOSED AMENDMENTS TO
HOUSE BILL 2019

1   On page 1 of the printed bill, delete lines 5 through 22.

2   On page 2, delete lines 1 through 15 and insert:

3   **"SECTION 1.** ORS 244.250 is amended to read:

4   "244.250. (1) The Oregon Government Ethics Commission is established,

5   consisting of [*seven*] **nine** members. The appointment of a member of the

6   commission is subject to confirmation by the Senate in the manner provided

7   in ORS 171.562 and 171.565. Members shall be appointed in the following

8   manner:

9   "(a) The Governor shall appoint [*four*] **eight** members from among persons

10   recommended, [*one*] **two** each by the leadership of the Democratic and Re-

11   publican parties in each house of the Legislative Assembly. If a person re-

12   commended by the leadership of the Democratic or Republican party is not

13   approved by the Governor, the leadership shall recommend another person.

14   "(b) The Governor shall appoint [*three members*] **one member** without

15   leadership recommendation. [*No more than two members appointed under this*

16   *paragraph may be members of the same major political party.*]

17   "(2) A person who holds any public office listed in ORS 244.050 (1) except

18   as a member of the commission may not be appointed to the commission. No

19   more than [*four*] **three** members may be members of the same political party.

20   "(3) The term of office of a member is four years. A member is not eligible

21   to be appointed to more than one full term but may serve out an unexpired

22   term. Vacancies shall be filled by the appointing authority for the unexpired

1 term.

2 "(4) The commission shall elect a chairperson and vice chairperson for

3 such terms and duties as the commission may require.

4 "(5) A quorum consists of [*four*] **five** members but a final decision may

5 not be made without an affirmative vote of a majority of the members ap-

6 pointed to the commission.

7 "(6) Members shall be entitled to compensation and expenses as provided

8 in ORS 292.495.

9 "(7) The commission may retain or appoint qualified legal counsel who

10 must be a member of the Oregon State Bar and who is responsible to the

11 commission. The appointment of legal counsel under this subsection may be

12 made only when the commission finds it is inappropriate and contrary to the

13 public interest for the office of the Attorney General to represent concur-

14 rently more than one public official or agency in any matter before the

15 commission because the representation:

16 "(a) Would create or tend to create a conflict of interest; and

17 "(b) Is not subject to ORS 180.230 or 180.235.

18 "(8) The Attorney General may not represent before the commission any

19 state public official who is the subject of any complaint or action of the

20 commission at the commission's own instigation.".

21 On page 3, line 8, after "the" delete "commission determines".

22 Delete line 9 and insert "executive director completes the statement of the

23 facts determined during the phase under paragraph (d) of this subsection.".

24 In line 33, delete "Prior to" and insert "At".

25 In line 37, delete "At" and insert "Following".

26 On page 4, line 17, after the period insert "If the commission considers

27 the recommendation of the executive director in an executive session but the

28 commission does not affirmatively vote to undertake an investigation, dis-

29 miss the complaint or rescind its motion, the nonaction taken by the com-

30 mission shall be considered a dismissal of the complaint or a rescission of

1   its motion.".

2   On page 7, delete lines 21 through 29 and insert:

3   "(c) Findings issued by the commission under ORS 244.260 in instances

4   where the commission determines that there has been a violation of a pro-

5   vision of this chapter or of any rule adopted by the commission under this

6   chapter. Nothing in this paragraph requires the commission to make publicly

7   available materials that are otherwise exempt from public disclosure or that

8   are required to be kept confidential by the commission.".

9   In line 30, delete "5" and insert "4".

10   In line 36, delete "6" and insert "5".

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