

## Sen Boquist

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**From:** Sen Boquist  
**Sent:** Tuesday, April 20, 2021 7:57 AM  
**To:** Sen Johnson; Sen Steiner Hayward  
**Cc:** Sen Robinson; COBA Katy \* DAS; NAUGHTON George M \* DAS; Sen Golden; Rep Smith  
**Subject:** Caucus Budgets 2021-23 - RE: Second Request - FW: Minority Party Caucus Staff

Co-Chairs:

It appears SB 5016 is a bill requested from the Executive Branch. This oddity or legality is a separate issue.

Pursuant to the Oregon Revised Statutes the independent caucus are minority offices. The members of the caucus are listed as such pursuant to the Oregon Secretary of State. The members are in one and only one caucus. If such a bill as SB 5016 noted below is presently in the law then funding would be required at this time. That is a legal issue of today not that the Co-Chairs and Subcommittee preparing the 2021-23 budget bills.

It is note clear the Independent Caucus needs to submit an amendment to the Executive Branch's request to fund the Legislative Assembly.

We are seeking guidance as to whether we need to submit an amendment or budget to LFO or the Executive Branch agency or neither? Or has the Department of Administrative Services budgeted for all the caucuses already?

Thank you in advance,

Brian Boquist  
Oregon State Senator  
SD 12 IPO

<https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/HB5016>

**From:** Sen Boquist  
**Sent:** Monday, April 19, 2021 5:31 PM  
**To:** Sen Johnson <Sen.BetsyJohnson@oregonlegislature.gov>; Sen Steiner Hayward <Sen.ElizabethSteinerHayward@oregonlegislature.gov>  
**Cc:** Sen Robinson <Sen.ArtRobinson@oregonlegislature.gov>; Sellers Michael <Michael.Sellers@oregonlegislature.gov>  
**Subject:** FW: Second Request - FW: Minority Party Caucus Staff

Co-Chairs:

Obviously, the Independent Caucus would like to have 2021-23 funding for caucus staff as noted by Mr. Hanes below.

Or simply amend the Section 6 (2) below to add "and independent caucus offices."

Do you want use to have an amendment drafted? Or propose a budget since Mr. Hanes response lacks details?

Just to be clear neither of us are members of the majority or minority offices noted in Section 6 (2) below. Would think an independent office would be a constitutional requirement even today.

Please advise,

Senator Boquist

**From:** Hanes Brett  
**Sent:** Monday, April 19, 2021 2:54 PM  
**To:** Sen Boquist <[Sen.BrianBoquist@oregonlegislature.gov](mailto:Sen.BrianBoquist@oregonlegislature.gov)>  
**Cc:** Sen Robinson <[Sen.ArtRobinson@oregonlegislature.gov](mailto:Sen.ArtRobinson@oregonlegislature.gov)>  
**Subject:** RE: Second Request - FW: Minority Party Caucus Staff

Good afternoon, Senator.

Thank you for both emails, I have received them, and the letter arrived today.

I did some checking with LFO, LC and Financial Services to see what needed to be done in order to set up an Independent Caucus office.

Funding would have to be established in the Legislative Branch funding bill: [SB 5016](#)

Specifically, Section 6 appropriates funding to the Legislative Assembly (Offices of the Senate President, Speaker of the House, majority and minority caucuses, Secretary of the Senate & the Chief Clerk of the House).

**SECTION 6. There is appropriated to the Legislative Assembly, for the biennium beginning July 1, 2021, out of the General Fund, the amount of \$21,625,670 for payment of the expenses of the following offices:**

**(1) The offices of the President of the Senate and the Speaker of the House of Representatives;**

**(2) The majority and minority offices of the Senate and of the House of Representatives; and**

**(3) The offices of the Secretary of the Senate and the Chief Clerk of the House of Representatives.**

Once funding is secured, Legislative Administration will assist with office setup, hiring staff and any equipment purchases you would need.

I hope this helps, and if you have any follow up questions, I can pull in LC and LFO to assist with greater specificity.

Slainte,  
Brett

**From:** Sen Boquist <[Sen.BrianBoquist@oregonlegislature.gov](mailto:Sen.BrianBoquist@oregonlegislature.gov)>  
**Sent:** Saturday, April 17, 2021 8:05 AM  
**To:** Hanes Brett <[Brett.Hanes@oregonlegislature.gov](mailto:Brett.Hanes@oregonlegislature.gov)>  
**Cc:** Sen Robinson <[Sen.ArtRobinson@oregonlegislature.gov](mailto:Sen.ArtRobinson@oregonlegislature.gov)>  
**Subject:** Second Request - FW: Minority Party Caucus Staff

### **Second Request**

Mr. Hanes:

The members of the Independent Caucus are in immediate need of staffing and resources afforded to a Caucus within the Senate. This is our second request. With the Legislature at the halfway point and the Senate now working House bills, policy and administrative staff need to be in place by end of next week, no later.

There are a few examples of this immediate need as identified in the original request on April 9, 2021. We had hoped at the begging of the session the building would be opened shortly thus we might have been able to suffice until the Independent Caucus was placed in your 2021-22 budget. With the continued closure along with ongoing access problems we need staffing immediately.

### **Policy Staff:**

District Staff cannot be expected to assist with policy work outside the scope of the committees that their members serve on. With numerous bills, most in the Senate coming from the Judiciary committee and no member of the Independent Caucus on this committee, where should the Independent Caucus look to get staff policy summaries and guidance on Judiciary bills?

Both the Democrat and Republican Caucuses are afforded staff support at this level and the Independent Caucus should be no different.

### **Contact with the Senate President's office:**

As is often the case, the Senate President's office needs to reach out to Caucus staff, usually Senate President Chief of Staff to Caucus Administrator / Chief of Staff, to discuss items on the floor, for example, unanimous consent motions, etc. At this time, the Senate President's office does not have a point of contact for the Independent Caucus because you have not responded to my requests for staffing.

District staff cannot be expected to do this work as they cannot represent the Caucus in these discussions as they are employees of and represent the District their Senator serves. This is outside the scope of their position description.

Both the Democrat and Republican Caucuses are afforded staff support at this level and the Independent Caucus should be no different.

## Contact with Joint Committees:

Both the Republican and Democrat Caucuses have received briefings from the Co-Chairs of the Joint Ways and Means Committees on their budget framework. The Co-Chairs have agreed to provide this briefing to the Independent Caucus next week.

Both the Republican and Democrat Caucus have a staff member or members that are in contact with the Co-Chairs staff, about this and other matters. The Independent Caucus needs to have the same ability to coordinate with Joint Committee Chairs, like Ways and Means. Clearly the Co-Chairs have acknowledged the Independent Caucus as another Caucus in the Senate. It is past time for the LAC to do the same. The Independent Caucus requires staff support in this area, immediately.

Both the Democrat and Republican Caucuses are afforded staff support at this level and the Independent Caucus should be no different.

These are just a few examples of the needs that I identified in my previous email. The Independent Caucus cannot ask their staff to operate outside the scope of their duties, and they should not have to.

The Independent Caucus needs these supports in place immediately, I have been patient but this is a time sensitive matter. The appointments to these positions need to happen next week, no later.

**Please let me know the best way to coordinate with your departments to make this happen before this week ends, and please confirm receipt of this email by 5 pm Monday April 19, 2021.**

Respectfully requested,

Brian J. Boquist  
Oregon State Senator  
SD 12 IPO

Again, this is the second request. You received the first request by email and USPS tracking 2315 0610 0000 1275 4209.

From: Sen Boquist  
Sent: Friday, April 9, 2021 9:26 AM  
To: Hanes Brett <[Brett.Hanes@oregonlegislature.gov](mailto:Brett.Hanes@oregonlegislature.gov)>  
Subject: Minority Party Caucus Staff

Brett Hanes  
Legislative Administrator

Mr. Hanes:

**According to court and administrative judge filings by the Attorney General, the Legislative Administrator is independent of the Presiding Officers in all matters except those before the Legislative Administration Committee. The Legislative Administrator is not under the control of the Senate President, House Speaker, or their staffs per normal operating procedures,**

**rules, statutes, or court filings currently as of this day. This is obvious given the Senate President caucuses with the Democrats as does his Chief of Staff thus not nonpartisan in any manner.**

As the Legislative Assembly's chief budget officer, please advise me when the 'independent freedom caucus' (state minority parties) staff can be expected to be provided given we are well into the 2021 Session, and the legislative budget for the next two years is under development. And office space and computer equipment for minority party caucus staff in the Senate Wing. I might suggest the conference room and *a portion of the* second break room on the 3<sup>rd</sup> Floor are co-located thus easily usable on an interim basis.

You may not be aware that on the official ballot I was listed as the IPO candidate with the voters in SD-12. Then I was an IPO member upon being sworn in by the Chief Justice. Likewise, there are other minority party candidates that were elected that are not members of either major Democrat or Republican Caucuses as listed on the Legislative webpage. Both the major party caucuses have large office suites with a half dozen staff to help navigate the session and legislative processes. FYI, the major caucus staff numbers, offices and budget did not change when even one caucus was down to under six Senate members.

In the interim budget period until June 30, 2021, it is more than appropriate for Legislative Administration to fund a minority party's Chief of Staff, Legislative Director, and Communications Director. With a full staff complement and offices in the next biennium.

To be reasonable, it seems the elected minority party Senators can share staff as nominally all the minority parties are independent of the Democrat and Republican party caucuses. Of course, a Senator would need to identify with the caucus not attending another major party caucus.

Please let me know the status of this issue this next week.

Respectfully requested,

Brian J. Boquist  
Oregon State Senator  
SD-12 IPO