

HB 3741 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 5/14

WHAT THE MEASURE DOES:

The measure allows a member-elect of the Legislative Assembly who has received a certificate of election to recruit and hire legislative assistants to begin on the first day of the month in which the member-elect takes the oath of office. It takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under the Oregon Constitution (Section 4, Article IV), the term of each Senator and Representative begins on the second Monday in January following the general election and continues for a full four or two years. The Oregon Constitution (Section 11, Article IV) also allows the Legislative Assembly to choose its own officers and determine its own rules of proceeding. Under Legislative Branch Rules, “personal staff” means an employee working directly for a legislative member and paid from the member’s services and supply budget. The House and Senate chamber rules both provide that a member may appoint personal staff for the session, the interim or both, according to the allowance provided in the current Legislative Assembly budget. In 2025, new members’ staff could not begin work until January 13, 2025, which was the start date for the member's term of office.

By law, the Secretary of State must provide a member-elect with a certificate of election not later than 37 days after the general election. Oregon statute (Chapter 254) also provides that when a candidate elected to public office is required by law to take, file, subscribe, or indorse an oath of office before entering upon the duties of the office, the candidate shall not take, file, subscribe, or indorse the oath until the candidate has been granted a certificate of election.