To: Government Ethics Work Group and Interested Persons
Re: Staff Analysis and Sub-Work Group Recommendations on LC 1215 Reporting Requirements (Procedural)
From: Jerry Watson
Date: September 29, 2006

LC 1215 would make changes to government ethics procedural reporting requirements.

Oregon Law Commission staff has reviewed the text of draft statutory provisions in LC 1215. Staff finds that the statutory draft appropriately reflects the decisions and recommendations made by the Administration of Government Ethics Sub-Work Group (Group #2). Group #1 now forwards the draft to the full Government Ethics Work Group for consideration and action.

The Sub-Work Group agreed to make the following recommendations at its meetings on June 28, 2006, July 14, 2006 and September 21, 2006.

1. The basic procedural and administrative structure for handling lobbyist expenditure reports should generally be maintained. However, the frequency of those reports should be increased to five times during odd-numbered years, and two times annually during even-numbered years. (See Sections 2 and 3 of LC 1215)

2. The basic procedural and administrative structure for handling employer expenditure reports should be maintained. However, the frequency of those reports should be increased to five times during odd-numbered years (legislative session years), and two times annually during even-numbered years. (See Sections 2 and 4 of LC 1215)

3. The basic procedural and administrative structure for handling additional Statements of Economic Interest forms (trading statements) from State Treasury officials should be maintained, including the confidentiality of those statements. (See Section 13(1) and (2) of LC 1215)

4. The basic procedural and administrative structure for handling the requirement to inform city and county officers of reporting requirements in existing ORS 244.195 should

1 Statutory changes in LC 1215, except as specifically discussed in this memorandum, are generally technical changes to conform to Legislative Counsel’s form and style. Those technical changes are self-explanatory.

2 The changes to ORS 244.300 made by Section 13 preserve the confidentiality of trading statements by providing that only information submitted to the GSPC is a public record. Trading statements are not submitted to GSPC. No other statutory changes were deemed necessary since this recommendation continues existing statutory provisions.
be extended to providing notice to all public officials covered by the reporting requirements. In addition to any requirement of ORS 244.195: (a) GSPC shall provide copies of required statements to any public body served by a public official that is required to file such statements with the GSPC and (b) the appropriate public body shall provide any newly elected or appointed public official required to file such statements with information about the statutory requirement to do so. (See Section 11 of LC 1215 and see Section __ of LC 1215)

5. The basic procedural and administrative structure for handling required lobbying reports, as outlined in ORS 171.766 and 171.772, should be extended to general ethics reporting requirements, excluding only those documents which are confidential under other statutory provisions. (See Section 12(1),(6), and (7) and Section 13(2) of LC 1215)

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3 The proposed statutory provisions set forth in the indicated portions of Sections 12 and 13 parallel reporting provisions currently found in ORS Chapter 171 that are not found in current ethics reporting law.