Senate Bill 497

Sponsored by COMMITTEE ON RULES (at the request of Oregon Law Commission)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires all judicial officers, city and county elected officials, members of city or county planning, zoning or development commissions and chief executive officers of cities and counties to file statement of economic interest with Oregon Government Standards and Practices Commission.

Allows filing of amended statement of economic interest.

Expands definitions of "relative" and "member of household."

Modifies required contents of statement of economic interest. Directs person filing statement to list names of adult members of person's household and adult relatives who do not reside with person.

Requires public officials and candidates to file quarterly statements with commission listing gifts with value exceeding $15 received from person with legislative or administrative interest, food, lodging or travel expenses with aggregate value exceeding $75, honoraria of money exceeding $15 and each source of income exceeding aggregate amount of $1,000 from source that does business with or has legislative or administrative interest in governmental agency served by public official or candidate.

Requires person with legislative or administrative interest who gives gift with value exceeding $15 to public official, candidate or relative to report gift to commission and to notify recipient of value of gift. Sets schedule for filing reports. Prescribes content of reports.

Updates language in statutory provisions relating to filing of statements by State Treasurer and employees of State Treasurer, filing of ethics information by members of Congress, filing of notices of conflicts of interest and provision of ethics information to newly elected or appointed public officials.


Repeals provisions allowing electors of cities and counties to determine whether officials of city or county must file statements of economic interest with commission.

A BILL FOR AN ACT

Relating to government ethics; creating new provisions; amending ORS 244.020, 244.050, 244.055, 244.060, 244.070, 244.090, 244.100, 244.110, 244.115, 244.130, 244.160, 244.195, 244.290 and 244.300; and repealing ORS 244.180, 244.190 and 244.201.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 244.050 is amended to read:

244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon Government Standards and Practices Commission a verified statement of economic interest as required under this chapter:

(a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, district attorneys and members of the Legislative Assembly.

(b) Any judicial officer, including justices of the peace and municipal judges, except [municipal judges in those cities where a majority of the votes cast in the subject city in the 1974 general election was in opposition to the ballot measure provided for in section 10, chapter 68, Oregon Laws 1974 (special session), and except] any pro tem judicial officer who does not otherwise serve as a judicial officer.

(c) Any candidate for [on] a public office designated in paragraph (a) or (b) of this subsection.

NOTE: Matter in boldfaced type in an amended section is new; matter in italics and bracketed is existing law to be omitted. New sections are in boldfaced type.
(d) The Deputy Attorney General.
(e) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the Secretary of the Senate and the Chief Clerk of the House of Representatives.
(f) The Chancellor and Vice Chancellors of the Oregon University System and the president and vice presidents, or their administrative equivalents, in each institution under the jurisdiction of the State Board of Higher Education.
(g) The following state officers:
(A) Adjutant General.
(B) Director of Agriculture.
(C) Manager of State Accident Insurance Fund Corporation.
(D) Water Resources Director.
(E) Director of Department of Environmental Quality.
(F) Director of Oregon Department of Administrative Services.
(G) State Fish and Wildlife Director.
(H) State Forester.
(I) State Geologist.
(J) Director of Human Services.
(K) Director of the Department of Consumer and Business Services.
(L) Director of the Department of State Lands.
(M) State Librarian.
(N) Administrator of Oregon Liquor Control Commission.
(O) Superintendent of State Police.
(P) Director of the Public Employees Retirement System.
(Q) Director of Department of Revenue.
(R) Director of Transportation.
(S) Public Utility Commissioner.
(T) Director of Veterans' Affairs.
(V) Director of the State Department of Energy.
(W) Director and each assistant director of the Oregon State Lottery.
(h) Any assistant in the Governor’s office other than personal secretaries and clerical personnel.
(i) Every elected city or county official [except elected officials in those cities or counties where a majority of votes cast in the subject city or county in any election on the issue of filing statements of economic interest under this chapter was in opposition].
(j) Every member of a city or county planning, zoning or development commission [except such members in those cities or counties where a majority of votes cast in the subject city or county at any election on the issue of filing statements of economic interest under this chapter was in opposition to the ballot measure provided for in section 10, chapter 68, Oregon Laws 1974 (special session)].
(k) The chief executive officer of a city or county who performs the duties of manager or principal administrator of the city or county [except such employees in those cities or counties where a majority of votes cast in the subject city or county in an election on the issue of filing statements of economic interest under this chapter was in opposition].
(L) Members of local government boundary commissions formed under ORS 199.410 to 199.519.
(m) Every member of a governing body of a metropolitan service district and the executive officer thereof.
(n) Each member of the board of directors of the State Accident Insurance Fund Corporation.
(o) The chief administrative officer and the financial officer of each common and union high
school district, education service district and community college district.
(p) Every member of the following state boards and commissions:
(A) Board of Geologic and Mineral Industries.
(B) Oregon Economic and Community Development Commission.
(C) State Board of Education.
(D) Environmental Quality Commission.
(E) Fish and Wildlife Commission of the State of Oregon.
(F) State Board of Forestry.
(H) Oregon Health Policy Commission.
(I) State Board of Higher Education.
(J) Oregon Investment Council.
(K) Land Conservation and Development Commission.
(L) Oregon Liquor Control Commission.
(M) Oregon Short Term Fund Board.
(N) State Marine Board.
(O) Mass transit district boards.
(P) Energy Facility Siting Council.
(Q) Board of Commissioners of the Port of Portland.
(R) Employment Relations Board.
(S) Public Employees Retirement Board.
(T) Oregon Racing Commission.
(U) Oregon Transportation Commission.
(V) Wage and Hour Commission.
(X) Workers’ Compensation Board.
(Y) Oregon Facilities Authority.
(Z) Oregon State Lottery Commission.
(BB) Columbia River Gorge Commission.
(CC) Oregon Health and Science University Board of Directors.
(q) The following officers of the State [Treasurer] Treasurer:
(A) Chief Deputy State Treasurer.
(B) [Executive Assistant to] Chief of staff for the office of the State Treasurer.
(C) Director of the Investment Division.
(r) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725
[and] or 777.915 to 777.953.
(2) By April 15 next after the date an appointment takes effect, every appointed public official
on a board or commission listed in subsection (1) of this section shall file with the commission a
statement of economic interest as required under ORS 244.060, 244.070 and 244.090.
(3) By April 15 next after the filing deadline for the primary election, each candidate for elective
public office described in subsection (1) of this section shall file with the commission a statement
of economic interest as required under ORS 244.060, 244.070 and 244.090.
(4) Within 30 days after the filing deadline for the general election, each candidate for elective public office described in subsection (1) of this section who was not a candidate in the preceding primary election, or who was nominated for elective public office described in subsection (1) of this section at the preceding primary election by write-in votes, shall file with the commission a statement of economic interest as required under ORS 244.060, 244.070 and 244.090.

(5) The Legislative Assembly shall maintain a continuing review of the operation of this chapter.

(6) Subsections (1) to (5) of this section apply only to persons who are incumbent, elected or appointed public officials as of April 15 and to persons who are candidates for public office on April 15. [Those sections Subsections (1) to (5) of this section also apply to persons who do not become candidates until 30 days after the filing deadline for the statewide general election.

(7)(a) Failure to file the statement required by this section subjects a person to a civil penalty that may be imposed as specified in ORS 183.745, but the enforcement of this subsection does not require the Oregon Government Standards and Practices Commission to follow the procedures in ORS 244.260 before finding that a violation of this section has occurred.

(b) Failure to file the required statement in timely fashion shall be prima facie evidence of a violation of this section.

(c) If within five days after the date on which the statement is to be filed under this section the statement has not been received by the commission, the commission shall notify the public official and give the public official not less than 15 days to comply with the requirements of this section. If the public official fails to comply by the date set by the commission, the commission may impose a civil penalty of $5 for each day the statement is late beyond the date fixed by the commission. The maximum penalty that may be accrued under this section is $1,000.

(d) A civil penalty imposed under this subsection is in addition to and not in lieu of sanctions that may be imposed under ORS 244.380.

(8) A public official or candidate for public office may file an amended statement required by this section not later than the date set by the commission under subsection (7) of this section or 30 days after the deadline to file the original statement, whichever is later. The commission may not impose a civil penalty under this section for an amended statement filed in compliance with this subsection.

SECTION 2. ORS 244.020 is amended to read:

244.020. As used in this chapter, unless the context requires otherwise:

(1) "Actual conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in subsection (14) of this section.

(2) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

(3) "Business with which the person is associated" means:

(a) Any private business or closely held corporation of which the person or the person's relative is a director, officer, owner or employee, or agent or any private business or closely held corporation in which the person or the person's relative owns or has owned stock, another form of equity
interest, stock options or debt instruments worth $1,000 or more at any point in the preceding cal-
endar year;

(b) Any publicly held corporation in which the person or the person’s relative owns or has
owned $100,000 or more in stock or another form of equity interest, stock options or debt instru-
ments at any point in the preceding calendar year;

(c) Any publicly held corporation of which the person or the person’s relative is a director or
officer; or

(d) For public officials required to file a statement of economic interest under ORS 244.050, any
business from which 50 percent or more of the total annual income of the person and members of
the person’s household is derived during the current calendar year.


(5) “Development commission” means any entity which has the authority to purchase, develop,
improve or lease land or the authority to operate or direct the use of land. This authority must be
more than ministerial.

(6) “Expenditure” has the meaning given that term in ORS 260.005.

(7) “Gift” means something of economic value given to a public official or the public official’s
relative without valuable consideration of equivalent value, including the full or partial forgiveness
of indebtedness, which is not extended to others who are not public officials or the relatives of
public officials on the same terms and conditions; and something of economic value given to a public
official or the public official’s relative for valuable consideration less than that required from others
who are not public officials. However, “gift” does not mean:

(a) Campaign contributions, as described in ORS chapter 260.

(b) Gifts from family members.

(c) The giving or receiving of food, lodging and travel when participating in an event which
bears a relationship to the public official’s office and when appearing in an official capacity, subject
to the reporting requirement of ORS 244.060 (6) 244.100.

(d) The giving or receiving of food or beverage if the food or beverage is consumed by the public
official or the public official’s relatives in the presence of the purchaser or provider thereof.

(e) The giving or receiving of entertainment if the entertainment is experienced by the public
official or the public official’s relatives in the presence of the purchaser or provider thereof and the
value of the entertainment does not exceed $100 per person on a single occasion and is not greater
than $250 in any one calendar year.

(8) “Honoraria” means a payment or something of economic value given to a public official in
exchange for services upon which custom or propriety prevents the setting of a price. Services in-
clude, but are not limited to, speeches or other services rendered in connection with an event at
which the public official appears in an official capacity.

(9) “Income” means income of any nature derived from any source, including, but not limited to,
any salary, wage, advance, payment, dividend, interest, rent, honoraria, return of capital, forgiveness
of indebtedness, or anything of economic value.

(10) “Legislative or administrative interest” means an economic interest, distinct from that of
the general public, in one or more bills, resolutions, regulations, proposals or other matters subject
to the action or vote of a person acting in the capacity of a public official.

(11) “Legislative official” means any member or member-elect of the Legislative Assembly, any
member of an agency, board or committee that is part of the legislative branch and any staff person,
assistant or employee thereof.
terest is derived from an individual or business [which] that has been doing business, does business
or could reasonably be expected to do business with, or has legislative or administrative interest
in, the governmental agency of which the public official [is] holds, or the candidate if elected would
[be a member] hold, any official position or over which the public official [has] exercises, or the
candidate if elected would [have] exercise, any authority:

[(1) Each source of income over $1,000, other than a source of income disclosed under ORS 244.060,
whether or not taxable, received by the public official or candidate therefor or a member of the house-
hold of the public official or candidate.]

[(2) (1) Each person to whom the public official or candidate [therefor] for public office or a
member of the household of the public official or candidate owes or has owed money in excess of
$1,000, the interest rate [thereon] on money owed and the date of the loan, except for debts owed
to any federal or state regulated financial institution or retail contracts.

[(3) (2) [Each business] The name, principal address[,] and brief description of [its] the
nature[,] of each business in which the public official or candidate [therefor] for public office or
a member of the household of the public official or candidate has or has had a personal, beneficial
interest or investment, including stocks or other securities, in excess of $1,000, except for individual
items involved in a mutual fund or a blind trust, or a time or demand deposit in a financial institu-
tion, shares in a credit union, or the cash surrender value of life insurance.

[(4) (3) Each person for whom the public official or candidate for public office has performed
services for a fee in excess of $1,000, except for any disclosure otherwise prohibited by law or by
a professional code of ethics.

SECTION 5. ORS 244.090 is amended to read:

244.090. (1) Each public official [of this state] or candidate required to [make] file a statement
of economic interest under this chapter shall [report by] include on the statement the name any
compensated lobbyist who, during the preceding calendar year, was associated with a business with
which the public official or candidate or a member of the household of the public official or candi-
date was also associated. [Holding stock in a publicly traded corporation in which the lobbyist also
holds stock is not a relationship for which a statement is required.]

(2) Subsection (1) of this section does not apply if the only relationship between the public
official or candidate and the lobbyist is that the public official or candidate and lobbyist hold
stock in the same publicly traded corporation.

[(2) (3) As used in this section, “lobbyist” has the meaning [set forth] given that term in ORS
171.725.

SECTION 6. ORS 244.100 is amended to read:

244.100. [(1) The Oregon Government Standards and Practices Commission by rule may require the
disclosure and reporting of gifts or other compensation made to or received by a public official or
candidate for elective office.]

[(2) The commission by rule may exempt from the gift limitation contained in ORS 244.040, any
gift of food or beverage but may require that when gifts of food or beverage exceed a dollar amount
fixed by the commission, the source thereof shall be disclosed on a form prescribed by the
commission.]

(1) A public official or candidate for public office who is required to file a statement of
economic interest under ORS 244.050 shall file with the Oregon Government Standards and
Practices Commission, according to the schedule set forth in section 8 of this 2007 Act, a
statement showing for the applicable reporting period:
(a) Any gift with a value exceeding $15 that is subject to the $100 limit specified in ORS 244.040 and that was received by the public official or candidate or relative of the public official or candidate. The statement shall include the name of each person who made a gift, the date each gift was received, the value of each gift and a description of the nature of each gift. If the public official or candidate does not receive notice under subsection (3) of this section of the value of the gift, the public official or candidate shall include on the statement a good faith estimate of the value of the gift.

(b) Notwithstanding ORS 244.020 (7)(c), any food, lodging or travel expenses with an aggregate value exceeding $75 received by the public official when participating in an event that bears a relationship to the public official’s office and when appearing in an official capacity. The statement shall include the name, business title and business address of the person paying the expenses, the nature of the event and the date and amount of the expenditure.

(c) Any honorarium of money exceeding $15 received by the public official, candidate or member of the household of the official or candidate, the payer of each honorarium and the date and time of the event for which the honorarium was received.

(d) Each source of income exceeding an aggregate amount of $1,000, whether or not taxable, received by the public official or candidate for public office, or a member of the household of the public official or candidate, if the source of that income is derived from an individual or business that has been doing business, does business or could reasonably be expected to do business with, or has legislative or administrative interest in, the governmental agency of which the public official holds, or the candidate if elected would hold, any official position or over which the public official exercises, or the candidate if elected would exercise, any authority.

(2) A person who makes a gift with a value exceeding $15 that is subject to the $100 limit specified in ORS 244.040 to a public official or candidate for public office who is required to file a statement of economic interest under ORS 244.050, or to a relative of the public official or candidate, shall file a statement of gifts made with the commission according to the schedule set forth in section 8 of this 2007 Act. If the person making a gift is a lobbyist registered with the commission under ORS 171.725 to 171.785, any gifts subject to this subsection may be reported on statements filed under ORS 171.745. A statement filed under this subsection shall include the name and address of the person filing the statement, the name of each person who received a gift, the date each gift was made, the value of each gift and a description of the nature of each gift. The commission by rule may require additional information.

(3) In addition to [any disclosures or reports] statements required under subsections (1) and (2) of this section[.]:

(a) [Any] A person [or organization that] who provides a public official with food, lodging or travel expenses exceeding [$50] an aggregate value of $75[, as described in ORS 244.060 (6)], shall notify the public official in writing of the amount of the expense. The person shall provide the notice [shall be sent] to the public official [within 10 days from] not later than 10 days after the date [such] the expenses are incurred.

(b) A person who makes a gift to a public official or candidate for public office, or to a relative of a public official or candidate, that must be listed on a statement filed under subsection (1) of this section shall notify the public official or candidate in writing of the value of the gift. The person shall provide the notice not later than five days after the date the
person makes the gift.

SECTION 7. Section 8 of this 2007 Act is added to and made a part of ORS chapter 244.

SECTION 8. Statements required to be filed with the Oregon Government Standards and Practices Commission under ORS 244.100 shall be filed in each calendar year:

(1) Not later than April 15, for the accounting period beginning January 1 and ending March 31;

(2) Not later than July 15, for the accounting period beginning April 1 and ending June 30;

(3) Not later than October 15, for the accounting period beginning July 1 and ending September 30; and

(4) Not later than January 7 of the following calendar year, for the accounting period beginning October 1 and ending December 31.

SECTION 9. ORS 244.160 is amended to read:

244.160. (1) Any political subdivision in this state, other than a city or county, by resolution may require any public official of the subdivision to file a verified statement of economic interest. The filing shall be made described in ORS 244.060 and the statements required under ORS 244.100 with the Oregon Government Standards and Practices Commission.

(2) The political subdivision shall file a copy of the resolution [A copy of the ordinance shall be filed] with the commission.

SECTION 10. ORS 244.195 is amended to read:

244.195. (1) [The city recorder or county clerk, respectively, shall provide to every person newly elected or appointed to any city or county office for which statements of financial interest are required under ORS 244.050 information about the requirements of ORS 244.050, 244.060, 244.070, 244.080 and 244.090] A person designated by a public body as defined in ORS 174.109 shall provide information explaining the requirements of ORS 244.050, 244.060, 244.070, 244.080, 244.090 and 244.100 to each newly elected or appointed public official serving the public body who is required to file a verified statement of economic interest under ORS 244.050 or statements under ORS 244.100. The information must be received by the public official either at the first meeting attended by the [new officer] public official or before the [officer] public official takes the oath of office, whichever [is] occurs first. 

(2) At the time of fulfilling duties under subsection (1) of this section, the [city recorder or county clerk] person designated by the public body shall provide to each [new officer] newly elected or appointed public official serving the public body a copy of the statements and explanation provided to the [city recorder or county clerk] public body under subsection (3) of this section.

(3) The Oregon Government Standards and Practices Commission shall provide copies of the statements described in ORS 244.060, 244.070, 244.080, [and] 244.090 and 244.100 and an explanation of the requirements of the law relating to the statements to each [city recorder and county clerk] public body that is served by a public official who is required to file a statement described in ORS 244.060, 244.070, 244.080, 244.090 or 244.100.

(4) [Any person described in subsection (1) of this section] A newly elected or appointed public official serving a public body who is not informed of the filing requirements under ORS 244.050, 244.060, 244.070, 244.080, [and] 244.090 and 244.100 and provided with a copy of the statements and explanation [described in subsection (3) of] as required under this section before attending the first meeting or taking the oath of office may resign that office within 90 days thereafter or before the next date specified in ORS 244.050 or 244.100 for the filing of a statement, whichever is
[longer] later, without filing [any statement] a verified statement of economic interest or a statement required under ORS 244.100 and without incurring a sanction or penalty that might otherwise be imposed for not filing.

SECTION 11. ORS 244.055 is amended to read:

244.055. (1) In addition to the statement required by ORS 244.050, the State Treasurer and any person listed under ORS 244.050 (1)(q) and this subsection shall file quarterly at a time fixed by the State Treasurer a trading statement listing all stocks, bonds and other types of securities purchased or sold during the preceding quarter:

(a) Directors of the Cash Management Division and the Debt Management Division.

(b) Equities, fixed income, short term fund, real estate, equities real estate and commercial and mortgage real estate investment officers and assistant investment officers.

(c) Fixed income and short term fund investment analysts.

(2) The statement required by subsection (1) of this section shall be filed for review with the State Treasurer, the Attorney General and the Division of Audits of the office of the Secretary of State. The content of the statement is confidential.

(3) If the State Treasurer or the Chief Deputy State Treasurer determines that a conflict of interest exists for an officer or employee, the State Treasurer shall subject the person to appropriate discipline, including dismissal or termination of the contract, or both, pursuant to rule. If the State Treasurer has cause to believe that a violation of this chapter has occurred, the State Treasurer shall file a complaint with the Oregon Government Standards and Practices Commission under ORS 244.260.

(4) If the State Treasurer fails to act on an apparent conflict of interest under subsection (3) of this section or if the statement of the State Treasurer or the Chief Deputy State Treasurer appears to contain a conflict of interest, the Director of the Division of Audits shall report the failure or apparent conflict to the Attorney General, who may file a complaint with the commission.

(5) A person filing the statement required by subsection (1) of this section must verify that the statement is complete and accurate. A person who intentionally fails to file a complete and accurate statement commits a Class C felony and may also be subject to ORS 162.075.

SECTION 12. ORS 244.110 is amended to read:

244.110. (1) [Any] Each statement of economic interest required to be filed by ORS 244.050, 244.060, 244.070, 244.080, 244.090 or 244.100 and each trading statement required to be filed under ORS 244.055 shall be signed and certified as true by the person required to file it and shall contain [or be verified by] a written declaration that [it] the statement is made under the penalties of false swearing. [Such declaration shall be in lieu of any oath otherwise required.]

(2) [No person shall willfully make and subscribe any return statement or other document which contains or is verified by a written declaration that it is made under penalties for false swearing, which the person does not believe to be true and correct to every matter.] A person may not sign and certify a statement under subsection (1) of this section if the person knows that the statement contains information that is false.

(3) Violation of subsection (2) of this section is punishable as false swearing under ORS 162.075.

SECTION 13. Section 14 of this 2007 Act is added to and made a part of ORS chapter 244.

SECTION 14. A person who intentionally fails to file a complete and accurate statement under ORS 244.055 commits a Class C felony.

SECTION 15. ORS 244.115 is amended to read:
244.115. (1) Each member of Congress from this state and each candidate for [a seat in Congress] nomination or election to the office of United States Representative in Congress or United States Senator from this state shall file with the Oregon Government Standards and Practices Commission a copy of the federal ethics filing required under federal law or by congressional rule.

(2) The member or candidate shall file the information required under subsection (1) of this section not later than [within] 30 days after the filing date required under federal law or congressional rule. If the filing is not made in a timely manner, the commission shall obtain copies of the filing and indicate [thereon] on the filing that the filing was not made with the commission by the member [of Congress] or candidate.

(3) All [such] filings made under this section are public records available for public inspection.

SECTION 16. ORS 244.130 is amended to read:

244.130. (1) When a public official gives notice of an actual or potential conflict of interest, the public body as defined in ORS 174.109 that the public official serves shall record the actual or potential conflict [shall be recorded] in the official records of the public body[, and]. In addition, a notice of the actual or potential conflict and how it was disposed of may in the discretion of the public body be provided to the Oregon Government Standards and Practices Commission within a reasonable period of time. The commission [may] by rule may establish criteria for cases in which [such information shall, shall not, or may be provided to it] notices of conflicts of interest shall, may or may not be provided to the commission.

(2) [No] A decision or action of any public official or any board or commission on which the public official serves or agency by which the public official is employed [shall] may not be voided by any court solely by reason of the failure of the public official to disclose an actual or potential conflict of interest.

SECTION 17. ORS 244.290 is amended to read:

244.290. The Oregon Government Standards and Practices Commission shall:

(1) Prescribe forms for statements required by this chapter and provide the forms to persons required to file the statements under this chapter or resolution adopted [pursuant thereto] under this chapter.

(2) Prepare, publish and provide a manual setting forth recommended uniform methods of reporting for use by persons filing statements under this chapter or resolution adopted [pursuant thereto] under this chapter.

(3) Develop a filing, coding and cross-indexing system consistent with the purposes of this chapter.

(4) Prepare and publish [such] any reports [as] the commission [finds] determines are necessary.

(5) Adopt rules necessary to carry out its duties under ORS 171.725 to 171.785 and 171.992 and this chapter, including rules to:

(a) Create a procedure under which items before the commission may be treated under a consent calendar and voted on as a single item;

(b) Exempt a public official who is otherwise required to file a statement pursuant to ORS 244.050 from filing the statement if the regularity, number and frequency of the meetings and actions of the body over which the public official has jurisdiction are so few or infrequent as not to warrant the public disclosure;

(c) Establish an administrative process whereby a person subpoenaed by the commission may
obtain a protective order; and

(d) List criteria and establish a process for the commission to use prosecutorial discretion to
decide whether to proceed with an inquiry or investigation.

(6) Accept and file any information voluntarily supplied that exceeds the requirements
of this chapter.

(7) Make statements and other information filed with the commission available for public
inspection and copying during regular office hours, and make copying facilities available at
a charge not to exceed actual cost.

SECTION 18. ORS 244.300 is amended to read:

244.300. (1) Records of the Oregon Government Standards and Practices Commission [shall con-
stitute] are public records of this state.

(2) All information submitted to the Oregon Government Standards and Practices Com-
mission in any statement required under this chapter is a public record.

SECTION 19. ORS 244.180, 244.190 and 244.201 are repealed.

SECTION 20. (1) The amendments to ORS 244.020, 244.050, 244.060, 244.070 and 244.090 by
sections 1 to 5 of this 2007 Act apply to statements required to be filed with the Oregon
Government Standards and Practices Commission for reporting periods beginning on or after
the effective date of this 2007 Act.

(2) Section 8 of this 2007 Act and the amendments to ORS 244.100 by section 6 of this 2007
Act apply to statements required to be filed and notices required to be provided for reporting
periods beginning on or after the effective date of this 2007 Act.

(3) Section 14 of this 2007 Act and the amendments to ORS 244.055 and 244.110 by sections
11 and 12 of this 2007 Act apply to statements required to be filed on or after the effective
date of this 2007 Act.

(4) The amendments to ORS 244.195 by section 10 of this 2007 Act apply to copies of
statements and explanations required to be provided to public officials who are elected or
appointed on or after the effective date of this 2007 Act.