Chapter 173

1965 REPLACEMENT PART

Legislative Service Agencies

LEGISLATIVE COUNSEL COMMITTEE

(Generally)

173.110 Legislative Counsel Committee and office of Legislative Counsel created
173.120 Legislative Counsel to be in attendance upon legislative sessions
173.130 Performance of legislative services
173.135 Participation in legal proceedings to protect legislative interests
173.140 Preparation of initiative measures
173.150 Continuous revision program; publication and distribution of statute editions and other materials
173.152 Free distribution of Oregon Revised Statutes and replacement parts; issuance to legislators for use during session
173.160 Powers and duties of Legislative Counsel in preparing editions for publication
173.170 Legislative Counsel to certify that printed statutes are correct copies of enrolled bill; effects of certification
173.180 Type used in printing statutes may be preserved; uses of type
173.190 Legislative Counsel Committee; advisory committees
173.200 Legislative Counsel
173.210 Employment of staff; optional coverage under public employes' retirement laws
173.215 Effect of expiration of terms of committee members
173.220 Location of Legislative Counsel's office
173.230 Confidential nature of matters handled by committee's staff
173.240 Committee's staff prohibited from influencing legislation
173.250 Legislative Counsel Committee Revolving Account

(Substantive Law Revision Program)

173.310 Substantive law revision program; law improvement committee; appointment; vacancy; tenure; expenses
173.320 Authority of law improvement committee
173.330 Legislative Counsel to furnish services
173.340 Advisory committees; expenses
173.350 Receipt and use of gifts

LEGISLATIVE FISCAL COMMITTEE

(Generally)

173.410 Legislative Fiscal Committee and office of Legislative Fiscal Officer created
173.420 Duties of Legislative Fiscal Officer
173.430 Administering oaths
173.440 Legislative Fiscal Committee; advisory committees
173.450 Employment of staff; compensation and expenses of staff members
173.460 Effect of expiration of terms of committee members

(Legislative Tax Study)

173.510 Legislative tax studies; priorities
173.520 Legislative Tax Study Committee; appointment; tenure of legislator member
173.530 Member's term; vacancies
173.540 Officers; rules; quorum; meetings; expenses; hearings
173.550 Information from public and private sources; confidentiality of certain information
173.560 Oaths of witnesses; compelling attendance and production of papers; judicial enforcement of legislative process
173.570 Report to legislature; publications
173.580 Legislative Fiscal Committee to furnish services
173.590 Receipt and use of gifts
173.600 Advisory committees; expenses

CROSS REFERENCES

Emergency board, 291.330
Interagency service arrangements, 291.656, 291.658, 291.660 to 291.664, 291.702
Interstate cooperation committees, 189.050, 189.060
Legislative Assembly, Ch. 171
Legislative records, 171.410 to 171.430
Powers of legislative committees in regard to witnesses, 171.505 to 171.525
Provisions applicable to state agencies generally, Ch. 182
Reference work for members of legislature, materials for, 357.080
Voucher claims, designation of individual by committee to handle, 293.335
Ways and Means Committees, 171.555

173.130

Attorney General, duty as bill drafter, 180.100
Legislative Fiscal Committee, performance of legislative services, 173.420
Legislative printing, continuing study, H. J. R. 52 (1965)
Lobbyists, taking registration of, 171.765
Publishing and distributing legislative publications, 171.225 to 171.255
Rules of state agencies, review, 171.710

173.150

Legislative publications, distribution, 171.205, 171.211
Preparing measures for printing filed prior to session, 171.130

173.152

County to provide statutes for justice of the peace, 51.140

173.160

Changes authorized by specific statutes, Preface p. vi (Volume 1)
Conflicting amendments to same section at same session, 174.050

173.230

Disposition of confidential legislative records, 171.430

173.310

Insurance laws, revision, H. J. R. 51 (1965)
Payment of expenses to state officers and employes, Ch. 292

173.320

Commission on Uniform State Laws, recommendations by, 172.020

173.340

Payment of expenses to state officers and employes, Ch. 292

173.420

Audit reports to be supplied Legislative Fiscal Officer, 297.050
Estimate of amount involved on measure proposing expenditure of public money, 254.180
Governmental finance study, H. J. R. 8 (1965)
Interim committee on revenue and expenditure programs for 1967-69 biennium, assistance to, H. J. R. 56 (1965)
Interim committee reports, distribution, 171.625
Legislative publications, distribution, 171.211, 171.235
Legislative records, classification and arrangement, 171.420
Public Employes' Retirement System, study, S. J. R. 17 (1965)
Statement concerning financial condition of General Fund, 293.655

173.450

Payment of expenses to state employes, Ch. 292

173.560

Witnesses in legislative proceedings, 171.505 to 171.525

173.570

Legislative publications, 171.200

LEGISLATIVE COUNSEL COMMITTEE (Generally)

173.010 [Amended by 1953 c.625 §4; repealed by 1953 c.492 §16]

173.015 [1953 c.625 §4; repealed by 1953 c.492 §16]

173.020 [Repealed by 1953 c.492 §16]

173.030 [Amended by 1953 c.625 §4; repealed by 1953 c.492 §16]

173.040 [Repealed by 1953 c.492 §16]

173.050 [Amended by 1953 c.625 §4; repealed by 1953 c.492 §16]

173.060 to 173.100 [Reserved for expansion]

173.110 Legislative Counsel Committee and office of Legislative Counsel created. The Legislative Counsel Committee, referred to in ORS 173.110 to 173.250 as the committee, hereby is established as a joint committee of the Legislative Assembly. The committee shall select a Legislative Counsel to serve as its executive officer.
[1953 c.492 §1]

173.120 Legislative Counsel to be in attendance upon legislative sessions. The Legislative Counsel shall be in attendance upon all sessions of the Legislative Assembly.
[1953 c.492 §2]

173.130 Performance of legislative services. (1) The Legislative Counsel shall prepare or assist in the preparation of legislative measures when requested to do so by a member of the Legislative Assembly. Upon the written request of a state agency the Legislative Counsel may perform a similar service for the agency.

(2) The Legislative Counsel shall give such consideration to and service concerning any measure before the Legislative Assembly as circumstances will permit, and which is in any way requested by the House of Representatives or Senate, or any committee of the Legislative Assembly having the measure before it for consideration.

(3) The Legislative Counsel, pursuant to the policies and directions of the Legislative Counsel Committee and in conformity with any applicable rules of the House or Senate, shall perform or cause to be performed, as circumstances will permit, research service requested by any committee of the Legislative Assembly in connection with the performance of its functions. Research assignments made to the Legislative Counsel Committee by joint or concurrent resolution of the Legislative Assembly shall be given priority over other research requests received or initiated by the committee. The research service to be performed includes the administrative services incident to the accomplishment of the research requests or assignments.
[1953 c.492 §3; 1959 c.295 §2]

173.135 Participation in legal proceedings to protect legislative interests. When deemed necessary or advisable to protect the official interests of the Legislative Assembly, one or more legislative committees, or one or more members of the Legislative Assembly, the committee may direct the Legislative Counsel and his staff, or may retain any member of the Oregon State Bar, to appear in, commence, prosecute or defend any action, suit, matter, cause or proceeding in any court or agency of this state or of the United States. Expenses and costs incurred pursuant to this section may be paid by the committee from any funds available to the committee.
[1961 c.167 §32]

173.140 Preparation of initiative measures. The Legislative Counsel shall cooperate with the proponents of an initiative measure in its preparation when:

(1) Requested in writing so to do by 50 or more electors proposing the measure; and

(2) In the judgment of the committee there is reasonable probability that the measure will be submitted to the voters of the state under the laws relating to the submission of initiative measures.
[1953 c.492 §4]

173.150 Continuous revision program; publication and distribution of statute editions and other materials. (1) The committee, through the Legislative Counsel, shall formulate, supervise and execute plans and methods for:

(a) The revision, clarification, classification, arrangement, codification, annotation, indexing, printing, binding, publication, copyrighting, sale and distribution of the Oregon Revised Statutes, including index, replacement parts, annotations and supplements, and all editions thereof.

(b) The printing, binding, indexing, publication, copyrighting, sale and distribution of other materials the committee considers necessary or desirable to carry out its powers and duties.

(2) The committee shall determine when editions and publications shall be published, and shall fix the prices thereof.
[1953 c.492 §5; 1961 c.279 §1]

173.152 Free distribution of Oregon Revised Statutes and replacement parts; issuance to legislators for use during session. (1) The state officer or agency designated by law to distribute copies of Oregon Revised Statutes, including index and annotations, shall furnish, free of charge and in addition to distribution otherwise authorized:

(a) For each member of the Legislative Assembly who did not serve during the session immediately preceding, one set and, for as long as he remains a member, the current replacement parts therefor as issued. Such sets shall be furnished, for issuance to the members, to the state officer or agency designated in ORS 171.135.

(b) For each member of the Legislative Assembly who served during the session immediately preceding, one set for his official use during each session. Such sets shall be furnished, for issuance to the members, to the state officer or agency designated in ORS 171.135. The issuing officer or agency upon final adjournment of each session shall collect sets issued pursuant to this paragraph for reissue during subsequent sessions. Current replacement parts for these sets shall be furnished as issued.

(c) For each judgeship, the salary of which is paid by the state, one set and current replacement parts therefor as issued, for each county in which the judge regularly holds court. Sets and current replacement parts distributed pursuant to this paragraph shall be delivered by the recipients to their successors in office.

(2) (a) The costs of furnishing sets and replacement parts therefor to members of the Legislative Assembly shall be paid from the appropriations made for the payment of the expenses of the Legislative Assembly.

(b) The costs of furnishing sets and replacement parts therefor pursuant to paragraph (c) of subsection (1) of this section shall be paid from the state appropriations made for the payment of the expenses of the various judgeships.

[Formerly 171.272; amended by 1963 c.420 §1; 1965 c.372 §1]

173.155 [1959 c.295 §1; repealed by 1963 c.292 §1 (ORS 173.310 to 173.340 enacted in lieu of ORS 173.155)]

173.160 Powers and duties of Legislative Counsel in preparing editions for publication. In preparing editions of the statutes for publication and distribution, the Legislative Counsel shall not alter the sense, meaning, effect or substance of any Act, but, within such limitations, may renumber sections and parts of sections of the Acts, change the wording of head-notes, rearrange sections, change reference numbers to agree with renumbered chapters, sections or other parts, substitute the proper subsection, section or chapter or other division numbers, strike out figures or words which are merely repetitious, change capitalization for the purpose of uniformity, and correct manifest clerical or typographical errors.

[1953 c.492 §6]

173.170 Legislative Counsel to certify that printed statutes are correct copies of enrolled bill; effects of certification. (1) When any edition of the statutes, or part or supplement designed to replace parts of or to supplement a previous edition and to bring such edition up to date, is published by the committee, the Legislative Counsel shall cause to be printed in the edition, part or supplement a certificate that he has compared each section in such edition, part or supplement with the original section in the enrolled bill, and that, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law, the sections in the published edition, part or supplement are correctly copied.

(2) Any edition, part or supplement certified as provided in subsection (1) of this section shall constitute prima facie evidence of the law in all courts and proceedings, and any section in such edition, part or supplement may be amended or repealed by amending or repealing such section of the edition, part or supplement without reference to the legislative Act from which it was derived. No compilation of the statute laws of Oregon not bearing such certificate, or a similar certificate of the Reviser of Statutes, shall be admissible as evidence of the law in any court or proceeding.

[1953 c.492 §7; 1961 c.167 §28]

173.180 Type used in printing statutes may be preserved; uses of type. (1) In any contract for the printing of any editions of the statutes, provision may be made for preservation or purchase, on behalf of the state, of the type or plates from which the editions were printed, for use in producing future editions or publications.

(2) The committee may permit the use of such type or plates or material printed therewith for the production of pamphlets of particular portions of the statute laws requested by any public agency, under such terms and conditions as the committee considers reasonable.
[1953 c.492 §8]

173.190 Legislative Counsel Committee; advisory committees. (1) The Legislative Counsel Committee shall consist of the Speaker of the House of Representatives, the President of the Senate, five members of the House appointed by the Speaker, and four members of the Senate appointed by the President. The President of the Senate and the Speaker of the House of Representatives may, except when serving as Governor, each designate an alternate from time to time from among the members of his house to exercise his powers as a member of the committee. The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. The committee shall select its own chairman who may, in addition to other acts authorized, approve voucher claims. Vacancies occurring in the membership of the committee shall be filled by appointment by the Speaker or President, as the case may be.

(2) The committee has a continuing existence and may meet, act and conduct its business during the sessions of the Legislative Assembly or any recess thereof, and in the interim period between sessions. Members of the committee shall be reimbursed for actual and necessary expenses incurred or paid in the performance of their duties as members of the committee, such reimbursement to be made from funds appropriated for such purpose after submission of approved voucher claims.

(3) The committee may appoint advisory committees or subcommittees, which may include individuals other than members of the Legislative Assembly, and may reimburse the members of such committees and subcommittees for their actual and necessary travel and other expenses incurred in the performance of their duties.
[1953 c.492 §9; 1961 c.167 §29]

173.200 Legislative Counsel. (1) The committee shall select the Legislative Counsel, who shall serve at the pleasure of the committee. The Legislative Counsel shall be a person authorized to practice law in the highest court of one of the states of the United States.

(2) The committee shall fix the annual salary of the Legislative Counsel. Subject to and in the manner otherwise provided by law, the Legislative Counsel shall be reimbursed for actual and necessary expenses incurred or paid by him in the performance of his duties.
[1953 c.492 §10]

173.210 Employment of staff; optional coverage under public employes' retirement laws. (1) Subject to the approval of the committee, the Legislative Counsel may employ and fix the compensation of such professional assistants and clerical and other employes as he deems necessary for the effective conduct of the work under his charge.

(2) Except as provided in this subsection an employe of the committee, which includes for the purposes of this subsection the Legislative Counsel, shall not be considered an "employe" as the term is defined in the public employes' retirement laws. However, an employe of the committee may at his option be considered an "employe" as defined in such laws. The option, once exercised by written notification directed to the Public Employes Retirement Board, may not be revoked subsequently, except as may otherwise be provided by law. Upon receipt of such notification by the board, an employe of the committee who would otherwise, but for the exemption provided in this subsection, be considered an "employe" as the term is defined in the public employes' retirement laws shall be so considered.
[1953 c.492 §11]

173.215 Effect of expiration of terms of committee members. The expiration of the terms of members of the Legislative Counsel Committee upon the convening of the Legislative Assembly in regular session next following the commencement of their terms, as provided by ORS 173.190, does not affect the employment of any individual filling a position previously approved by the committee. After the convening of the Legislative Assembly in regular session and until such time as the newly appointed committee provides otherwise, the Legislative Counsel may employ and fix the compensation of individuals he deems necessary for the effective conduct of the work under his charge.
[1965 c.113 §1]

173.220 Location of Legislative Counsel's office. The permanent office of the Legislative Counsel shall be in the State Capitol, where he shall be provided with suitable and sufficient offices convenient to the chambers of the House and Senate.
[1953 c.492 §12]

173.230 Confidential nature of matters handled by committee's staff. Neither the Legislative Counsel nor any employe of the committee shall reveal to any person not an employe or a member of the committee the contents or nature of any matter before him in his official capacity, if the person bringing the matter before the committee or employe designates the matter as confidential. Matters not designated as confidential may only be revealed as prescribed by the rules of the committee.
[1953 c.492 §14; 1961 c.167 §30]

173.240 Committee's staff prohibited from influencing legislation. Neither the Legislative Counsel nor any employe of the committee shall oppose, urge or attempt to influence legislation.
[1953 c.492 §14]

173.250 Legislative Counsel Committee Revolving Account. (1) The proceeds from the sale of any edition or publication made pursuant to ORS 173.150 shall be deposited in the State Treasury to the credit of a revolving account for the use of the committee in publishing and distributing future editions or publications. The account, to be known as the Legislative Counsel Committee Revolving Account, shall be continuously appropriated for such purpose.

(2) There shall also be deposited to the credit of the Legislative Counsel Committee Revolving Account any moneys received through the sale of type metal or plates belonging to the committee or any moneys received by the committee in connection with the use of type or plates, or material printed therewith, pursuant to ORS 173.180.

(3) The committee, from time to time, may cause to be transferred from the Legislative Counsel Committee Revolving Account to the General Fund such moneys as the committee may consider unnecessary for use in publishing and distributing future editions or publications.

(4) Any unexpended and unobligated balance in the Legislative Counsel Committee Revolving Account in excess of $125,000 as of July 1 of any odd-numbered year, as certified by the Legislative Counsel, shall be transferred from the account to the General Fund to be available for general governmental expenditures.
[1953 c.492 §15; 1957 c.60 §1; subsection (4) enacted as 1961 c.159 §2]

173.260 to 173.300 [Reserved for expansion]

(Substantive Law Revision Program)

173.310 Substantive law revision program; law improvement committee; appointment; vacancy; tenure; expenses. (1) The Legislative Counsel Committee shall cause to be conducted a continuous substantive law revision program and shall establish a law improvement committee to supervise the conduct of the program.

(2) The law improvement committee shall consist of the chairman of the Legislative Counsel Committee and eight other members appointed by the chairman of the Legislative Counsel Committee, subject to approval by the Legislative Counsel Committee. Not less than four of the members shall be appointed from the membership of the Oregon State Bar committee on law revision, or from a standing bar committee with similar functions in the event there is no committee by that name. Four members shall initially be appointed for a term of two years and the other four members for a term of four years. All appointments thereafter shall be for four years, except that:

(a) A vacancy for any cause occurring before the expiration of a term shall be filled by appointment for the remainder of the unexpired term only; and

(b) All appointed members serve at the pleasure of the chairman of the Legislative Counsel Committee, subject to approval by the Legislative Counsel Committee. An appointed member is eligible for reappointment.

(3) A member of the law improvement committee shall receive no compensation for his services as a member; but, subject to any other applicable law regulating travel and other expenses for state officers, he shall receive his actual and necessary travel and other expenses incurred in the performance of his official duties.
[1963 c.292 §2 (ORS 173.310 to 173.340 enacted in lieu of ORS 173.155)]

173.320 Authority of law improvement committee. Except as otherwise provided in ORS 173.310 to 173.340, the law improvement committee has the duties and powers

necessary to supervise the conduct of the continuous substantive law revision program, including but not limited to the following:

(1) To examine the Constitution, statutes and common law of the state for the purpose of discovering defects and anachronisms therein and recommending needed reforms.

(2) To receive and consider suggestions and proposed changes in the law from interested groups and individuals.

(3) To recommend from time to time such changes in the law as are considered necessary to modify or eliminate antiquated and inequitable rules of law and to bring the law of the state into harmony with modern conditions.

(4) To report recommendations with respect to changes in the law to the Legislative Assembly and, if considered desirable, to accompany such reports with proposed legislation designed to carry out such recommendations.

[1963 c.292 §3 (ORS 173.310 to 173.340 enacted in lieu of ORS 173.155)]

173.330 Legislative Counsel to furnish services. Subject to approval by the Legislative Counsel Committee, the Legislative Counsel shall furnish to the law improvement committee such services of personnel and such other facilities as are necessary to enable the law improvement committee to carry out its functions as provided by law.

[1963 c.292 §4 (ORS 173.310 to 173.340 enacted in lieu of ORS 173.155)]

173.340 Advisory committees; expenses. Subject to approval by the Legislative Counsel Committee, the law improvement committee, from time to time, may appoint such advisory committees as are necessary to assist the law improvement committee in carrying out its functions as provided by law. A member of an advisory committee shall receive no compensation for his services as a member; but, subject to any other applicable law regulating travel and other expenses for state officers, he shall receive his actual and necessary travel and other expenses incurred in the performance of his official duties, providing funds are appropriated therefor in the budget of the Legislative Counsel Committee.

[1963 c.292 §5 (ORS 173.310 to 173.340 enacted in lieu of ORS 173.155)]

173.350 Receipt and use of gifts. (1) The Law Improvement Committee established under ORS 173.310 may receive and use money and property from public and private donors, subject to any limitations imposed upon its use by the donor, as the committee determines proper to carry out its duties and powers.

(2) Unless otherwise provided by the donor, any money received by the Law Improvement Committee under subsection (1) of this section shall be deposited and disbursed through the Legislative Counsel Committee in the same manner as are state funds made available to the Law Improvement Committee.

[1965 c.397 §1]

173.360 to 173.400 [Reserved for expansion]

LEGISLATIVE FISCAL COMMITTEE

(Generally)

173.410 Legislative Fiscal Committee and office of Legislative Fiscal Officer created. The Legislative Fiscal Committee hereby is established as a joint committee of the Legislative Assembly. The committee shall select the Legislative Fiscal Officer who shall serve at the pleasure of the committee and under its direction.

[1959 c.70 §1]

173.420 Duties of Legislative Fiscal Officer. Subject to the procedures and priorities determined by the Legislative Fiscal Committee, the Legislative Fiscal Officer shall:

(1) Ascertain facts and make recommendations to the Legislative Assembly concerning the Governor's budget report.

(2) Ascertain facts concerning state revenues and expenditures and make estimates concerning state revenues and expenditures.

(3) Ascertain facts and make recommendations concerning the fiscal implications of the organization and functions of the state and its agencies.

(4) Ascertain facts and make recommendations on such other matters as may be provided for by joint or concurrent resolution.

(5) Furnish such assistance in the performance of their duties as is requested by the Emergency Board, the Joint Ways and Means Committee, the House Taxation Committee, the Senate Taxation Committee and other legislative standing and interim committees and members of the Legislative Assembly.

[1959 c.70 §2]

173.430 Administering oaths. The Legislative Fiscal Officer, in the performance of his official duties, has the same authority to administer oaths as is conferred by ORS 171.505 upon the chairman and vice chairman of the Legislative Fiscal Committee.
[1959 c.70 §11; 1961 c.167 §14]

173.440 Legislative Fiscal Committee; advisory committees. (1) The Legislative Fiscal Committee shall consist of:

(a) A member of the House Taxation Committee and a member of the House Ways and Means Committee and four other members of the House appointed by the Speaker, but not more than three out of these six House members shall be of the same political party.

(b) A member of the Senate Taxation Committee and a member of the Senate Ways and Means Committee and three other members of the Senate appointed by the President, but not more than three of these five Senate members shall be of the same political party.

(c) The President of the Senate and the Speaker of the House of Representatives. These officers may, except when serving as Governor, each designate an alternate from time to time from among the members of his house to exercise his powers as a member of the committee.

(2) The committee has a continuing existence and may meet, act and conduct its business during the sessions of the Legislative Assembly or any recess thereof, and in the interim period between sessions. The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, until such vacancy is filled, the membership of the committee shall be deemed not to include the vacant position for the purpose of determining whether a quorum is present and a quorum is a majority of the remaining members.

(3) Members of the committee shall be reimbursed for actual and necessary expenses incurred or paid in the performance of their duties as members of the committee, such reimbursement to be made from funds appropriated for such purpose, after submission of approved voucher claims.

(4) The committee shall select its own chairman who may, in addition to other acts authorized, approve voucher claims. The committee may appoint advisory committees or subcommittees, which may include individuals other than members of the Legislative Assembly, and reimburse the members of such committees for their actual and necessary travel and other expenses incurred in the performance of their duties.
[1959 c.70 §§3, 4, 5; 1961 c.41 §1; 1961 c.167 §33a]

173.450 Employment of staff; compensation and expenses of staff members. (1) Subject to the approval of the committee, the Legislative Fiscal Officer may employ and fix the compensation of such professional assistants and clerical and other employes as he finds necessary for the effective conduct of the work under his charge.

(2) The committee shall fix the annual salary of the Legislative Fiscal Officer.

(3) Subject to the limitations otherwise provided by law for expenses of state officers, the Legislative Fiscal Officer and members of his staff shall be reimbursed for all actual and necessary expenses incurred in performing their duties.
[1959 c.70 §§6, 7, 8]

173.460 Effect of expiration of terms of committee members. The expiration of the terms of members of the Legislative Fiscal Committee upon the convening of the Legislative Assembly in regular session next following the commencement of their terms, as provided by ORS 173.440, does not affect the employment of any individual filling a position previously approved by the committee. After the convening of the Legislative Assembly in regular session and until such time as the newly appointed committee provides otherwise, the Legislative Fiscal Officer may employ and fix the compensation of individuals he deems necessary for the effective conduct of the work under his charge.
[1965 c.113 §2]

173.470 to 173.500 [Reserved for expansion]

(Legislative Tax Study)

173.510 Legislative tax studies; priorities. (1) Subject to the procedures and priorities determined by the Legislative Fiscal Committee the Legislative Fiscal Officer shall assist in continuous, detailed and careful studies of the problems of taxation of this state, its counties, cities and other municipalities, in order to formulate and present

recommendations to the Legislative Assembly leading to immediate or long-range improvements in tax structure and financial policy, including but not limited to consideration of:

(a) Equitable sharing of tax burdens and benefits.

(b) Basic changes and new sources of revenue.

(c) Efficiency in tax administration.

(d) Production of sufficient revenues to carry out approved governmental programs.

(e) Consistent application of proper enforcement provisions.

(f) The impact of federal laws on this state's financial structure.

(2) Either house of the Legislative Assembly may by resolution refer to the Legislative Fiscal Committee any tax or financing problems and related matters for study, research and report. The committee shall make a study of the problem submitted and shall make a report thereon.
[1965 c.581 §1]

173.520 Legislative Tax Study Committee; appointment; tenure of legislator member. (1) There is established a Legislative Tax Study Committee to engage in and to supervise the conduct of the studies described in, and according to the priorities established under, ORS 173.510. The committee shall consist of 11 members, as follows:

(a) Three members of the Senate, not more than two of whom may be of the same political party, appointed by the President of the Senate for terms of four years.

(b) Three members of the House of Representatives, not more than two of whom may be of the same political party, appointed by the Speaker of the House of Representatives for terms of four years.

(c) Two individuals who are citizens of this state, are not members of the Legislative Assembly and are of different political parties, appointed by the President for terms of four years.

(d) Three individuals who are citizens of this state, are not members of the Legislative Assembly and not more than two of whom are of the same political party, appointed by the Speaker for terms of four years.

(2) The membership of an individual appointed under paragraph (a) or (b) of subsection (1) of this section is vacated if he ceases to be a member of the Legislative Assembly, and another member shall be appointed to fill such vacancy pursuant to subsection (2) of ORS 173.530.
[1965 c.581 §2]

173.530 Member's term; vacancies. (1) Each member of the Legislative Tax Study Committee serves at the pleasure of the authority who appointed him. A member is eligible for reappointment. Except as otherwise provided in ORS 173.510 to 173.600, the term of a member of the Legislative Tax Study Committee expires upon the convening of the Legislative Assembly in its second regular session next following the commencement of his term.

(2) In case of a vacancy among the membership of the Legislative Tax Study Committee, the authority who appointed a member to the vacated position shall appoint another member, of the same qualifications and political party as the former member, to fill the vacancy for the unexpired term.
[1965 c.581 §4]

173.540 Officers; rules; quorum; meetings; expenses; hearings. (1) The Legislative Tax Study Committee shall select its officers and adopt such rules for its organization and proceedings as it considers convenient to exercise its powers and accomplish its purposes. The chairman of any other statutory legislative committee or any interim legislative committee may not be chairman of the Legislative Tax Study Committee. Six members of the committee constitute a quorum and may exercise any authority conferred by law upon the committee.

(2) The Legislative Tax Study Committee shall meet at times and places designated by the chairman or any six of the members of the committee.

(3) Members of the Legislative Tax Study Committee shall be reimbursed only for their actual and necessary travel and other expenses incurred in the performance of their duties.

(4) The Legislative Tax Study Committee may hold hearings, as a group or by a designated member, members or officer, and sit and act at such times and places and take such testimony as it considers advisable.
[1965 c.581 §§6, 10]

173.550 Information from public and private sources; confidentiality of certain information. (1) Subject to any contrary provision of law where federally granted

funds are involved and except as prohibited by the secrecy provisions of ORS 308.290 and 314.835, the Legislative Tax Study Committee may require any officer or agency of this state or of a political subdivision within this state to furnish information, suggestions, rulings, data, estimates or statistics pertinent to the studies of the committee. Such officer or agency shall furnish the information required by the committee. Any information furnished to the committee under this subsection shall remain confidential to the same extent that any law requires the information to be confidential in the hands of the furnishing agency or political subdivision.

(2) The Legislative Tax Study Committee may receive pertinent information, suggestions, data, estimates and statistics voluntarily furnished by a private person. Except with the prior consent of such person and notwithstanding ORS chapter 192, the committee shall designate any such materials as confidential when such designation is necessary to prevent disclosure of the financial affairs of the person furnishing the materials.

[1965 c.581 §11]

173.560 Oaths of witnesses; compelling attendance and production of papers; judicial enforcement of legislative process. In carrying out its powers and duties the Legislative Tax Study Committee may cause oaths or affirmations to be administered, and the attendance of witnesses and the production of books, papers and records to be compelled, pursuant to ORS 171.505 to 171.525 and 171.990. In addition to the remedies provided by ORS 171.520:

(1) If any person fails to comply with a subpena of the committee or to produce or permit the examination or inspection of any books, papers or documents pertinent to any investigation or inquiry under this section, or to testify to any matter regarding which he lawfully may be interrogated, with the approval of the Legislative Fiscal Committee, the Legislative Tax Study Committee may apply to the circuit court for the county in which the person resides for an order to the person to attend and testify, or otherwise to comply with the demand or request of the committee.

(2) The application to the court shall be by ex parte motion upon which the court shall make an order requiring the person against whom it is directed to comply with the request or demand of the Legislative Tax Study Committee within 10 days after service of the order, or within such further time as the court may grant, or to justify the failure within that time.

(3) The order shall be served upon the person to whom it is directed in the manner required by this state for service of summons, which service is required to confer jurisdiction upon the court. Unless the court finds sufficient cause, failure to obey any order issued by the court under this section is contempt of court.

[1965 c.581 §12]

173.570 Report to legislature; publications. The Legislative Tax Study Committee shall report its recommendations in writing to each regular session of the Legislative Assembly not later than the convening of the session and from time to time shall publish such studies or other information as it considers appropriate.

[1965 c.581 §9]

173.580 Legislative Fiscal Committee to furnish services. The Legislative Fiscal Committee shall provide such technical, professional and clerical assistance as is necessary for the effective conduct of the work of the Legislative Tax Study Committee.

[1965 c.581 §7]

173.590 Receipt and use of gifts. The Legislative Fiscal Committee, on behalf and for the use of the Legislative Tax Study Committee, may accept gifts or grants of money and property from public and private donors, and use this money or property as the Legislative Fiscal Committee determines is proper to carry out ORS 173.510 to 173.600, subject to the terms of the gift or grant and any applicable law. The date, description, donor and any conditions pertaining to such gifts or grants shall be recorded in detail in the minutes of the Legislative Fiscal Committee.

[1965 c.581 §8]

173.600 Advisory committees; expenses. Subject to the approval of the Legislative Fiscal Committee, the Legislative Tax Study Committee may appoint advisory committees and subcommittees, which may include individuals other than members of the Legislative Assembly, and reimburse the members of such committees and subcommittees for their actual and necessary travel and other expenses incurred in the performance of their duties.

[1965 c.581 §5]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on November 15, 1965.

Sam R. Haley
Legislative Counsel