TITLE 17

STATE LEGISLATIVE DEPARTMENT AND LAWS

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172. Commissioners on Uniform Laws
173. Legislative Service Agencies
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Chapter 171

1969 REPLACEMENT PART

State Legislature

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GENERAL PROVISIONS

171.010 Time and place of holding regular legislative sessions. The sessions of the Legislative Assembly shall be held at the capital of the state and shall commence on the second Monday in January of each odd-numbered year.

171.020 [Repealed by 1955 c.211 §7]

171.021 [1955 c.211 §1; repealed by 1961 c.482 §4]

171.025 Senatorial districts; number of Senators. The Senate shall consist of 30 Senators. The senatorial districts, the county or counties constituting each district and the number of Senators to which each district is entitled are as follows:

Districts	Counties	Number of Senators
1st	Marion	2
2nd	Linn	1
3rd	Lane	2
4th	Douglas	1
5th	Jackson	1
6th	Josephine	1
7th	Coos and Curry	1
8th	Yamhill	1
9th	Washington	1
10th	Tillamook and Washington	1
11th	Clackamas	2
12th	Multnomah	7
13th	Benton	1
14th	Clatsop and Columbia	1
15th	Lincoln and Polk	1
16th	Gilliam, Hood River, Morrow, Sherman, Wasco and Wheeler	1
17th	Umatilla	1
18th	Baker, Union and Wallowa	1
19th	Grant, Harney and Malheur	1
20th	Crook, Deschutes, Jefferson and Lake	1
21st	Klamath	1

[1961 c.482 §1]

Note: Chapter 482, Oregon Laws 1961, including the apportionments under ORS 171.025 and 171.035, was held unconstitutional in **In Re Apportionment of Senators and Representatives,** (1961) 228 Or. 562, 364 P. (2d) 1004. Pursuant to direction of the Supreme Court under section 6 of Article IV, Oregon Constitution, the Secretary of State drafted a reapportionment which he returned to the Supreme Court. The Supreme Court determined that the draft so returned complied with section 6 of Article IV, Oregon Constitution, in **In Re Apportionment of Senators and Representatives,** (1961) 228 Or. 575, 365 P. (2d) 1042. Upon filing with the Governor on October 27, 1961, the draft became law. That part of the draft relating to the Senate is printed below.

Senate

The senatorial districts, the county or counties constituting each district and the number of senators to which each district is entitled are as follows:

Districts	Counties	Number of Senators
1st	Marion	2
2nd	Linn	1
3rd	Lane	3
4th	Douglas	1
5th	Jackson	1
6th	Josephine	1
7th	Coos and Curry	1
8th	Yamhill and Washington	1
9th	Washington	1
10th	Polk and Benton	1
11th	Clackamas	2
12th	Multnomah	8
13th	Tillamook and Lincoln	1
14th	Clatsop and Columbia	1
15th	Klamath	1
16th	Harney, Grant, Malheur and Baker	1
17th	Umatilla, Union and Wallowa	1
18th	Wheeler, Hood River, Wasco, Sherman, Gilliam and Morrow	1
19th	Jefferson, Deschutes, Crook and Lake	1

171.030 [Repealed by 1955 c.211 §7]

171.031 [Repealed by 1953 c.12 §2]

171.032 [Repealed by 1953 c.12 §2]

171.033 [Repealed by 1953 c.12 §2]

171.034 [Repealed by 1953 c.12 §2]

171.035 Representative districts; number of Representatives. The House of Representatives shall consist of 60 Representatives. The representative districts, the county or counties constituting each district and the number of Representatives to which each district is entitled are as follows:

Districts	Counties	Number of Representatives
1st	Clatsop	1
2nd	Columbia	1
3rd	Tillamook	1
4th	Washington	3
5th	Yamhill	1
6th	Multnomah	16
7th	Clackamas	4
8th	Lincoln	1
9th	Polk	1
10th	Benton	1
11th	Marion	4
12th	Linn	2
13th	Lane	5
14th	Douglas	2
15th	Coos	1
16th	Coos and Curry	1
17th	Josephine	1
18th	Jackson	2

19th	Gilliam, Hood River, Morrow, Sherman, Wasco and Wheeler	2
20th	Umatilla	2
21st	Union and Wallowa	1
22nd	Crook and Jefferson	1
23rd	Baker	1
24th	Deschutes	1
25th	Grant, Harney and Lake	1
26th	Malheur	1
27th	Klamath	2

[1961 c.482 §3]

Note: See note under ORS 171.025. That part of the Secretary of State's draft relating to the House of Representatives is printed below.

House of Representatives

The representative districts, the county or counties constituting each district and the number of representatives to which each district is entitled are as follows:

Districts	Counties	Number of Representatives
1st	Clatsop	1
2nd	Columbia	1
3rd	Tillamook	1
4th	Washington	3
5th	Yamhill	1
6th	Multnomah	17
7th	Clackamas	4
8th	Lincoln	1
9th	Polk	1
10th	Benton	1
11th	Marion	4
12th	Linn	2
13th	Lane	5
14th	Benton and Lane	1
15th	Douglas	2
16th	Coos	1
17th	Coos and Curry	1
18th	Josephine	1
19th	Jackson	3
20th	Klamath	1
21st	Deschutes, Crook and Jefferson	1
22nd	Wasco and Hood River	1
23rd	Umatilla	1
24th	Union and Wallowa	1
25th	Baker and Grant	1
26th	Malheur and Harney	1
27th	Klamath and Lake	1
28th	Umatilla, Morrow, Gilliam, Sherman and Wheeler	1

171.040 [Repealed by 1955 c.211 §7]

171.041 [1955 c.211 §3; repealed by 1961 c.482 §4]

171.043 Multnomah County representative subdistricts. (1) Three representatives of the sixth representative district shall be elected in each of the three representative subdistricts described in paragraphs (a), (d) and (e) of subsection (2) of this section, and four representatives shall be elected in each of the two representative subdistricts described in paragraphs (b) and (c) of subsection (2) of this section.

(2) The representative subdistricts of the sixth representative district are as follows:

(a) West. All of the sixth representative district west of the middle of the main channel of the Willamette River.

(b) South. All of the sixth representative district bounded, on the west, by the middle of the main channel of the Willamette River; on the north, by a line commencing at a point in the middle of the main channel of the Willamette River directly west of the center line of Southeast Stark Street and running eastwardly to and along the center line of Southeast Stark Street to the intersection of the center line of Southeast Stark Street and the center line of Southeast Thirty-ninth Avenue, thence southwardly along the center line of Southeast Thirty-ninth Avenue to the intersection of the center line of Southeast Thirty-ninth Avenue and the center line of Southeast Division Street, thence eastwardly along the center line of Southeast Division Street to the intersection of the center line of Southeast Division Street and the center line of Southeast One Hundred Twenty-second Avenue; on the east, by a line commencing at the intersection of the center line of Southeast Division Street and the center line of Southeast One Hundred Twenty-second Avenue and running southwardly along the center line of Southeast One Hundred Twenty-second Avenue and a continuation thereof to a point on the boundary of Multnomah County; and, on the south, by the boundary of Multnomah County.

(c) East Central. All of the sixth representative district bounded, on the west, by the middle of the main channel of the Willamette River; on the north, by a line commencing at a point in the middle of the main channel of the Willamette River directly west of the center line of North Fremont Street and running eastwardly to and along the center line of North and Northeast Fremont Street to the intersection of the center line of Northeast Fremont Street and the center line of Northeast Fifteenth Avenue, thence northwardly along the center line of Northeast Fifteenth Avenue to the intersection of the center line of Northeast Fifteenth Avenue and the center line of Northeast Killingsworth Street, thence eastwardly along the center line of Northeast Killingsworth Street to the intersection of the center line of

Northeast Killingsworth Street and the center line of Northeast Forty-second Avenue, thence southwardly along the center line of Northeast Forty-second Avenue to the intersection of the center line of Northeast Forty-second Avenue and the city limits of the City of Portland, thence southwardly, eastwardly, southwardly, eastwardly, northwardly and eastwardly along the city limits of the City of Portland to the intersection of the center line of Northeast Prescott Street and the center line of Northeast Eighty-second Avenue; on the east, by a line commencing at the intersection of the center line of Northeast Prescott Street and the center line of Northeast Eighty-second Avenue and running southwardly along the city limits of the City of Portland to the intersection of the city limits of the City of Portland and the center line of Southeast Stark Street, thence westwardly along the center line of Southeast Stark Street to the intersection of the center line of Southeast Stark Street and the center line of Southeast Ninety-second Avenue, thence southwardly along the center line of Southeast Ninety-second Avenue to the intersection of the center line of Southeast Ninety-second Avenue and the center line of Southeast Division Street; and, on the south, by a line commencing at a point in the middle of the main channel of the Willamette River directly west of the center line of Southeast Stark Street and running eastwardly to and along the center line of Southeast Stark Street to the intersection of the center line of Southeast Stark Street and the center line of Southeast Thirty-ninth Avenue, thence southwardly along the center line of Southeast Thirty-ninth Avenue to the intersection of the center line of Southeast Thirty-ninth Avenue and the center line of Southeast Division Street, thence eastwardly along the center line of Southeast Division Street to the intersection of the center line of Southeast Division Street and the center line of Southeast Ninety-second Avenue.

(d) North. All of the sixth representative district bounded, on the west, by the middle of the main channel of the Willamette River; on the north, by the boundary of Multnomah County; on the east, by a line commencing at a point on the boundary of Multnomah County directly north of the beginning of the middle of the south channel of the Columbia River and running directly south to that beginning, thence eastwardly along the middle of the south channel of the Columbia River to the intersection of the middle of the south channel of the Columbia River and a northwardly continuation of the center line of Cascade Highway, thence southwardly to and along the center line of Cascade Highway to the intersection of the center line of Cascade Highway and the center line of Northeast Eighty-second Avenue, thence southwardly along the center line of Northeast Eighty-second Avenue to the intersection of the center line of Northeast Eighty-second Avenue and the center line of Northeast Prescott Street; and, on the south, by the north boundary of the East Central representative subdistrict.

(e) East County. All of the sixth representative district east of the middle of the main channel of the Willamette River and not within the South, East Central and North representative subdistricts.

(3) References in this section to the middle of the main channel of the Willamette River, the middle of the south channel of the Columbia River, the boundary of Multnomah County, the city limits of the City of Portland and any avenue, street or highway mean such as existed on January 1, 1967.

[1955 c.211 §4; 1965 c.593 §1; 1967 c.634 §1]

171.046 Position numbers in districts and subdistricts with more than one Senator or Representative. (1) In senatorial and representative districts and subdistricts entitled by law to be represented by more than one State Senator or State Representative, the positions of the State Senators or State Representatives, and their respective successors in office, shall be designated by numbers as Position No. 1, Position No. 2, and so on.

(2) In all proceedings for the nomination or election of candidates for or to the office of State Senator or State Representative in senatorial or representative districts or subdistricts referred to in subsection (1) of this section, every petition for nomination, declaration of candidacy, certificate of nomination, ballot or other document used in connection with the nomination or election shall state the position number of the position to which the candidate aspires, and his name shall appear on the ballot only for the designated position. Each voter has the right to vote for only one candidate for each position, and the candidate for each position receiving the highest number of votes for the position is considered nominated or elected, as the case may be.

[1965 c.578 §1]

171.050 Filling vacancies in Legislative Assembly. (1) When any vacancy occurs in the office of Senator or Representative from any legislative district or subdistrict due to the death of the Senator or Representative, to his resignation in writing filed with the Secretary of State, to his being recalled from office, or to his being declared disqualified by the house to which he was elected and no election at which the vacancy could be filled by the voters of the district or subdistrict is to intervene between the time of the occurrence of the vacancy and the time set for the convening of a regular or special session of the Legislative Assembly, or when any vacancy occurs during any session thereof, the vacancy shall be filled by the appointment of a qualified elector of the district by the county courts or boards of county commissioners of the counties constituting the district in which the vacancy exists.

(2) If the vacancy does not occur during a legislative session and if an election is to intervene between the occurrence of any such vacancy and the time of convening of any regular or special session of the legislature at which such vacancy can be filled by vote of the electors of the legislative district or subdistrict in which the vacancy has occurred, no interim appointment shall be made and the vacancy shall be filled by the voters of the legislative district or subdistrict affected.

[Amended by 1955 c.211 §5]

171.060 Procedure for filling vacancy by appointment. (1) When any such vacancy as is mentioned in ORS 171.050 exists which cannot be filled by the voters of the legislative district or subdistrict affected, as provided in ORS 171.050, the Secretary of State forthwith shall notify the county courts or boards of county commissioners of the counties constituting the district in which the vacancy occurs and shall set a time for a meeting of the county courts or boards of county commissioners and, in case the district is composed of more than one county, name a temporary chairman and designate a meeting place within the said district where the county courts or boards of county commissioners shall convene for the purpose of appointing a person to fill the vacancy.

(2) A written statement signed by a majority of those qualified to vote upon the filling of any such vacancy directed to the Secretary of State is equivalent to a writ of election for the purposes herein contained.

[Amended by 1955 c.211 §6]

171.070 [Repealed by 1957 c.164 §1 (ORS 171.071 enacted in lieu of ORS 171.070)]

171.071 [1957 c.164 §2 (enacted in lieu of ORS 171.070); 1959 c.391 §1; repealed by 1963 c.1 §2]

171.072 Salary and session expenses of members and presiding officers; tax status. (1) Except as otherwise provided in subsection (2) of this section, a member of the Legislative Assembly shall receive for his services a salary at the rate of $250 monthly, payment to be made in the same manner as the salaries of other elected state officers and employes.

(2) The President of the Senate and the Speaker of the House each shall receive for his services, as additional salary, one-third of the sum allowed him as a member under subsection (1) of this section. The salary provided under subsections (1) and (2) of this section shall not be paid to a presiding officer for any period for which he is paid a salary under ORS 292.325.

(3) A member of the Legislative Assembly shall receive, as an allowance for expenses not otherwise provided for, $20 for each day within the period that the Legislative Assembly is in session, to be paid weekly. Amounts received under this subsection are excluded from gross income and expenditures thereof are excluded in computing deductions for purposes of ORS chapter 316. If there is attached to the personal income tax return a schedule of all ordinary and necessary business expenses paid during the tax year as a member of the Legislative Assembly, a deduction may be claimed on the return for legislative expenses paid in excess of the amounts received under this subsection.

[1963 c.1 §1; 1967 c.66 §1; 1967 c.246 §1]

171.074 Interim expenses of members. A member of the Legislative Assembly shall receive, as an allowance for expenses incurred in the performance of his official duties during periods when the Legislative Assembly is not in session, including but not limited to expenses for postage, telephone, travel, office rent and clerical services, $100 for each calendar month or part thereof during those periods, to be paid monthly.

[1969 c.236 §1]

171.075 [1953 c.544 §1; 1961 c.167 §8; renumbered 171.505]

171.076 [1953 c.544 §2; 1961 c.167 §9; renumbered 171.510]

171.077 [1953 c.544 §4; 1961 c.167 §12; renumbered 171.520]

171.078 [1953 c.544 §5; renumbered 171.525]

171.080 [Amended by 1953 c.544 §7; renumbered 171.555]

171.090 [Amended by 1959 c.577 §1; 1961 c.167 §19; renumbered 171.205]

171.092 [1953 c.527 §1; renumbered 171.215]

171.100 [Renumbered 171.135]

171.110 [Repealed by 1953 c.492 §17]

171.120 Purpose of enactment of ORS 171.120 to 171.125. It is the purpose and intent of the Legislative Assembly in enacting this section, ORS 171.122 and 171.125 that, subject to the conditions set forth in such sections, any member of the Legislative Assembly whose employment is interrupted by reason of attendance upon regular or special sessions of the Legislative Assembly or the performance of official duties as a member of the Legislative Assembly, shall be restored to such employment in such a manner as to give him the status in such employment that he would have enjoyed if he had continued in such employment continuously during any such attendance or performance of duties.
[1957 c.549 §1]

171.122 Rights and benefits of legislators in relation to their regular employment. (1) Any member of the Legislative Assembly who leaves his regular employment in order to attend upon any regular or special session of the Legislative Assembly or to perform official duties as a member of the Legislative Assembly, shall be deemed to be on leave of absence from such regular employment position for such period of time as is reasonably necessary to permit such attendance or performance of duties.

(2) The regular employment position of a member on leave of absence under this section shall only be deemed vacant for the period of such leave of absence, and the member shall not be subject to removal or discharge from such position as a consequence of such leave of absence.

(3) Upon the termination of his leave of absence under this section, a member shall be restored to the regular employment position he held immediately prior to the first day of the leave of absence if such position still exists, or, if such position does not still exist, to as similar a position as possible, without loss of seniority, the right to participate in insurance or any other employment benefits, other than wages for services rendered, as a consequence of his leave of absence. Such seniority, right to participate in insurance or other employment benefits shall continue to accumulate during the leave of absence as though the member had continued in employment continuously in the regular employment position he held immediately prior to the first day of his leave of absence.

(4) This section is not applicable if:

(a) The member was employed by the employer for a period of less than 90 days immediately prior to the first day of the leave of absence.

(b) The circumstances of the employer have so changed during the leave of absence of the member as to make restoration of the member to employment impossible or unreasonable.

(c) The member fails to apply for restoration to employment within 15 days after the termination of his leave of absence.

(d) The regular employment position of the member immediately prior to the first day of the leave of absence or the character, terms, conditions or activities of such position are incompatible under the Constitution and laws of this state with the office of member of the Legislative Assembly.

(e) Employment is on a temporary basis.

(f) The employer employs less than 10 persons immediately prior to the first day of the leave of absence.
[1957 c.549 §2]

171.125 Proceeding to require compliance with ORS 171.122. If any employer fails to comply with the provisions of ORS 171.122, the circuit court for any county in which such employer maintains a place of business has jurisdiction, upon the filing of a petition by the person entitled to the benefits of ORS 171.122 and who has been denied such benefits by reason of the noncompliance of the employer, specifically to require the employer to comply with the provisions of ORS 171.122 and to compensate such person for any loss of such benefits suffered by reason of such noncompliance by the employer. Such compensation shall be in addition to and shall not be deemed to diminish

any of the benefits to which the member is entitled under ORS 171.122.
[1957 c.549 §3]

171.130 Presession filing of proposed measures; printing and distribution. (1) At any time in advance of any regular or special session of the Legislative Assembly, when approved by the Joint Committee on Rules and Resolutions or at such time in advance of a special session as may be fixed by joint rules of both houses of the Legislative Assembly, the following may file a proposed measure with the Legislative Counsel:

(a) Members who will serve in the session and members-elect.

(b) Interim or statutory committees of the Legislative Assembly.

(c) The Executive Department, to implement the fiscal recommendations of the Governor contained in his biennial budget report.

(d) The person who will serve as Governor during the session in which the measure is to be introduced.

(e) State agencies.

(2) The Legislative Counsel shall order any measure filed pursuant to subsection (1) of this section, to be printed and distributed to members and members-elect and to the public upon request before the beginning of the session. However, no measure that is filed and printed pursuant to this section shall be distributed unless the person filing the measure specifically authorizes in writing such distribution.

(3) All measures filed and printed pursuant to this section shall be forwarded by the Legislative Counsel to the chief clerk of the house designated by the person filing the measure for introduction unless, prior to the first reading thereof, the person withdraws the measure by written notice to the Legislative Counsel and the chief clerk.

(4) The costs of carrying out this section shall be paid out of the money appropriated for the expenses of that session of the Legislative Assembly for which the measure is to be printed.

(5) The Joint Committee on Rules and Resolutions shall adopt rules necessary to accomplish the purpose of this section.

(6) Nothing in this section affects any law or any rule of the Legislative Assembly relating to the introduction of legislative measures.
[1961 c.167 §17; 1969 c.374 §1]

171.135 Office supplies and stationery for officers and employes of Legislative Assembly. It is the duty of the Joint Committee on Legislative Administration to furnish necessary office supplies and stationery to all officers, clerks and stenographers of the Legislative Assembly, taking their receipt therefor. It is the duty of such officers, clerks and stenographers to return to the Joint Committee on Legislative Administration any unused stationery and all office supplies at the close of each session of the Legislative Assembly. No officer, clerk or stenographer shall receive a warrant for his pay until he has complied with the provisions of this section.
[Formerly 171.100; 1969 c.620 §6]

171.137 Legislative Supplies Account. (1) The Legislative Supplies Account is established in the General Fund of the State Treasury. Except for moneys otherwise designated by statute, all moneys received by the Legislative Assembly from the sale of any property, supplies or equipment purchased for the Legislative Assembly out of funds appropriated thereto shall be paid into the State Treasury and credited to the account. All moneys in the account are appropriated continuously and shall be used by the Legislative Assembly for the purchase of property, supplies and equipment to be used by the members of the Legislative Assembly and the employes thereof.

(2) The Joint Committee on Legislative Administration shall keep a record of all moneys deposited in the account. The record shall indicate by separate cumulative accounts the source from which the moneys are derived and the individual activity or program against which each withdrawal is charged.
[1969 c.620 §16]

171.140 Forwarding materials to legislators and chief clerks upon adjournment. Unless otherwise directed by joint resolution:

(1) The Joint Committee on Legislative Administration shall cause to be forwarded to each member and the chief clerk of each house of the Legislative Assembly all materials furnished to them by statute, rule or resolution that do not remain the property of the state and that are left by the member or chief clerk in the custody of the Joint Committee on Legislative Administration at the adjournment of a regular biennial session of the Legislative Assembly to be so forwarded, to whatever address is designated by the member or chief clerk.

(2) The expenses incurred in carrying out the services described in this section shall be paid out of the appropriation for the expenses of that session of the Legislative Assembly for which the services were performed.
[1961 c.167 §15; 1969 c.620 §7]

PUBLICATIONS

171.200 "Publications" defined for ORS 171.205 and 171.211; excludes session laws, journals and Oregon Revised Statutes. As used in ORS 171.205 and 171.211, "publications" does not include materials published under ORS 171.225 or 173.150, but does include:

(1) Bills, resolutions and memorials and amendments thereto.

(2) Reports of statutory, standing, special or interim legislative committees.

(3) Periodic legislative calendars and periodic journals, if any of these are published.

(4) Other documents or papers which the Legislative Assembly, or either house thereof, orders printed.
[1961 c.167 §18; 1965 c.424 §4]

171.205 Printing and distribution of publications when legislature in session. Except as provided under ORS 171.215, 171.225 or 182.070, when the Legislative Assembly is in session, all publications printed for either house of the Legislative Assembly shall be printed and distributed as ordered by the two houses, or one of them.
[Formerly 171.090; 1965 c.424 §5]

171.210 [Repealed by 1961 c.150 §9]

171.211 Distribution of publications when legislature not in session. (1) Unless otherwise directed by joint resolution and except as otherwise provided under ORS 171.205, 171.215 or 182.070, the Joint Committee on Legislative Administration shall cause to be distributed without charge the publications of each session of the Legislative Assembly among such state officers, departments and agencies, public officers, state institutions of higher learning and libraries, as it considers appropriate for their requirements.

(2) The Joint Committee on Legislative Administration may charge reasonable fees for copies of publications it distributes otherwise than under subsection (1) of this section. In establishing these fees, it shall consider the costs of reproducing and distributing copies other than those reproduced and distributed under subsection (1) of this section.

(3) All money received under subsection (2) of this section shall be deposited in the General Fund and be available for payment of the general expenses of the state, except that so much thereof is appropriated as is necessary to reimburse the Joint Committee on Legislative Administration for its actual costs incurred in distributing copies of publications other than under subsection (1) of this section.
[1961 c.167 §20; 1965 c.424 §6; 1969 c.620 §8]

171.215 Furnishing legislative bills, calendars and interim committee reports to State Librarian. The person responsible for distribution of legislative bills, calendars and interim committee reports issued by authority of the Legislative Assembly or of a legislative interim committee shall make available to the State Librarian for distribution and exchange purposes 50 copies of each bill and daily calendar and 125 copies of each legislative interim committee report, or such lesser number as is desired by the State Librarian.
[Formerly 171.092]

171.218 [1961 c.167 §22; repealed by 1965 c.424 §8]

171.220 [Amended by 1959 c.577 §2; renumbered 171.405]

171.222 [1961 c.167 §23; repealed by 1965 c.424 §8]

171.225 Publishing and distributing session laws, journals and other legislative materials. The Legislative Assembly shall cause to be published and distributed, in such form, at such times and subject to such charges, if any, as it may direct, the laws enacted by it and by the people, such adopted resolutions and memorials as it may specify, its proceedings as shown by the journals thereof and such other legislative material as may be required by the Constitution and laws of this state.
[1965 c.424 §1]

171.226 [1961 c.167 §24; repealed by 1965 c.424 §8]

171.230 [Amended by 1959 c.577 §3; repealed by 1965 c.424 §8]

171.235 Determining form, number and distribution of, and charges for, legislative publications under ORS 171.225. (1) Unless otherwise directed by joint resolution, the Joint Committee on Rules and Resolutions

shall determine the form, number and distribution of and charges for, if any, the legislative materials referred to in ORS 171.225 and may perform other functions necessary for the publication and distribution thereof. With the concurrence of the Joint Committee on Legislative Administration, the Joint Committee on Rules and Resolutions may authorize the distribution of those legislative materials by the Joint Committee on Legislative Administration.

(2) The Joint Committee on Rules and Resolutions may order the disposition of any legislative materials referred to in ORS 171.225 which in its judgment are no longer of value to the state.
[1965 c.427 §7; 1969 c.174 §1; 1969 c.620 §9]

171.240 [Amended by 1959 c.577 §4; repealed by 1965 c.424 §8]

171.245 Legislative Publications Account. (1) There is established in the General Fund an account to be known as the Legislative Publications Account. All moneys collected or received under ORS 171.225 and 171.235 shall be paid into the account. All moneys in the account are appropriated continuously for and shall be used for the purposes described in ORS 171.225 and 171.235.

(2) Disbursements of moneys from the Legislative Publications Account shall be approved by either of the presiding officers of the Legislative Assembly; but the presiding officers may jointly designate an individual, who is under bond to the State of Oregon as provided in ORS 293.335, to approve disbursements from the account. A statement designating the individual, together with a sample of the individual's signature, shall be filed as provided in ORS 293.335.
[1965 c.424 §3; 1969 c.174 §2]

171.250 [Repealed by 1965 c.424 §8]

171.255 Evidentiary status of published session laws. The laws enacted by the Legislative Assembly and by the people, when published in accordance with the provisions of ORS 171.225, shall be received in all courts of this state as an authorized publication of the laws of Oregon published therein.
[1965 c.424 §2]

171.260 [Amended by 1959 c.577 §5; repealed by 1965 c.424 §8]

171.270 Legislative materials furnished public officers without charge are public property. Except as otherwise provided by or pursuant to law, the copies of the legislative materials referred to in ORS 171.225 furnished free of charge to the public officers of this state pursuant to law are public property and shall be delivered over by them to their successors in office.
[Amended by 1969 c.174 §3]

171.272 [1953 c.546 §1; 1961 c.167 §27; renumbered 173.152]

171.280 [1963 c.418 §2; repealed by 1969 c.174 §5]

RECORDS

171.405 Binding original enrolled laws and joint resolutions. The Secretary of State shall cause the original enrolled laws and joint resolutions passed at each session of the Legislative Assembly to be bound in a volume in a substantial manner in the order in which they are approved. The Secretary of State is not required to keep any further record of the official acts of the Legislative Assembly, so far as relates to Acts and joint resolutions.
[Formerly 171.220]

171.410 "Legislative record" defined for ORS 171.410 to 171.430. As used in ORS 171.410 to 171.430, unless the context requires otherwise, "legislative record" means a measure or amendment thereto, a document, book, paper, photograph, sound recording or other material exclusive of personal correspondence, regardless of physical form or characteristics, made by the Legislative Assembly, a committee or employed personnel thereof, in connection with the exercise of legislative or investigatory functions, but does not include the record of an official act of the Legislative Assembly kept by the Secretary of State under section 2, Article VI of the Oregon Constitution.
[1961 c.150 §1]

171.415 Delivery to Joint Committee on Legislative Administration; exception. (1) Except as provided in subsections (2) and (3) of this section, a committee or employed personnel of the Legislative Assembly having possession of legislative records that are not required for the regular performance of official duties shall, within 10 days after the adjournment sine die of a regular or special session, deliver all such legislative records to the Joint Committee on Legislative Administration.

(2) The chairman, member or employe of a legislative interim committee responsible

for maintaining the legislative records of that committee shall, within 10 days after the committee ceases to function or before January 1 next preceding the beginning of a regular biennial session of the Legislative Assembly, whichever is earlier, deliver all such legislative records in his possession to the Joint Committee on Legislative Administration.

(3) This section does not apply to the records of the Emergency Board, the Senate Committee on Interstate Cooperation, the House Committee on Interstate Cooperation, the Joint Committee on Legislative Administration, Joint Committee on Rules and Resolutions or the Legislative Fiscal Committee.
[1961 c.150 §2; 1969 c.620 §10]

171.420 Classification and arrangement; delivery to State Archivist. The Legislative Services Administrator shall classify and arrange the legislative records delivered to him pursuant to ORS 171.415, in a manner that he considers best suited to carry out the efficient and economical utilization, maintenance, preservation and disposition of the records. The State Archivist shall assist him in the performance of this work. The Legislative Services Administrator shall deliver to the State Archivist all legislative records in his possession when such records have been classified and arranged. The State Archivist shall thereafter be official custodian of the records so delivered.
[1961 c.150 §3; 1969 c.620 §11]

171.425 Borrowing by certain legislative personnel. The State Archivist shall allow the Legislative Fiscal Officer, the Legislative Services Administrator or the Legislative Counsel to borrow and temporarily have possession of such legislative records as such officer requests.
[1961 c.150 §4; 1969 c.620 §12]

171.430 Disposal by certain committees. Except for legislative records borrowed under ORS 171.425, the Emergency Board, the Senate Committee on Interstate Cooperation, the Joint Committee on Legislative Administration, the House Committee on Interstate Cooperation, the Joint Committee on Rules and Resolutions or the Legislative Fiscal Committee may cause any legislative records in its possession to be destroyed or otherwise disposed of, if such legislative records are considered by such committee to be of no value to the state or the public and are no longer necessary under or pursuant to any statute requiring their creation or maintenance or affecting their use. However, such committee shall prior to destruction or disposal notify the State Archivist and transfer to his official custody any such legislative records that are requisitioned by the State Archivist, except those designated as confidential by statute or by rule or resolution of the Legislative Assembly or of such committee.
[1961 c.150 §6; 1969 c.620 §13]

WITNESSES IN LEGISLATIVE PROCEEDINGS

171.505 Administering oaths to witnesses. The President of the Senate, the Speaker of the House of Representatives, the chairman or vice chairman of any statutory, standing, special or interim committee of either house of the Legislative Assembly, or the chairman or vice chairman of a statutory, standing, special or interim joint committee of the two houses, may administer oaths to witnesses in any proceedings under their examination.
[Formerly 171.075]

171.510 Legislative process to compel attendance and production of papers; service. (1) The President of the Senate, the Speaker of the House of Representatives, or the chairman or vice chairman of any of the legislative committees referred to in ORS 171.505 upon a majority vote of any such committee, may issue any processes necessary to compel the attendance of witnesses and the production of any books, papers, records or documents as may be required.

(2) Process may be served by a sergeant-at-arms of either house when the Legislative Assembly is in session, by the sheriff of the county where the person to whom it is directed is found, or by any competent person 21 years of age or older who is a resident of this state, in the manner prescribed for the service of a summons upon a defendant in a civil proceeding. The process shall be returned to the authority issuing it within 10 days after its delivery to the person for service, with proof of service or that the person cannot be found. A person other than an officer making service shall make proof thereof by his affidavit in the same manner provided in ORS 15.110. When served outside of the county in which the process originated, the process may be returned by mail. The person to whom the process is

delivered shall indorse thereon the date of delivery.
[Formerly 171.076]

171.515 Reimbursement of witnesses appearing under legislative process. (1) Witnesses appearing under process issued pursuant to ORS 171.510:

(a) Before the Senate or House of Representatives, or a standing, special or statutory committee of either or both, or a subcommittee thereof, except as provided in paragraph (b) of this subsection, shall be reimbursed from funds appropriated for the expenses of that session of the Legislative Assembly during which the witnesses appear.

(b) Before the Joint Committee on Rules and Resolutions, the Legislative Fiscal Committee or an interim committee, or a subcommittee thereof, shall be reimbursed from funds appropriated for the expenses of the committee or subcommittee before which the witnesses appear.

(2) The amount of reimbursement payable to a witness under subsection (1) of this section shall not exceed the fee that would be payable to him if he were appearing before a judge pursuant to ORS 44.010 and 44.430. All claims for reimbursement are subject to the approval of the Legislative Fiscal Officer.
[1961 c.167 §11]

171.520 Reporting violations of ORS 171.510. (1) Whenever a person summoned as provided in ORS 171.510 fails to appear to testify or fails to produce any books, papers, records or documents as required, or whenever any person so summoned refuses to answer any question pertinent to the subject under inquiry before either house or any of the committees referred to in ORS 171.505, the fact of such failure may be reported to either house while in session.

(2) If the Legislative Assembly is not in session, a statement of facts constituting such failure may be filed with the President of the Senate or the Speaker of the House of Representatives. The President of the Senate or the Speaker of the House of Representatives, as the case may be, shall certify the statement of facts to the district attorney for the county in which the offense occurred, who shall take appropriate action.
[Formerly 171.077]

171.522 Judicial enforcement of legislative process; order; service. (1) Whenever a person summoned as provided in ORS 171.510 fails to appear to testify or fails to produce any books, papers, records or documents as required, or whenever any person so summoned refuses to answer any question pertinent to the subject under inquiry before either house, any statutory committee, any standing committee of either house, or any special or interim committee created by both houses, the house or committee, in lieu of proceeding under ORS 171.520, may apply to the circuit court for the county in which the failure occurred for an order to the person to attend and testify, or otherwise to comply with the demand or request of the house or 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 demand or request of the house or committee within three 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 process, which service is required to confer jurisdiction upon the court. Failure to obey an order issued by the court under this section is contempt of court.

(4) This section does not affect the exercise of the powers of either house under section 16, Article IV, Oregon Constitution.
[1965 c.294 §1]

171.525 Immunities of witness with respect to testimony before legislative committee. Any testimony given by a witness before any legislative committee shall not be used against him in any criminal action or proceeding, nor shall any criminal action or proceeding be brought against such witness on account of any testimony so given by him, except for perjury committed before such committee.
[Formerly 171.078]

WAYS AND MEANS COMMITTEE

171.555 Ways and means committees. The President of the Senate, upon his election, shall appoint a committee of ways and means consisting of seven members. The Speaker of the House of Representatives, upon his election, shall appoint a committee of ways and means consisting of seven members. At least two of the members

appointed from each house shall have had previous experience on the committee of ways and means. As soon as practicable after their appointment, the committees shall meet jointly, the chairmen of the respective committees alternating as presiding officers. The chairmen of the joint committee are authorized to cause to be investigated, either through the whole of the committee or by a selected subcommittee, any complaints about the management or conduct of any of the state institutions, departments, officers or activities for the support of which state money has been appropriated, or for which appropriations may hereafter be made.

[Formerly 171.080]

SENATE CONFIRMATION OF EXECUTIVE APPOINTMENTS

171.560 Interim approval of executive appointments. (1) In case an appointment to an office or position is made in the interim between legislative sessions, the Senate shall act through a standing committee of six members known as the Committee on Executive Appointments. The President of the Senate shall appoint the committee from among the members of the Senate.

(2) Within 10 days after the interim appointment, the Secretary of State shall send written notice thereof to each committee member. The notice shall request the member to reply by mail, stating whether the member desires to approve the appointment of the person named or whether the member desires that a committee meeting be held to discuss the appointment before action is taken. If the Secretary of State finds that each committee member favors approval, the Secretary of State shall notify the appointing authority and each committee member of the finding and the appointment is approved. If one or more committee members desire a committee meeting before action is taken, the Secretary of State shall call the committee to meet at the Capitol or at some other place in the state mutually satisfactory to the committee. The committee shall act at this meeting or at adjournments thereof.

(3) A favorable vote of four of the members of the committee is necessary for approval of an appointment at a meeting. Individuals so appointed and approved are subject to approval of the Senate when it next convenes. If the individual appointed is disapproved, the appointing authority shall appoint another individual, subject to approval by the committee.

(4) Members attending meetings of the committee under this section shall receive necessary traveling and living expenses in attending and traveling to and from such meetings. The Secretary of State shall audit and allow all such claims approved by the committee or by one of its members authorized to do so, and draw his warrants on the State Treasurer for the payment thereof out of the appropriation for the payment of expenses of that session of the Legislative Assembly appointing the committee, in the same manner as other expenses of the session are audited and paid.

[1961 c.167 §39 (enacted in lieu of ORS 351.030); 1969 c.695 §2]

171.570 Senate confirmation of executive appointments. (1) In case of any executive appointment made subject to confirmation of the Senate, the affirmative vote of a majority of the members of the Senate shall be necessary for confirmation. If an appointment is not confirmed by the Senate, the appointing authority shall make another appointment, subject to confirmation by the Senate.

(2) The name of the individual appointed or to be appointed shall be submitted to the Senate immediately upon the convening of a regular or special session. If the Committee on Executive Appointments has approved the appointment, the report of the committee shall also be submitted. The question of confirmation may be referred to committee or it may be acted upon without such referral.

[1969 c.695 §1]

INTERIM COMMITTEES

171.605 Construction of ORS 171.605 to 171.635. (1) The powers described in ORS 171.605 to 171.635 are supplementary and in addition to those otherwise possessed by interim committees and their members. ORS 171.605 to 171.635 are not intended to limit the powers that would be possessed by interim committees and their members had ORS 171.605 to 171.635 not been enacted.

(2) The Legislative Assembly intends that no provision of any joint resolution creating an interim committee be construed to supersede any provision of ORS 171.610 to 171.620, whether by implication or otherwise, unless the joint resolution specifically provides that its provision supersedes as to the particular interim committee that it creates.

[1961 c.167 §1]

171.610 Functions. The Legislative Assembly may by joint resolutions create interim committees to:

(1) Make studies of and inquiries into any subject of assistance to the Legislative Assembly, or either house thereof, in exercising its legislative authority.

(2) Report information of assistance to the Legislative Assembly, or either house thereof, in exercising its legislative authority.

(3) Prepare and submit recommendations, which may include proposed legislative measures, to the Legislative Assembly.
[1961 c.167 §2]

171.615 Duration. An interim committee may function during the period beginning at the adjournment sine die of that session of the Legislative Assembly during which it was created, and ending at the convening of the next regular biennial legislative session.
[1961 c.167 §4]

171.620 Powers. Unless otherwise specifically provided by law or by the joint resolution creating it, and in addition to any other powers it possesses, an interim committee may:

(1) Perform such acts as the committee finds necessary to carry out its powers and the purposes expressed in the joint resolution creating it.

(2) Select its officers and adopt such rules for its organization and proceedings as the committee considers convenient to exercise its powers and accomplish its purposes.

(3) Hold meetings at such times and places, whether within or without this state, as the committee considers expedient.

(4) Use advisory committees or subcommittees, the members to be appointed by the chairman of the interim committee subject to approval by a majority of the members of the interim committee. The advisory committees or subcommittees may include individuals other than members of the Legislative Assembly.

(5) Reimburse members of the commmittee and members of advisory committees or subcommittees for their actual and necessary travel and other expenses incurred in the performance of their duties.
[1961 c.167 §5]

171.625 Preparing, filing, reproducing, distributing and selling reports; disposition of proceeds. (1) Each interim committee shall prepare a report containing at least the committee's findings and recommendations. Unless otherwise provided by joint resolution, each committee shall, before October 15 next preceding the beginning of the session to which its report is addressed, file five copies of its report with the Joint Committee on Legislative Administration. In addition to the number of reports otherwise required by law, an additional number may be reproduced and distributed as directed by the interim committee. For copies distributed other than as required by law, the Joint Committee on Legislative Administration may charge a reasonable fee. In establishing this fee, the Joint Committee on Legislative Administration may consider the costs of reproducing and distributing the copies.

(2) All money received under this section shall be deposited in the General Fund and be available for payment of the general expenses of the state, except that so much thereof is appropriated as is necessary to reimburse the Joint Committee on Legislative Administration for its actual costs incurred in reproducing and distributing the copies not required by law.
[1961 c.167 §6; 1969 c.620 §14]

171.630 Vacancies; appointment of alternates by presiding officers. (1) In case of a vacancy among the membership of an interim committee, the authority who appointed a member to the position vacant may appoint a member to fill the vacancy.

(2) For the purposes of this section, a member of an interim committee appointed in his capacity as a member of the Legislative Assembly ceases to be a member of the interim committee:

(a) If he ceases to be a member of the Legislative Assembly.

(b) During such time, as presiding officer of either house of the Legislative Assembly, that he serves as Governor during the Governor's temporary absence from the state or other temporary inability to discharge the duties of his office.

(3) A presiding officer of either house of the Legislative Assembly who is a member of an interim committee may, except when serving as Governor, from time to time designate an alternate from among the members of his house to exercise his powers as a member of the committee.
[1961 c.167 §7]

171.635 Appointment of nonlegislators. Provision may be made, in the joint resolution creating an interim committee, for the

appointment to the committee of individuals other than members of the Legislative Assembly.
[1961 c.167 §3]

INTERIM AUTHORITY OF PRESIDING OFFICERS

171.650 Interim staff for presiding officers. The President of the Senate and the Speaker of the House of Representatives each may appoint an interim staff to assist him during the period between sessions of the Legislative Assembly. Each presiding officer shall fix the compensation and prescribe the duties of his interim staff. Expenses incurred for each interim staff appointed under this section shall be paid from amounts appropriated by law out of the General Fund for payment of the expenses of the Legislative Assembly.
[1969 c.236 §2]

171.660 Approval of disbursements during interim. In addition to and not in lieu of any other authorization for the approval of disbursements for indebtedness or expenses authorized to be paid from amounts appropriated by law out of the General Fund for payment of the expenses of the Legislative Assembly, the President of the Senate and the Speaker of the House of Representatives, jointly or separately as they shall determine between themselves, may approve disbursements for indebtedness or expenses authorized to be paid from such amounts during such times as the Legislative Assembly is not in session.
[1969 c.236 §3]

REVIEW OF STATE AGENCY RULES

171.705 Definitions for ORS 171.705 and 171.710. As used in this section and ORS 171.710, unless the context requires otherwise:

(1) "Committee" means the Joint Committee on Rules and Resolutions.

(2) "Rule" means any rule, directive or regulation or any alteration thereof of a state agency promulgated after March 2, 1964:

(a) The violation of which subjects the person violating the same to imposition of a penalty.

(b) Establishing, altering or revoking any procedure, practice or requirement relating to agency hearings at which specific parties are entitled to appear and be heard.

(c) Establishing, altering or revoking any qualification or requirement relating to benefits or privileges to which applicants are entitled by law, or to the issuance, suspension or revocation of licenses to pursue any commercial activity, trade or profession.

(d) Establishing, altering or revoking any mandatory standard for any product or material when it is required by law that such standards must be met before the affected product or material may be offered for sale.

(3) "State agency" means every state officer, board, commission, department, institution, branch or agency of the state government, whose costs are paid wholly or in part from funds held in the State Treasury, except the Legislative Assembly, the courts and their officers and committees, and except the Secretary of State and the State Treasurer in the performance of their constitutional duties.
[1963 (s.s.) c.1 §1]

171.710 Review of state agency rules; findings; report to Legislative Assembly. (1) The Joint Committee on Rules and Resolutions may review a rule of a state agency when requested in writing to do so by any person in order to:

(a) Determine whether the rule is within the intent and scope of the enabling legislation purporting to authorize the adoption thereof;

(b) Determine whether the rule has been adopted in accordance with all applicable provisions of law; and

(c) Determine whether constitutional provisions have been observed in establishing the standards under which the rule is adopted.

(2) The Joint Committee on Rules and Resolutions shall prepare written findings on the rules which are reviewed, setting forth the determinations of the committee under subsection (1) of this section and shall send a copy of the determinations to the person requesting the review and the state agency concerned.

(3) The Joint Committee on Rules and Resolutions shall report its findings to the Legislative Assembly at its next succeeding session following the review
[1963 (s.s.) c.1 §2]

LOBBYING

171.755 Definitions for ORS 171.755 to 171.775. As used in ORS 171.755 to 171.775:

(1) "Lobbying" means influencing, or attempting to influence, the passage or defeat

of a measure by the Legislative Assembly or the approval or veto thereof by the Governor or attempting to influence other executive branch action, or inaction, regarding passage, defeat or veto of legislation.

(2) "Lobbyist" means:

(a) Any person who agrees to provide his personal services for money or any other consideration for the purpose of attempting to influence legislation.

(b) Any and all persons, including public employes, who as a regular part of their employment, attempt to influence legislation.
[1965 c.488 §1]

171.760 Application of ORS 171.755 to 171.775. ORS 171.755 to 171.775 and any rule adopted by either house of the Legislative Assembly pursuant to ORS 171.755 to 171.775 do not apply to:

(1) Any news media, or their employes or agents, which in the ordinary course of business publish or broadcast news items, editorials or other comments or paid advertisements which directly or indirectly urge the passage or defeat of legislation, if such news media or their employes or agents engage in no other activities in connection with the passage or defeat of such legislation.

(2) Any person who appears before a legislative committee or the Governor but who is not a lobbyist.

(3) Any elected official of this state, excepting members of the Legislative Assembly.
[1965 c.488 §4]

171.765 Registration required prior to lobbying; contents of verified statement. Before engaging in lobbying, lobbyists shall register with the Legislative Counsel by filing with him a verified statement containing the following information:

(1) The name and address of the registrant.

(2) The name and address of the person by whom the registrant is employed or in whose interest he appears or works.
[1965 c.488 §2]

171.770 Rules to require information from lobbyists and legislators; uniformity. (1) Either house of the Legislative Assembly by rule may require all lobbyists and members of such house to file such information as the house may consider relevant to lobbying.

(2) The required information may include

(a) A list of specific measures or subjects of legislative interest of the registrant's employer or client.

(b) The financial arrangements between the registrant and his employer or client.

(3) Any information required under subsection (2) of this section shall be required uniformly of all persons subject to ORS 171.755 to 171.775.
[1965 c.488 §3]

171.775 Sanctions to be prescribed by either chamber of Legislative Assembly; uniform application. Any person who fails to register as provided in ORS 171.755 to 171.775 or who fails to furnish information required by rules adopted pursuant to ORS 171.755 to 171.775 or who makes any false statement in his registration or in providing the required additional information or who fails to reveal all information required shall be subject to such sanctions as either house of the Legislative Assembly may prescribe but such sanctions shall be uniformly applicable to all persons subject to ORS 171.755 to 171.775.
[1965 c.488 §5]

PENALTIES

171.990 Penalty for witness failing to appear or to give testimony in legislative proceeding. Every person who, having been summoned as a witness under ORS 171.510 to give testimony or to produce books, papers, records or documents upon any matter under inquiry before either house or any of the committees referred to in ORS 171.505, wilfully makes default, or who, having appeared, refuses to answer any question pertinent to the matter under inquiry, is guilty of a misdemeanor.
[1953 c.544 §3; 1961 c.167 §13]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, 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 December 1, 1969.

Robert W. Lundy
Legislative Counsel