

TITLE 17

STATE LEGISLATIVE DEPARTMENT AND LAWS

- Chapter 171. State Legislature
172. Commission on Uniform Laws; Commission on Indian Services
173. Legislative Service Agencies
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Chapter 171

1975 REPLACEMENT PART

State Legislature

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GENERAL PROVISIONS

(Sessions)

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171.020[Repealed by 1955 c.211 s.7]

171.021[1955 c.211 s.1; repealed by 1961 c.482 s.4]

(Districts)

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 s.1]

Note: Chapter 482, Oregon Laws 1961, including the apportionments under 171.025 and 171.035, was held unconstitutional in **In Re Legislative Apportionment**, (1961) 228 Or 562, 364 P2d 1004. A reapportionment drafted by the Secretary of State was approved by

the Supreme Court in **In Re Legislative Apportionment**, (1961) 228 Or 575, 365 P2d 1042, and became law upon filing with the Governor on October 27, 1961. Pertinent portions of that draft were printed in the 1961 through 1969 Replacement Parts of this ORS chapter 171, but thereafter have been omitted.

After adjournment of the 1971 Regular Session of the Oregon Legislative Assembly the Secretary of State, pursuant to section 6(3), Article IV, Oregon Constitution, made a reapportionment, which became law upon filing with the Governor on July 30, 1971. The Supreme Court reviewed that reapportionment in **Hovet v. Myers**, (1971) 260 Or 152, 489 P2d 684, and returned it to the Secretary of State with instructions to correct it in certain particulars and file the corrected reapportionment with the Governor. The corrected reapportionment became law upon filing with the Governor on October 14, 1971. It is set forth as chapter 1, Oregon Laws 1971 Special Session, and pertinent sections thereof are compiled as 171.037 and 171.038.

171.030[Repealed by 1955 c.211 s.7]

171.031[Repealed by 1953 c.12 s.2]

171.032[Repealed by 1953 c.12 s.2]

171.033[Repealed by 1953 c.12 s.2]

171.034[Repealed by 1953 c.12 s.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

such enumeration districts, block groups and census tracts as were employed by the United States Department of Commerce, Bureau of the Census in compiling the 1970 decennial census. The attached maps showing the enumeration districts, block groups and census tracts were prepared by the Bureau of the Census. Copies of these are also filed in the office of the Secretary of State as a matter of public record and reference.

Districts	Counties	Number of Representatives
26th	Malheur	1
27th	Klamath	2

[1961 c.482 s.3]

Note: See note under 171.025.

171.037 Senatorial district descriptions. The Senate shall consist of 30 members, each representing one district. The senatorial districts and descriptions thereof by reference to representative districts described in ORS 171.038 are as follows:

Senatorial Districts	Descriptions Representative Districts
1	1 and 2
2	3 and 38
3	4 and 5
4	6 and 7
5	8 and 9
6	10 and 11
7	12 and 13
8	14 and 15
9	16 and 17
10	18 and 19
11	20 and 21
12	22 and 23
13	24 and 25
14	26 and 27
15	28 and 29
16	30 and 31
17	32 and 33
18	34 and 35
19	36 and 37
20	39 and 40
21	41 and 42
22	43 and 44
23	45 and 46
24	47 and 48
25	49 and 50
26	51 and 52
27	53 and 54
28	55 and 56
29	57 and 58
30	59 and 60

[1971 s.s. c.1 s.2]

Note: Section 1, chapter 1, Oregon Laws 1971 s.s., provides:

Sec. 1. The enumeration districts, block groups and census tracts referred to in the following sections are

171.038 Representative district descriptions. The House of Representatives shall consist of 60 members, each representing one district. The representative districts and descriptions thereof, by reference to counties, enumeration districts, block groups and census tracts are as follows:

- 1 That portion of Columbia County lying within enumeration districts 901, 902, 903, 904, 905, 905B, 906, 907, 908, 909, 910, 913, 914, 915, 916, 916B, 916C, 917, 918, 919, 920, 920B, 921, 921B, 922, 923, 923B and 923C; and that portion of Washington County lying within enumeration districts 901, 902, 903, 904, 904B, 905 and 922.
- 2 Clatsop County; and that portion of Columbia County lying within enumeration districts 911 and 912; and that portion of Washington County lying within enumeration districts 906, 907, 907B, 908, 923 and 924.
- 3 Tillamook County; and that portion of Polk County lying within enumeration district 1215; and that portion of Washington County lying within enumeration districts 909, 910, 961, 962 and 963; and that portion of Yamhill County lying within enumeration districts 409, 410, 411, 412, 428, 429, 430, 431, 432 and 433.
- 4 That portion of Washington County lying within enumeration districts 911, 911B, 912, 912B, 913, 914, 914B, 915, 916, 917, 918, 918B, 919, 920, 921, 925, 926, 927, 928, 929, 930, 930B, 930C, 931, 931B, 932, 932B, 932C, 933, 933B, 934, 935, 935B, 936, 937, 937B, 937C, 937D, 938, 938B, 938C, 939, 939B, 939C, 939D, 940, 941, 942, 943, 944, 944B, 945, 946, 947, 948, 949, 958 and 959;

- census tract 324; block group 2 of census tract 316.
- 5 That portion of Washington County lying within census tracts 301, 302, 313, 314.01 and 315; block groups 1, 3 and 9 of census tract 316.
- 6 That portion of Washington County lying within enumeration districts 950, 956, 957, 2107, 2132, 2142C and 2143C; census tracts 303, 304, 310, 311, 312, 314.02, 317 and 318.
- 7 That portion of Washington County lying within enumeration districts 951, 951B, 952, 953, 953B, 953C, 954, 955, 960, 964, 965, 966, 967, 967B, 967C, 967D, 967E, 968, 969, 969B, 969C, 969D, 970, 970B, 971, 972, 972B, 973 and 2158; census tracts 305, 306, 307, 308, 309, 319 and 323.
- 8 That portion of Multnomah County lying within enumeration districts 16, 17, 17B, 18, 19, 20, 23, 24, 25, 25B, 26, 27, 1515B and 1516; census tracts 43, 45, 46.01, 46.02, 47, 48, 49, 50, 51, 52, 53, 54, 55, 69 and 70.
- 9 That portion of Multnomah County lying within census tracts 56, 57, 58, 60.01, 60.02, 61, 66.01, 66.02, 67.01, 67.02, 68.01 and 68.02; block groups 4 and 5 of census tract 59; block group 1 of census tract 65.01.
- 10 That portion of Multnomah County lying within enumeration districts 37 and 38; census tracts 1, 62, 63, 64 and 65.02; block groups 3, 4 and 5 of census tract 2; block groups 1, 2, 4, 5, 6, 7 and 9 of census tract 3.02; block group 4 of census tract 10; block groups 1, 2 and 3 of census tract 59; block groups 2 and 9 of census tract 65.01.
- 11 That portion of Multnomah County lying within census tracts 4.02, 5.01, 7.01, 7.02, 86, 87 and 88; block group 3 of census tract 3.02; block groups 3 and 4 of census tract 4.01; block groups 2, 3, 4 and 5 of census tract 5.02; block groups 1 and 2 of census tract 8.02; block group 4 of census tract 89.
- 12 That portion of Multnomah County lying within census tracts 3.01, 8.01, 9.01, 9.02 and 13.02; block groups 1 and 2 of census tract 2; block groups 1, 2, 5 and 6 of census tract 4.01; block groups 3 and 4 of census tract 8.02; block groups 1, 2, 3, 5, 6, 7 and 8 of census tract 10; block groups 3, 4 and 9 of census tract 11.02; block group 5 of census tract 14.
- 13 That portion of Multnomah County lying within census tracts 11.01, 12.01, 12.02, 13.01, 20, 21, 22.01, 22.02, 23.01, 23.02 and 24.02; block groups 1 and 2 of census tract 11.02; block groups 2 and 3 of census tract 24.01.
- 14 That portion of Multnomah County lying within enumeration district 2354; census tracts 34.01, 34.02, 35.01, 35.02, 37.01, 37.02, 38.01, 38.02, 38.03 and 44; block groups 3, 4 and 5 of census tract 36.01; block groups 1 and 2 of census tract 39.02.
- 15 That portion of Multnomah County lying within enumeration districts 15, 21, 22, 2350, 2351, 2352 and 2353; census tracts 39.01, 40.01, 40.02, 41.01, 41.02, 42 and 72; block groups 3, 4 and 6 of census tract 39.02.
- 16 That portion of Multnomah County lying within census tracts 33.01, 33.02, 36.02, 36.03, 74 and 76; block group 1 of census tract 29.01; block groups 1, 2 and 3 of census tract 30; block groups 1 and 2 of census tract 31; block groups 1 and 2 of census tract 32; block groups 1 and 2 of census tract 36.01; block groups 1, 3 and 9 of census tract 75.
- 17 That portion of Multnomah County lying within census tracts 29.02, 29.03, 77, 78, 79, 80.01 and 80.02; block groups 2, 3, 4 and 9 of census tract 29.01; block groups 2, 3 and 4 of census tract 81.
- 18 That portion of Multnomah County lying within census tracts 25.01, 25.02, 26, 27.01, 27.02, 28.01 and 28.02; block groups 1 and 4 of census tract 24.01; block group 4 of census tract 30; block groups 3, 4, 6 and 9 of census tract 31; block

- groups 3 and 4 of census tract 32; block group 2 of census tract 75.
- 19 That portion of Multnomah County lying within census tracts 15, 16.01, 17.01, 18.01, 18.02 and 19; block groups 1, 2, 3, 4 and 9 of census tract 14.
- 20 That portion of Multnomah County lying within census tracts 16.02, 17.02, 82.01, 82.02 and 83; block group 1 of census tract 5.02; block groups 1, 3 and 4 of census tract 6.01; block groups 2, 3, 4 and 9 of census tract 6.02; block group 1 of census tract 81; block group 3 of census tract 92.01.
- 21 That portion of Multnomah County lying within census tracts 84, 85, 90, 91, 97.01 and 97.02; block group 2 of census tract 6.01; block group 1 of census tract 6.02; block groups 1, 2 and 3 of census tract 89; block groups 2 and 3 of census tract 92.02.
- 22 That portion of Multnomah County lying within enumeration district 11; census tracts 93, 94, 95, 96.01, 96.02 and 98.01; block groups 1, 2, and 4 of census tract 92.01; block group 1 of census tract 92.02.
- 23 That portion of Multnomah County lying within enumeration districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 28, 28B, 29, 30, 31, 31B, 32, 32B, 33, 33B, 34, 35, 36 and 1664; census tracts 73, 98.02, 99, 100, 101, 102, 103 and 104.01.
- 24 That portion of Clackamas County lying within enumeration districts 1402B; census tracts 201, 202, 203, 208, 209, 211 and 212; block group 4 of census tract 204; block groups 2, 3 and 9 of census tract 210; block group 3 of census tract 213; block group 3 of census tract 214.
- 25 That portion of Clackamas County lying within enumeration districts 312, 313, 314, 315, 315B, 316, 317, 318, 319, 320 and 320B; census tracts 215, 216, 218 and 222; block group 1 of census tract 210; block groups 1, 2 and 9 of census tract 214.
- 26 That portion of Clackamas County lying within enumeration districts 309, 310, 311, 322, 322B, 323, 324, 324B, 325, 325B, 326, 327, 329, 330, 334, 335, 335B and 1306; census tracts 217, 219, 220, 221 and 223; block groups 1, 2, 5 and 8 of census tract 213.
- 27 That portion of Clackamas County lying within enumeration districts 321, 336, 336B, 337, 338, 339, 340, 341, 341B, 342, 343, 345, 1409C, 1410B, 1413B and 1424B; census tracts 205, 206, 207, 225 and 226; block groups 1, 2, 3 and 9 of census tract 204; block groups 1, 2, 3, 4, 5, 6 and 9 of census tract 224.
- 28 That portion of Clackamas County lying within enumeration districts 333, 344, 346, 347, 348, 349, 350, 353, 353B, 354 and 355; and that portion of Marion County lying within enumeration districts 1, 3, 4, 6, 10, 10B, 10C, 10D, 11, 12, 13, 13B, 13C, 13D, 14, 14B, 28, 29, 30, 31, 32, 32B, 33, 34, 35, 37 and 39.
- 29 That portion of Marion County lying within enumeration districts 2, 5, 7, 8, 9 and 15; and that portion of Yamhill County lying within enumeration districts 401, 402, 403, 404, 405, 405B, 406, 406B, 407, 407B, 408, 413, 413B, 414, 415, 415B, 416, 416B, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 426B and 427.
- 30 That portion of Linn County lying within enumeration districts 6, 7, 8, 9, 39, 40, 41 and 42; and that portion of Marion County lying within enumeration districts 16, 17, 18, 19, 20, 21, 22, 23, 23B, 24, 25, 26, 27, 38, 48, 49, 50, 50B, 51, 52, 53, 54, 55, 55B, 56, 57, 58, 59, 80, 174, 176, 192, 193, 194, 195, 196, 197, 198, 199, 200 and 201.
- 31 That portion of Marion County lying within enumeration districts 60, 61, 86, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161,

- 162, 163, 164, 165, 165B, 166, 167, 168, 169, 170, 171, 177, 178, 179, 180, 180B, 181, 182, 183, 184, 185, 186, 187, 188, 189, 189B, 190 and 191.
- 32 That portion of Marion County lying within enumeration districts 71, 72, 73, 74, 77, 79, 81, 82, 83, 84, 85, 93B, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 127, 128, 129, 130, 131, 132, 133, 134, 172 and 173.
- 33 That portion of Marion County lying within enumeration districts 62, 63, 63B, 64, 65, 66, 67, 68, 69, 70, 75, 75B, 76, 78, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 125, 126 and 175; and that portion of Polk County lying within enumeration districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 1201, 1203, 1203B, 1203C, 1204 and 1204B.
- 34 That portion of Benton County lying within enumeration districts 1506, 1507, 1508, 1509, 1528, 1529, 1530, 1531 and 1532; and that portion of Polk County lying within enumeration districts 1202, 1205, 1205B, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1216, 1217, 1218, 1218B, 1219, 1219B, 1220, 1221, 1222, 1222B, 1223, 1223B, 1223C, 1223D, 1224, 1224B, 1224C and 1225.
- 35 That portion of Benton County lying within enumeration districts 1510, 1510B, 1510C, 1510D, 1511, 1511B, 1512, 1513, 1514, 1515, 1515C, 1516, 1516B, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1524B, 1524C, 1524D, 1525, 1526 and 1527.
- 36 That portion of Benton County lying within enumeration districts 1501, 1502, 1502B, 1503, 1504, 1505, 1505B and 1515B; and that portion of Linn County lying within enumeration districts 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27B, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38.
- 37 That portion of Linn County lying within enumeration districts 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 62B, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85 and 86.
- 38 Lincoln County; and that portion of Benton County lying within enumeration district 1533; and that portion of Lane County lying within enumeration districts 116, 117, 118, 118B, 119, 120, 121, 121B, 122, 122B, 123 and 123B.
- 39 That portion of Lane County lying within enumeration districts 131, 133, 134, 135, 136, 137, 137B, 142 and 1607; census tracts 24, 26, 27, 28, 41 and 43; block groups 2, 3 and 4 of census tract 23; block groups 4 and 5 of census tract 29; block group 2 of census tract 40; block groups 1, 2, 3, 5, 6 and 7 of census tract 42; block group 1 of census tract 44.
- 40 That portion of Lane County lying within enumeration districts 146, 147, 147B, 186, 187, 1651B, 1652B and 1691C; census tracts 11, 46, 47, 48, 50, 51, 52, 53 and 54; block group 5 of census tract 36; block groups 2 and 4 of census tract 45; block groups 2, 3 and 4 of census tract 49.
- 41 That portion of Lane County lying within enumeration districts 107, 108, 139, 140, 151 and 151B; census tracts 22, 30, 31, 37, 38 and 39; block group 1 of census tract 21; block groups 1, 2, 3 and 9 of census tract 29; block group 1 of census tract 40; block group 4 of census tract 42; block groups 1, 3, 5, and 6 of census tract 45.
- 42 That portion of Lane County lying within enumeration districts 106, 148, 148B, 150, 153, 1701 and 1711; census tracts 18, 19, 20, 32, 33, 34 and 35; block groups 2, 3 and 4 of census tract 21; block groups 1, 2, 3 and 4 of census tract 36; block group 1 of census tract 49.
- 43 That portion of Douglas County lying within enumeration districts 1002, 1003 and 1007; and that portion of Lane County

- lying within enumeration districts 109, 110, 110B, 111, 112, 112B, 113, 114, 115, 124, 125, 126, 126B, 127, 127B, 128, 128B, 129, 129B, 130, 132, 138, 138B, 141, 143, 144, 145, 182, 184, 1672B and 1674B; census tract 25; block groups 2, 4, 5 and 6 of census tract 44; block group 1 of census tract 23.
- 44 That portion of Lane County lying within enumeration districts 101, 102, 103, 103B, 104, 105, 149, 149B, 152, 152B, 152C, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 163B, 164, 165, 166, 167, 168, 168B, 169, 169B, 169C, 170, 171, 171B, 172, 173, 173B, 174, 175, 176, 177, 178, 179, 180, 181, 183, 185 and 185B.
- 45 That portion of Douglas County lying within enumeration districts 1011, 1012, 1013, 1014, 1014B, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1025B, 1026, 1027, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041.
- 46 That portion of Douglas County lying within enumeration districts 1001, 1004, 1005, 1006, 1008, 1009, 1010, 1028, 1042, 1043, 1043B, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061 and 1062; and that portion of Josephine County lying within enumeration districts 801 and 805B.
- 47 That portion of Coos County lying within enumeration districts 301, 304, 304B, 305, 306, 307, 308, 308B, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 327, 328 and 333.
- 48 Curry County; and that portion of Coos County lying within enumeration districts 302, 303, 303B, 326, 326B, 329, 330, 331, 332, 332B, 332C, 334, 334B, 335, 335B, 336, 337, 338, 339, 339B, 340, 341, 342, 243, 344, 345 and 1850.
- 49 That portion of Josephine County lying within enumeration districts 802, 802B, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 814B, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 825B, 826, 827, 828, 829, 829B, 830, 831, 831B, 832, 832B, 833, 834, 835, 836 and 837.
- 50 That portion of Jackson County lying within enumeration districts 1304, 1305, 1307, 1308, 1308B, 1310, 1312, 1312B, 1316, 1317, 1317B, 1318, 1319, 1320, 1321, 1322, 1323, 1323B, 1324, 1325, 1326, 1331, 1334, 1341, 1341B, 1341C, 1342, 1342B, 1343, 1343B, 1344, 1344B, 1345, 1346, 1346B, 1347, 1347B and 1348.
- 51 That portion of Jackson County lying within enumeration districts 1306, 1327, 1328, 1329, 1330, 1332, 1333, 1335, 1336, 1337, 1338, 1339, 1340, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1360B, 1361, 1361B, 1362, 1362B, 1363, 1364, 1365, 1366, 1367, 1368 and 1369.
- 52 That portion of Jackson County lying within enumeration districts 1301, 1302, 1303, 1309, 1309B, 1309C, 1311, 1313, 1314, 1315, 1370, 1370B, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384 and 1385; and that portion of Klamath County lying within enumeration districts 4, 5, 7, 17, 18, 19, 20, 21, 53, 55, 56, 58, 59, 60, 61 and 62.
- 53 That portion of Klamath County lying within enumeration districts 13B, 14, 15, 16, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 37B, 38, 39, 40, 40B, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54 and 57.
- 54 Deschutes County; and that portion of Klamath County lying within enumeration districts 1, 1B, 2, 3, 6, 8, 9, 10, 11, 12 and 13.
- 55 Gilliam County; Jefferson County; Morrow County; Sherman County; and that portion of Clackamas County lying within enumeration districts 302, 328, 328B, 331, 332, 351, 352, 356 and 357; and that portion of Linn County lying within enu-

- meration districts 1, 1B, 2, 3, 4 and 5; and that portion of Marion County lying within enumeration districts 36, 40, 41, 42, 43, 44, 45, 46 and 47; and that portion of Wasco County lying within enumeration districts 21, 23, 24, 25, 26, 27, 28, 29 and 30.
- 56 Hood River County; and that portion of Clackamas County lying within enumeration districts 301, 303, 304, 305, 306, 307, 308, 308B and 308C; and that portion of Wasco County lying within enumeration districts 1, 1B, 2, 2B, 3, 4, 4B, 5, 5B, 6, 7, 7B, 7C, 7D, 7E, 8, 8B, 8C, 9, 9B, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 22.
- 57 That portion of Umatilla County lying within enumeration districts 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24B, 25, 26, 27, 28, 29, 30, 30B, 31, 32, 33, 34, 35, 36, 37, 37B, 38, 39, 39B, 40, 41, 42, 43, 44, 45, 46, 46B, 46C, 47, 48, 49, 50, 51, 52, 53, 54, 55, 55B, 55C, 55D, 55E, 56, 56B, 57 and 61.
- 58 Union County; Wallowa County; and that portion of Umatilla County lying within enumeration districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 58, 59, 60 and 62.
- 59 Baker County; Crook County; Grant County; Wheeler County; and that portion of Malheur County lying within enumeration districts 3, 4 and 11.
- 60 Harney County; Lake County; and that portion of Malheur County lying within enumeration districts 1, 2, 5, 6, 7, 8, 9, 10, 12, 13, 14, 14B, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37.
- graphs (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

[1971 ss. c.1 s.3]

Note: See note under 171.037.

171.040[Repealed by 1955 c.211 s.7]

171.041[1955 c.211 s.3; repealed by 1961 c.482 s.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 para-

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 s.4; 1965 c.593 s.1; 1967 c.634 s.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 s.1]

(Vacancies)

171.050 Filling vacancies in Legislative Assembly. (1) When any vacancy occurs in the office of Senator or Representative from any legislative district 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 a general election at which the vacancy can be filled by the voters of the district will not be held within 90 days after the date the vacancy occurs, or when such a general election will be so held and a special session of the Legislative Assembly will be convened before a person is elected at the general election to fill the vacancy and assumes the duties of the office, or when any vacancy occurs during any session of the Legislative Assembly, the vacancy must be filled within 30 days after its occurrence or if the vacancy occurs within 90 days before a general election and a special session will be convened before a person is elected at the general election to fill the vacancy and assumes the duties of the office, not later than the time set for the convening of the special session, by the appointment of a qualified elector of the district as follows:

(a) If the Senator or Representative was affiliated with a major political party, as determined by reference to the ballot upon which his name appeared, the vacancy shall be filled by appointment by the county courts or boards of county commissioners of the counties constituting the district in which the vacancy exists subject to ORS 171.062 and 171.064. The appointment shall be made from a list of five nominees furnished by the Secretary of State pursuant to subsection (1) of ORS 171.060.

(b) If the Senator or Representative was not affiliated with a major political party, as determined by reference to the ballot upon which his name appeared, the vacancy shall be filled by appointment by the county courts or boards of county commissioners of the counties constituting the district in which the vacancy exists subject to ORS 171.062 and 171.064.

(2) If the vacancy does not occur during a legislative session and if a general election at which the vacancy can be filled by the voters of the district is to occur within 90 days after the date the vacancy occurs, unless a special session of the Legislative Assembly will be convened before a person is elected at the general election to fill the

vacancy and assumes the duties of the office, the vacancy shall not be filled in the manner provided in subsection (1) of this section. The vacancy shall be filled by the voters of the legislative district affected at the general election.

(3) If the appointing authority required by this section to fill the vacancy which has occurred in the office of Senator or Representative does not do so within the time allowed, the Governor shall fill the vacancy by appointment.

[Amended by 1955 c.211 s.5; 1973 c.773 s.1]

171.060 Procedure for filling vacancy by appointment. (1) When any vacancy as is mentioned in ORS 171.050 exists in the office of Senator or Representative affiliated with a major political party and that vacancy is to be filled by an appointing authority as provided in ORS 171.050, the Secretary of State forthwith shall notify the person designated by the party to receive such notice. The party shall appoint five nominees. As soon as the nominees have been appointed the party shall notify the Secretary of State of the persons nominated. The Secretary of State shall notify the county courts or boards of county commissioners of the counties constituting the district in which the vacancy exists of the nominees and of the number of votes apportioned to each member of the county courts or boards of county commissioners under ORS 171.062 and 171.064. The Secretary of State shall set a time for the meeting of the county courts or boards of county commissioners in order to fill the vacancy. If the district is composed of more than one county, the Secretary of State shall name a temporary chairman and designate a meeting place within the district where the county courts or boards of county commissioners shall convene for the purpose of filling the vacancy from the list of five nominees.

(2) When any vacancy as is mentioned in ORS 171.050 exists in the office of Senator or Representative not affiliated with a major political party and that vacancy is to be filled by an appointing authority 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 of the vacancy and of the number of votes apportioned to each member of the county courts or boards of county commissioners under ORS 171.062 and 171.064. The Secretary of State shall set a time for a meeting of the county courts or

boards of county commissioners. If the district is composed of more than one county, the Secretary of State shall name a temporary chairman and designate a meeting place within the district where the county courts or boards of county commissioners shall convene for the purpose of appointing a person to fill the vacancy.

(3) A written statement signed by a majority of those qualified to vote upon the filling of any vacancy naming the person selected to fill the vacancy and directed to the Secretary of State is conclusive evidence of the filling of the vacancy by the appointing authority named therein.

[Amended by 1955 c.211 s.6; 1973 c.773 s.2; 1975 c.779 s.2]

171.062 Filling vacancies in multi-county legislative districts. (1) When a legislative district in which a vacancy occurs encompasses two or more counties, each county shall be entitled to one vote for each 1,000 of its registered voters or major fraction thereof residing within the legislative district at the time the vacancy occurs. However, any county having registered voters in the district shall be entitled to at least one vote.

(2) A major fraction of registered voters shall be a number greater than 500 but less than 1,000.

[Formerly 248.175]

171.064 Apportioning votes for filling vacancies in multicounty legislative districts. The number of votes apportioned to each county commissioner in filling a legislative vacancy shall be equal to the total number allotted to his respective county in the manner set forth in ORS 171.062 divided by the total number of county commissioners of his respective county.

[Formerly 248.180]

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

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

171.072 Salary and expenses of members and presiding officers; approval of expenses; tax status; telephone allowance. (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 \$400 monthly, payment to be made in the same manner as the salaries of other elected state officers and employees.

(2) The President of the Senate and the Speaker of the House of Representatives each shall receive for his services, as additional salary, an amount equal to the sum allowed him as a member under subsection (1) of this section.

(3) A member of the Legislative Assembly shall receive, as an allowance for expenses not otherwise provided for, \$39 for each day within the period that the Legislative Assembly is in session, to be paid weekly.

(4) 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 legislature is not in session, \$175 for each calendar month or part thereof during those periods, to be paid monthly, and subject to approval of the President of the Senate or Speaker of the House of Representatives, mileage expenses and \$39 for each day of attendance as a member at meetings of interim and statutory committees, including advisory committees and subcommittees thereof, and task forces.

(5) In lieu of and not in addition to the mileage and per diem expense payments provided by subsection (4) of this section, a member of the Legislative Assembly may receive his actual and necessary expenses, subject to approval by the President of the Senate or Speaker of the House of Representatives, for legislative business outside of the state.

(6) The President of the Senate and Speaker of the House of Representatives may delegate to the chairmen of interim and statutory committees and task forces the approval authority granted to them by subsection (4) of this section, with respect to expenses incurred in attending any meeting of a particular committee or task force.

(7) Amounts received under subsections (3) and (4) of this section 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 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 subsections (3) and (4) of this section.

(8) During periods when the Legislative Assembly is not in session, the Legislative Administration Committee shall provide for a telephone allowance for members of the Legislative Assembly that is in addition to

the amount allowed under subsection (4) of this section. In determining the amount of allowance for members, the committee shall consider the geographic area of the member's district.

[1963 c.1 s.1; 1967 c.66 s.1; 1967 c.246 s.1; 1971 c.465 s.1; 1973 c.250 s.1; 1975 c.530 s.1]

Note: Section 10, chapter 530, Oregon Laws 1975, provides:

Sec. 10. Notwithstanding the amendments to ORS 171.072 by section 1 of this Act [chapter 530, Oregon Laws 1975], the rate of per diem payable through January 1, 1977, shall be \$35.

171.074 [1969 c.236 s.1; 1971 c.465 s.2; repealed by 1975 c.530 s.9]

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

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

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

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

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

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

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

171.100[Renumbered 171.135]

171.110[Repealed by 1953 c.492 s.17]

(Employment Rights)

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 s.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 s.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 s.3]

171.127 When proposed measure to bear name of person other than member requesting introduction; statement of chief sponsor. (1) Each proposed legislative bill or measure shall at the time of submission for filing bear the name of any state or other public agency or representative thereof, any private organization or representative thereof, or any person other than a member of the Legislative Assembly at whose specific formal request the bill or measure is being introduced. As used in this subsection, "formal request" means the presentation, submission or providing of a drafted bill or measure to a member or committee of the Legislative Assembly.

(2) Each proposed legislative bill or measure shall bear a statement signed by the chief sponsor thereof, stating that all agencies, organizations and persons that have formally requested the bill or measure are named thereon as required by ORS 171.132 and this section.

[1975 c.783 ss.1, 2]

171.130 Pre-session filing of proposed measures; printing and distribution. (1) At any time in advance of any regular or special session of the Legislative Assembly fixed by the Legislative Counsel Committee, or at any 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 legislative measure with the Legislative Counsel:

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

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

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

(d) The person who will serve as Governor during the session.

(e) State agencies.

(2) The Legislative Counsel shall order each measure filed pursuant to subsection (1) of this section prepared for printing and may order the measure printed. If the person filing a measure specifically requests in writing that the measure be made available for distribution, the Legislative Counsel shall order the measure printed and shall make copies of the printed measure available for distribution before the beginning of the session to members and members-elect and to others upon request.

(3) Copies of all measures filed and prepared for printing or 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.

(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 Legislative Counsel Committee shall adopt rules necessary to accomplish the purpose of this section.

(6) This section does not affect any law or any rule of the Legislative Assembly or either house thereof relating to the introduction of legislative measures.

[1961 c.167 s.17; 1969 c.374 s.1; 1971 c.638 s.1]

171.132 When state agencies required to file legislative measures prior to session. Except as otherwise permitted under the rules of the house of the Legislative Assembly in which a bill or measure is proposed for introduction, a state agency shall file each legislative bill or measure which it proposes with the Legislative Assembly on or before December 15 of the year next preceding the legislative session, and pursuant to ORS 171.130.

[1975 c.783 s.3]

(Supplies)

171.135 Office supplies and stationery for officers and employes of Legislative Assembly. It is the duty of the Legislative Administration Committee 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 Legislative Administration Committee 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 s.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 employees thereof.

(2) The Legislative Administration Committee 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 s.16]

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

(1) The Legislative Administration Committee 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 Legislative Administration Committee 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 s.15; 1969 c.620 s.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 s.18; 1965 c.424 s.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 Legislative Administration Committee. Either house may order from the Legislative Administration Committee such number of publications as it deems necessary.

[Formerly 171.090; 1965 c.424 s.5; 1971 c.638 s.2]

171.210[Repealed by 1961 c.150 s.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 Legislative Administration Committee 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 Legislative Administration Committee 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 Legislative Administration Committee for its actual costs incurred in distributing copies of publications other than under subsection (1) of this section.

[1961 c.167 s.20; 1965 c.424 s.6; 1969 c.620 s.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 s.22; repealed by 1965 c.424 s.8]

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

171.222[1961 c.167 s.23; repealed by 1965 c.424 s.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 s.1]

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

171.230[Amended by 1959 c.577 s.3; repealed by 1965 c.424 s.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 Legislative Counsel Committee 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 Legislative Administration Committee, the Legislative Counsel Committee may authorize the distribution of those legislative materials by the Legislative Administration Committee.

(2) The Legislative Counsel Committee 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 s.7; 1969 c.174 s.1; 1969 c.620 s.9]

171.240[Amended by 1959 c.577 s.4; repealed by 1965 c.424 s.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 s.3; 1969 c.174 s.2]

171.250[Repealed by 1965 c.424 s.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 s.2]

171.260[Amended by 1959 c.577 s.5; repealed by 1965 c.424 s.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 s.3]

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

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

RECORDS

171.405 Binding original enrolled laws and joint resolutions. The Legislative Administration Committee 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 Legislative Administration Committee 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; 1971 c.638 s.3]

171.407 Sound recordings of legislative proceedings required; State Archivist to provide public access. (1) Sound recordings, produced on equipment selected by the Legislative Administration Committee for compatibility with equipment for reproduction by the State Archives, shall be made of every meeting of the Legislative Assembly and of every hearing and meeting of every standing, special and interim committee of the Legislative Assembly, or subcommittee thereof.

(2) The sound recordings required under subsection (1) of this section are part of the legislative records of the Legislative Assembly or committee and shall be subject to the provisions of ORS 171.410 to 171.430.

(3) Except as provided in ORS 171.425, the State Archivist shall not loan any sound recording required under subsection (1) of this section, but may arrange to have such recordings copied in an appropriate manner and may make a reasonable charge therefor.

[1973 c.555 s.1]

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 s.1]

171.415 Delivery to Legislative Administration Committee; 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 Legislative Administration Committee.

(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 Legislative Administration Committee.

(3) This section does not apply to the records of the Emergency Board, the Legislative Administration Committee, the Legislative Counsel Committee or the Joint Committee on Ways and Means.

[1961 c.150 s.2; 1969 c.620 s.10; 1973 c.555 s.4]

171.420 Classification and arrangement; delivery to State Archivist. The Legislative 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 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 s.3; 1969 c.620 s.11]

171.425 Borrowing by certain legislative personnel. The State Archivist shall allow the Legislative Fiscal Officer, the Legislative Administrator, the Legislative Counsel, or the Legislative Revenue Officer to borrow and temporarily have possession of such legislative records as such officer requests.

[1961 c.150 s.4; 1969 c.620 s.12; 1975 c.789 s.6]

171.427 Schedule for retention, destruction or disposition of records. The Legislative Administration Committee and State Archivist shall establish and from time

to time may revise a schedule that shall govern the retention and destruction or other disposition of legislative records delivered to and in the custody of the archivist under ORS 171.420 or 171.430 and of sound recordings retained by a committee under subsection (2) of ORS 171.430. The schedule agreed upon by the committee and archivist shall be set forth in the rules and regulations issued by the archivist.

[1973 c.555 s.3]

171.430 Disposal by certain committees; sound recordings by certain committees. (1) Except for legislative records borrowed under ORS 171.425 and except as provided in subsection (2) of this section, the Emergency Board, the Legislative Administration Committee, the Legislative Counsel Committee or the Joint Committee on Ways and Means 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.

(2) The Emergency Board, the Legislative Administration Committee, the Legislative Counsel Committee and the Joint Committee on Ways and Means shall cause sound recordings of its hearings or meetings to be retained, or if not retained, to be delivered to the State Archivist. The archivist shall be official custodian of the sound recordings so delivered.

[1961 c.150 s.6; 1969 c.620 s.13; 1973 c.555 s.5]

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 18 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; 1973 c.827 s.21]

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 Legislative Counsel Committee, the Emergency Board, the Joint Committee on Ways and Means 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 s.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 s.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 Legislative Administrator 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 Legislative Administrator finds that each committee member favors approval, the Legislative Administrator 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 Legislative Administrator 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 traveling and other expenses necessarily incurred in attending such meetings. Warrants shall be drawn on the State Treasury in the manner provided by law for payment of such expenses out of funds appropriated for payment of expenses of the Legislative Assembly, in the same manner as other expenses of the Legislative Assembly are paid.

[1961 c.167 s.39 (enacted in lieu of 351.030); 1969 c.695 s.2; 1971 c.638 s.16]

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 s.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 s.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 s.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 s.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 advisory committees or subcommittees who are not members of the Legislative Assembly for their actual and necessary travel and other expenses incurred in the performance of their duties.

[1961 c.167 s.5; 1975 c.530 s.2]

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 Legislative Administration Committee. 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 Legislative Administration Committee may charge a reasonable fee. In establishing this fee, the Legislative Administration Committee 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 Legislative Administration

Committee for its actual costs incurred in reproducing and distributing the copies not required by law.

[1961 c.167 s.6; 1969 c.620 s.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 s.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 s.3]

INTERIM AUTHORITY FOR STAFF AND DISBURSEMENTS

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 s.2]

171.660[1969 c.236 s.3; repealed by 1975 c.530 s.9]

171.670 Authority for approval of disbursements during interim. Subject to any other grant of or limitation on authority to authorize the incurring of and approve disbursements for indebtedness or expenses of the Legislative Assembly to be paid from amounts appropriated by law out of the General Fund for that purpose, which may be adopted by joint resolution of both houses, such authority is vested as follows:

(1) For general expenses of the Legislative Assembly not specifically attributable to either house, in the Legislative Administration Committee.

(2) For expenses specifically attributable to either house, in the President of the Senate or the Speaker of the House of Representatives, as the case may be.

[1975 c.530 s.8]

REVIEW OF STATE AGENCY RULES

171.705 Definitions for ORS 171.705 to 171.713. As used in ORS 171.705 to 171.713, unless the context requires otherwise:

(1) "Committee" means the Legislative Counsel Committee.

(2) "Rule" has the meaning given in ORS 183.310.

(3) "State agency" has the meaning given to "agency" in ORS 183.310.

[1963 s.s. c.1 s.1; 1975 c.136 s.1]

171.707 Submission of draft of agency rules to Legislative Counsel Committee required. (1) Prior to the adoption of a rule authorized or required by law an agency shall submit a draft of the proposed rule to the Legislative Counsel Committee and the Legislative Counsel for review pursuant to ORS 171.709. Drafts of rules required by law shall be submitted not later than 60 days after the effective date of the Act requiring the adoption or amendment. The committee may, upon the written request of the agency stating the grounds for the request, extend the time in which the agency is required to comply with this section.

(2) Nothing in subsection (1) of this section limits the right of the committee or Legislative Counsel to review the final draft of the rule adopted by the state agency, or review, pursuant to ORS 171.709, existing agency rules.

[1975 c.136 s.3 (enacted in lieu of 171.710)]

171.709 Procedure for review of agency rules. (1) Not later than 30 days

after an agency submits a proposed rule pursuant to subsection (1) of ORS 171.707, the Legislative Counsel shall review the rule and report his findings to the committee.

(2) The Legislative Counsel may review a rule of a state agency when requested in writing to do so by a member of the Legislative Assembly or by any person affected by that rule.

(3) When reviewing a rule of a state agency pursuant to subsection (1) or (2) of this section, the Legislative Counsel shall:

(a) Determine whether the rule appears to be 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.

(4) (a) The Legislative Counsel shall prepare written findings on the rules which are reviewed, setting forth the determinations made under subsection (3) of this section.

(b) When a review is made pursuant to subsection (2) of this section, the Legislative Counsel shall send a copy of the determinations to the person requesting the review, the state agency concerned, the presiding officers who shall refer the determinations to any standing or interim committee concerned therewith, and the Legislative Counsel Committee.

(c) When a review is made pursuant to subsection (1) of this section, the Legislative Counsel shall send a copy of the determinations to the Legislative Counsel Committee and the presiding officers who shall refer the determinations to any standing or interim committee concerned therewith and to the state agency concerned.

(5) Not later than 30 days after the Legislative Counsel submits a determination pursuant to paragraph (c) of subsection (4) of this section, the Legislative Counsel Committee may report its recommendations to the state agency concerned.

[1975 c.136 s.4 (enacted in lieu of 171.710)]

171.710[1963 s.s. c.1 s.2; repealed by 1975 c.136 s.2 (171.707, 171.709, 171.713 enacted in lieu of 171.710)]

171.713 Report of Legislative Counsel Committee to Legislative Assembly; referral of report to committee. (1) The Legislative Counsel Committee shall report its findings to the Legislative Assembly at

its next succeeding session following the review. The report shall include:

(a) The determinations of the Legislative Counsel;

(b) The recommendations of the committee made to the state agency; and

(c) Any recommendations for legislation.

(2) The reviewed rule in final form shall be submitted to the house where the enabling legislation originated and shall be referred to the appropriate committee by the presiding officer of that house.

[1975 c.136 s.5 (enacted in lieu of 171.710)]

LOBBYING REGULATION

171.725 Definitions for ORS 171.725 to 171.785. As used in ORS 171.725 to 171.785, unless the context requires otherwise:

(1) "Consideration" includes a gift, payment, distribution, loan, advance or deposit of money or anything of value, and includes a contract, promise or agreement, whether or not legally enforceable.

(2) "Executive agency" means a commission, board, agency or other body in the executive branch of state government that is not part of the legislative or judicial branch.

(3) "Executive official" means any member or member-elect of an executive agency and any member of the staff or an employe thereof.

(4) "Legislative action" means introduction, sponsorship, testimony, debate, voting or any other official action on any measure, resolution, amendment, nomination, appointment, or report, or any matter which may be the subject of action by either house of the Legislative Assembly, or any committee thereof or the approval or veto thereof by the Governor.

(5) "Legislative official" means any member or member-elect of the Legislative Assembly, any member of an agency, board or commission established by or responsible to the Legislative Assembly or either house thereof, and any staff person, assistant or employe thereof.

(6) "Lobbying" means influencing, or attempting to influence, legislative action.

(7) "Lobbyist" means:

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

(b) Any person not otherwise subject to paragraph (a) of this subsection who provides his personal services as a representative of a

corporation, association, organization or other group, for the purpose of lobbying.

(c) Any public official who lobbies.

(8) "Public agency" means a commission, board, agency or other governmental body.

(9) "Public official" means any member or member-elect of any public agency and any member of the staff or an employe thereof.

[1973 c.802 s.2; 1975 c.747 s.1]

171.730 Lobbying regulation purpose. The Legislative Assembly finds that to preserve and maintain the integrity of the legislative process, it is necessary that the identity, expenditures and activities of certain persons who engage in efforts to persuade members of the Legislative Assembly or the executive branch to take specific actions, either by direct communication to such officials or by solicitation of others to engage in such efforts, be publicly and regularly disclosed.

[1973 c.802 s.1]

171.735 Application of ORS 171.740 to 171.756 to certain persons. ORS 171.740 to 171.756 do not apply to the following persons:

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

(2) Any legislative official acting in his official capacity.

(3) Any individual who receives no additional consideration for lobbying and who limits his lobbying activities solely to formal appearances to give testimony before public sessions of committees of the Legislative Assembly, or public hearings of state agencies, and who, if he testifies, registers his appearance in the records of such committees or agencies.

(4) An individual who spends not more than 16 hours during any calendar quarter lobbying, excluding travel time.

(5) Any lobbyist who receives no consideration for lobbying and who does not spend an amount in excess of \$50 during any calendar quarter excluding the cost of personal travel, meals and lodging.

[1973 c.802 s.3; 1974 s.s. c.72 s.27; 1975 c.747 s.2]

171.740 Lobbyists required to register; contents of statement; fee. (1) Within

three working days after engaging in lobbying, each lobbyist or public agency shall register with the Oregon Government Ethics Commission by filing with the commission a statement containing the following information:

- (a) The name and address of the lobbyist.
- (b) The name and address of each person or agency by whom the lobbyist is employed or in whose interest he appears or works, a description of the trade, business, profession or area of endeavor of that person or agency, and a designation by each such person or agency that the lobbyist is officially authorized to lobby for that person or agency.
- (c) The name of any member of the Legislative Assembly who is in any way employed by the lobbyist employer designated in paragraph (b) of this subsection or who is employed by the lobbyist or if the lobbyist is associated with any business, either as an owner, officer, employe or otherwise, which constitutes a business with which the member of the Legislative Assembly is associated, as that term is defined in ORS 244.020.
- (d) The general subject or subjects of his legislative interest.

(2) The designation of official authorization to lobby shall be signed by an officer of each such public agency, corporation, association, organization or other group or by each individual by whom the lobbyist is employed or in whose interest he appears or works.
[1973 c.802 s.4; 1974 s.s. c.72 s.28; 1975 c.747 s.3]

171.745 Statements of lobbying expenses required; contents; time of filing.

(1) Any lobbyist who engages in any lobbying activities during any regular session of the Legislative Assembly shall file with the Oregon Government Ethics Commission, by the last day of the succeeding month, a statement showing:

- (a) The total amount of all moneys expended by the lobbyist for the purpose of lobbying in the preceding month, by general category, including but not limited to:
 - (A) Food, refreshments and entertainment;
 - (B) Printing, postage and telephone;
 - (C) Advertising and public relations, education and research; and
 - (D) Miscellaneous.

(b) Any single expenditure in excess of \$25 shall be listed, including the date, name of payee, purpose and amount;

(c) The name of any legislative or executive official to whom or for whose benefit, on any one occasion, an expenditure in excess of \$25 is made, and the date, name of payee,

purpose and amount of that expenditure; and

(d) Any general subject or subjects of legislative interest not included in the statement filed under ORS 171.740.

(2) Statements required by this section need not include amounts expended by the lobbyist for personal living expenses and office overhead, including salaries and wages paid for staff and secretarial assistance, and maintenance expenses. If the amount of any expenditure required to be included in a statement is not accurately known at the time the statement is required to be filed, an estimate thereof shall be submitted in the statement and designated as such. The exact amount expended for which a previous estimate was made shall be submitted in a subsequent report when the information is available.

(3) Any lobbyist who lobbies during a time when the Legislative Assembly is not in regular session, shall file with the Oregon Government Ethics Commission, by the last day of the succeeding month, a statement as required by this section for the preceding quarter.

(4) When the lobbyist is a public official, the report required by this section shall be submitted by the public agency rather than by the public official.

[1973 c.802 s.5; 1974 s.s. c.72 s.29; 1975 c.747 s.4]

171.750 Employers of lobbyists required to file expense statements. Any person or public agency which employs a lobbyist for consideration shall file with the Oregon Government Ethics Commission, by January 31st of each year, a statement showing:

(1) The total amount of all moneys expended for lobbying activities in the employer's behalf, excluding living expenses incurred during a session of the Legislative Assembly.

(2) The name of any legislative or executive official to whom or for whose benefit, on any one occasion, an expenditure in excess of \$25 is made by the employer, but not including information previously reported in compliance with ORS 171.745, and the date, name of payee, purpose and amount of that expenditure.

[1973 c.802 s.6; 1975 c.747 s.5]

171.755[1965 c.488 s.1; repealed by 1973 c.802 s.15]

171.756 Prohibited conduct. (1) No lobbyist shall instigate the introduction of any legislative action for the purpose of obtaining employment to lobby in opposition thereto.

(2) No lobbyist shall attempt to influence the vote of any member of the Legislative Assembly by the promise of financial support of his candidacy, or by threat of financing opposition to his candidacy, at any future election.

(3) No person shall lobby or offer to lobby for consideration any part of which is contingent upon the success of any lobbying activity.

(4) No lobbyist shall knowingly or willfully make any false statement or misrepresentation to any legislative or executive official, or knowing a document to contain a false statement, cause a copy of such document to be received by a legislative or executive official without notifying such official in writing of the truth.

(5) No legislative or executive official shall receive consideration other than from the State of Oregon for acting as a lobbyist.

(6) No legislative official shall receive or solicit any monetary payment or other contribution for the purpose of meeting election campaign expenditures or deficits from a lobbyist during a session of the Legislative Assembly.

(7) No lobbyist during a session of the Legislative Assembly shall make or promise to make any monetary payment or other contribution for the purpose of meeting campaign expenditures or deficits to a legislative official.

[1973 c.802 s.7; 1974 s.s. c.72 s.30; 1975 c.747 s.6]

171.760[1965 c.488 s.4; repealed by 1973 c.802 s.15]

171.762 Certification of reports, registrations and statements. (1) Each report, registration or statement required by ORS 171.725 to 171.785 shall be signed and certified as true and correct by the person required to submit it.

(2) Each person required to submit a report, registration or statement by ORS 171.725 to 171.785 shall submit a report, registration or statement that substantially conforms to law and to the truth.

[1973 c.802 s.8]

171.765[1965 c.488 s.2; repealed by 1973 c.802 s.15]

171.766 Public nature of reports, registrations and statements. All information submitted to the Government Ethics Division in any report, registration or statement required by ORS 171.725 to 171.785 is a public record.

[1973 c.802 s.9]

171.770[1965 c.488 s.3; repealed by 1973 c.802 s.15]

171.772 Division to prescribe forms, accept voluntary filings and provide public access to filed information. In carrying out the provisions of ORS 171.725 to 171.785, the Government Ethics Division shall:

(1) Prescribe forms for registrations, statements and reports required to be filed by ORS 171.725 to 171.785, and provide such forms to persons required to register and to file such statements and reports;

(2) Accept and file any information voluntarily supplied that exceeds the requirements of ORS 171.725 to 171.785; and

(3) Make registrations, statements and reports filed available for public inspection and copying during regular office hours, and make copying facilities available at a charge not to exceed actual cost.

[1973 c.802 s.10]

171.775[1965 c.488 s.5; repealed by 1973 c.802 s.15]

171.776 Division to make investigations, issue advisory opinions; rules. In addition to the duties prescribed in ORS 171.772, the Government Ethics Division may:

(1) Make investigations with respect to registrations, statements and reports filed under ORS 171.725 to 171.785, and with respect to any alleged failure to register or to file any statements or reports required under ORS 171.725 to 171.785, and upon signed complaint by any individual, with respect to apparent violation of any part of ORS 171.725 to 171.785. In making any such investigation, the investigating authority has the power to take and hear evidence, administer oaths, and compel by subpoena the attendance of witnesses and the production of books, papers and documents;

(2) Issue, upon request, and publish advisory opinions on the requirements of ORS 171.725 to 171.785, based on a real or hypothetical set of circumstances; and

(3) Prescribe and publish rules and regulations to carry out ORS 171.725 to 171.785 pursuant to the provisions of ORS 183.310 to 183.500.

[1973 c.802 s.11]

171.780 Lobby Administration Account. The Lobby Administration Account is established in the General Fund of the State Treasury. All moneys received by the Government Ethics Division under ORS 171.725 to 171.785 and 171.992 shall be paid into the State Treasury and credited to the account. All moneys in the account are continuously appropriated to the Government Ethics Divi-

sion to carry out ORS 171.725 to 171.785 and 171.992.

[1973 c.802 s.14]

171.785 Sanctions to be prescribed by either chamber of Legislative Assembly; uniform application. (1) In addition to such penalties as otherwise may be provided by law, a person is subject to such sanctions as either house of the Legislative Assembly may prescribe if he:

(a) Violates any provision of ORS 171.740 to 171.762; or

(b) Fails to file any report, registration or statement or to furnish any information required by ORS 171.725 to 171.785 and 171.992.

(2) The sanctions referred to in subsection (1) of this section shall be uniformly applied to all persons subject to ORS 171.725 to 171.785 and 171.992.

[1973 c.802 s.12]

TRADE AND ECONOMIC DEVELOPMENT COMMITTEE

171.800 Definitions for ORS 171.800 to 171.840. As used in ORS 171.800 to 171.840, unless the context requires otherwise, "committee" means the Legislative Committee on Trade and Economic Development.

[1973 c.700 s.1; 1975 c.225 s.7]

171.805 Committee established; membership; term; advisory committees. (1) The Legislative Committee on Trade and Economic Development is established as a joint committee of the Legislative Assembly.

(2) The Legislative Committee on Trade and Economic Development shall consist of the Speaker of the House of Representatives, the President of the Senate, five members of the House appointed by the Speaker of the House of Representatives, at least one of whom shall have served on the committee in the preceding interim between legislative sessions, and four members of the Senate appointed by the President of the Senate, at least one of whom shall have served on the committee in the preceding interim between legislative sessions. The appointing authorities shall appoint members of a new committee within 30 days after the convening of the Legislative Assembly in regular session.

(3) During a legislative session the Speaker of the House of Representatives and the President of the Senate may each designate an alternate from among the members of his respective house from time

to time to exercise his powers as a member of the committee when he is not in attendance at a meeting of the committee.

(4) The term of a member of the committee shall expire upon the convening of the Legislative Assembly in regular session next following the member's appointment. Vacancies occurring in the membership of the committee shall be filled by the appointing authority.

(5) 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.

(6) The committee shall select cochairmen, one from each house, to preside alternately during the regular session of the Legislative Assembly. During the interim between adjournment sine die of a regular session and the convening of the next regular session, the committee shall select a chairman who shall preside during the interim and a vice chairman who shall perform such duties as the chairman or members require. The chairmanship and vice chairmanship shall be alternated between the Senate and the House of Representatives each interim.

(7) The committee may appoint advisory committees or subcommittees, which may include individuals other than members of the Legislative Assembly. A member of such committee or subcommittee who is not a member of the Legislative Assembly shall be compensated and reimbursed in the manner provided in ORS 292.495.

[1973 c.700 s.2; 1975 c.225 s.8; 1975 c.530 s.3a]

171.810 Executive officer; term; duties; salary and expenses. (1) The committee shall select an executive officer who shall serve at the pleasure of the committee.

(2) The committee shall fix the annual salary of its executive officer and, in addition to the duties and functions described in ORS 171.815 and 171.835, prescribe from time to time duties and functions which the committee considers necessary for the furtherance of the purposes of ORS 171.800 to 171.840.

(3) The executive officer shall receive, upon approval by the committee, allowances for expenses incidental to the performance of his official duties and functions, and shall be reimbursed for actual and necessary expenses incurred or paid by him in the performance of those duties and functions.

[1973 c.700 s.3; 1975 c.225 s.9]

171.815 Employment of assistants; status of employes. Subject to the approval of the committee, the executive officer may:

(1) Employ, prescribe the duties and fix the compensation of such professional assistants and clerical and other employes he considers necessary for the effective conduct of the work under his charge.

(2) Approve disbursements for indebtedness or expenses.

(3) Except as provided in this subsection, an employe of the committee, which includes for the purposes of this subsection the executive officer, 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.

[1973 c.700 s.4; 1975 c.225 s.10]

171.820 Effect of expiration of terms of committee members on status of employes; filling vacancy in position of executive officer. (1) The expiration of the terms of members of the committee upon the convening of the Legislative Assembly in regular session next following the commencement of their terms, as provided by ORS 171.805, does not affect the employment of any individual filling a position previously approved by the committee.

(2) After the convening of the Legislative Assembly in regular session and until such time as the newly appointed committee provides otherwise:

(a) The executive officer may employ and fix the compensation of individuals he deems necessary for the effective conduct of the work under his charge.

(b) Notwithstanding ORS 171.810, the President of the Senate and the Speaker of the House of Representatives, in case of a vacancy in the position of the executive officer, may jointly select an executive officer to serve at their pleasure at a salary they jointly fix, not exceeding that last fixed by the committee. The President and Speaker may act in lieu of the committee under ORS 293.335 in designating the executive

officer they select to approve voucher claims and in filing the statement of designation, and the provisions of ORS 293.335 shall apply as if the executive officer they select and so designate had been so designated by the committee.

[1973 c.700 s.5; 1975 c.225 s.11]

171.825 Duties of executive officer to prepare studies and reports; assistance for Legislative Assembly. (1) Pursuant to policies established by the committee, the executive officer of the committee:

(a) Shall obtain information and reports relating to international trade and economic development when requested to do so by a member of the Legislative Assembly.

(b) Shall give such consideration to and service concerning any measure or matter 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 or matter before it for consideration.

(c) In conformity with any applicable rules of the House or Senate, shall perform or cause to be performed, as circumstances will permit, service requested by any committee of the Legislative Assembly in connection with the performance of its functions.

(d) Shall attend, in person or by a representative, meetings of the Economic Development Commission, all regional meetings of port districts and meetings of state agencies having responsibility for international trade or economic development and report to the committee on such meetings.

(2) Assignments made to the committee by joint or concurrent resolution of the Legislative Assembly shall be given priority over other requests received or initiated by the committee.

[1973 c.700 s.6; 1975 c.225 s.12]

171.830 Committee duties. The committee shall:

(1) Maintain access to a current inventory of all international exports from this state, their value and the markets to which they were sent.

(2) Receive and evaluate studies and research concerning the impact of international trade, trade development efforts and economic development activities upon the State of Oregon.

(3) Receive and evaluate studies and research for the purpose of improving

legislative knowledge of international trade potentials for Oregon products and the effects of trade development efforts and economic development activities.

(4) Engage in international, national, regional or local cooperative efforts for the study and the development of international trade as it may affect the State of Oregon.

(5) Seek the advice and assistance of political subdivisions of the state, any governmental agencies, representatives of foreign governments, institutions of higher learning, research and trade organizations, representatives of private industry and agriculture, associations which have an interest in international trade, trade development and economic development and any other party who is interested in such fields.

(6) Recommend to the Legislative Assembly legislative alternatives for the utilization of existing markets, identification and development of new avenues and markets for Oregon products, and the enhancement of favorable impacts of trade upon the economy of the State of Oregon.

(7) Serve as a clearinghouse for information that will assist all public and private agencies with activities in the areas of international trade and economic development so that they may be better able to coordinate their activities.

[1973 c.700 s.7; 1975 c.225 s.13]

171.833 Other duties of committee.

(1) In addition to any other duties imposed on the committee by law or joint resolution of the Legislative Assembly, the committee shall study and review international trade, trade development and economic development activities in the State of Oregon in order to assure a strong, coordinated program. The committee shall engage in appropriate legislative activities to extend and strengthen strong interstate programs in international trade from which the people of Oregon will benefit.

(2) The committee shall confer with the Economic Development Department in carrying out its duties at least once annually.

[1975 c.225 s.6]

171.835 Committee authorized to contract for performance of duties; applicability of federal laws. The committee may enter into any contracts necessary for the performance of its duties and functions. All contracts entered into by the committee shall be made in accordance with the laws of the state governing the making of such con-

tracts. However, contracts entered into with the United States or any agency of the United States shall be made in accordance with applicable laws of the United States or any rule or regulation made thereunder.

[1973 c.700 s.8]

171.840 Committee authorized to receive funds to carry out functions; conditions on receipt of certain funds.

(1) The committee may accept, receive, receipt for, disburse and expend federal moneys and other moneys, public or private, for the accomplishment of the purposes of ORS 171.800 to 171.840.

(2) All federal moneys accepted under this section shall be accepted and transferred or expended by the committee upon such terms and conditions as are prescribed by the United States.

(3) All other moneys accepted under this section shall be accepted and transferred or expended by the committee upon such terms and conditions as are prescribed by law.

(4) All moneys received by the committee pursuant to this section shall be deposited in the State Treasury and, unless otherwise prescribed by the authority from which such moneys were received, shall be kept in separate funds designated according to the purposes for which the moneys were made available, and held by the state in trust for such purposes. All such moneys are continuously appropriated to the committee for the purposes for which they were made available, to be disbursed or expended in accordance with the terms and conditions upon which they were made available.

[1973 c.700 s.9]

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 s.3; 1961 c.167 s.13]

171.992 Civil penalty for violation of lobby regulation. (1) Any person who violates any provision of ORS 171.740 to 171.762, or any rule promulgated pursuant

thereto, shall forfeit and pay to the General Fund of the State Treasury a civil penalty in an amount determined by the Oregon Government Ethics Commission. In the case of violation by an individual, such penalty shall not exceed \$250 for each violation. In the case of violation by any person other than an individual, such penalty shall not exceed \$1,000 for each violation.

(2) The civil penalty referred to in subsection (1) of this section may be recovered in an action brought thereon in the name of the State of Oregon in any court of appropriate jurisdiction. In any such action, the court may review the penalty as to both liability and reasonableness of amount.

[1973 c.802 s.13]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, 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,
October 1, 1975.

Thomas G. Clifford
Legislative Counsel

