

SENATE ETHICS, ELECTIONS, AND CAMPAIGN FINANCE COMMITTEE

February 9, 1993 Hearing Room B 3:00 p.m. Tapes 8 and 9
MEMBERS PRESENT: Senator Grattan Kerans, Chair Senator Neil Bryant
Senator Joan Dukes Senator Rod Johnson Senator Dick Springer STAFF
PRESENT: Annette Talbott, Committee Counsel Tamara Brickman,
Committee Assistant MEASURES CONSIDERED: Public Hearing SB 110 SB 111

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. TAPE 8, SIDE A

006 CHAIR KERANS: Calls meeting to order at 3:13 p.m.

PUBLIC HEARING SB 110 AND SB 111 WITNESS: Pht Hearn, Executive Director, Oregon Government Ethics COMMISSION Public Hearing on SB 110

036 CHAIR KERANS: Opens Public Hearing on SB 110.

040 PAT HEARN, Executive Director, Oregon Government Ethics
Commission: Reviews and testifies in favor of SB 110.

051 ANNETTE TALBOTT, Counsel: Discusses the issues concerning ethics investigation procedures while a criminal investigation is also pending.

123 HEARN: Responds to Chair Kerans' and Annette Talbott's questions regarding investigations.

148 CHAIR KERANS: Continues discussion on investigations with Hearn. Senate Ethics, Elections, and Campaign finance Committee February 9, 1993 - Page 2

173 SEN. JOHNSON: Asks what the rights of the public and the media are in regard to Ethics Commission's documents?

HEARN: Responds to Sen. Johnson's question.

182 CHAIR KERANS: Continues discussion Sen. Johnson's question.

185 SEN. JOHNSON: Asks what access the Commission would have to the criminal investigation files after the completion of a criminal investigation.

189 HEARN: Responds to Sen. Johnson's question.

192 CHAIR KERANS: Continues the discussion with Hearn.

209 SEN. JOHNSON: Continues the discussion.

223 TALBOTT: Continues discussion, with Chair Kerans, on Sen. Johnson's question. Refers to the Canby (State Treasurer) investigation.

248 SEN. JOHNSON: Discusses the issue of what "complete is" in an investigation, with Chair Kerans and Talbott.

281 SEN. BRYANT: Comments on the previous issue. Discusses the issue of the words "same facts" in the bill.

300 HEARN: Responds to Sen. Bryant's comments.

CHAIR KERANS: Closes Public Hearing on SB 110.

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Public Hearing on SB 111 WITNESS: Pat Hearn, Executive Director, Oregon Government Ethics Commission

313 TALBOTT: Discusses that SB 111 "mirrors the same provision" in chapter 244 , which continues the problem regarding subpoenas and it also has an internal conflict; therefore, a corrective amendment is needed. 337 HEARN: Discusses background of and testifies in favor of SB 111. 396 SEN. DUKES: Comments on establishing a specific process on the Commission's own motion power. 437 HEARN: Responds to Sen. Dukes' comments.

TAPE 9, SIDE A

035 SEN. DUKES: Continues previous discussion with Chair Kerans and Hearn.

065 CHAIR KERANS: Continues discussion with Sen. Dukes and refers to item 7 on the concept list. (EXHIBIT B)

094 CHAIR KERANS: Closes Public Hearing on SB 111.

INFORMATIONAL MEETING

108 TALBOTT: Reviews List of Concepts Regarding the Ethics Commission's Authority. Discusses item numbers 1 and 2. (EXHIBIT B)

130 HEARN: Continues discussion on representation of state and public officials, as well as representation of public officials of cities and counties.

CHAIR KERANS: Continues discussion with Sen. Dukes and Hearn.

183 SEN. BRYANT: Continues the discussion on representation.

200 HEARN: Discusses, with Sen. Dukes, the Attorney General's position on representation of public officials.

234 TALBOTT: Discusses, with Chair Kerans, item number 3 from the concept list regarding "false statement" on concept list.

288 TALBOTT: Begins discussion of filing fees, item number 4.

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335 TALBOTT: Addresses item numbers 5 to 10 on the concept list.

375 HEARN: Responds to item 10.

407 TALBOTT: Continues review of the concept list Discusses item number 11, regarding "potential conflict of interest."

468 SEN. DUKES: Continues the discussion on "potential conflict of interest."

TAPE 8, SIDE B

054 HEARN: Continues discussion on potential conflict of interest with Sen. Dukes and Chair Kerans.

109 TALBOTT: Reviews, with Chair Kerans and Hearn, item number 12.

130 TALBOTT: Reviews item numbers 13, 14, and 15.

144 HEARN: Discusses, with Talbott and Chair Kerans, the "but for" clause relating to item number 15.

175 CHAIR KERANS: Refers to item numbers 16, 17, 18, 19, and 20.

191 TALBOTT: Discusses adding the issue of tolling investigations for court orders as well as investigations to the list.

199 HEARN: Responds to Talbott's comments.

212 CHAIR KERANS: Adjourns meeting at 4:26 p.m.

Submitted by:

Reviewed by:

Tamara Brickman

Annette Talbott Assistant

Counsel

EXHIBIT LOG

A - Outline of Current Code of Ethics for Public Officials - Committee Staff - 5 pages
B - List of Concepts Regarding the Ethics Commission's Authority - Annette Talbott - 2 pages
C - Outline of Current Lobbyist Laws - Committee Staff- 2 pages
D - Budget overview of Oregon Government Ethics Commission - Committee Staff - 11

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