

## **RECOMMENDATIONS**

Recommendations made by the commission are interconnected. Many can be implemented separately, but the outcome will be better if most are implemented together or in close succession. For example, the commission recommends that improvements to legislator compensation be made in conjunction with campaign finance reform. Also, some themes are repeated in several recommendations. For example, the need for strict session deadlines is highlighted in the Annual Sessions and Session Structure, Committees and Bills and Amendments recommendations.

Some recommendations require amendments or revisions to the Oregon Constitution or to Oregon Revised Statutes, while others require changes to Senate or House Rules or to committee rules. Drafts of bills needed for implementation have been prepared for legislators to consider.

Inherent in many commission recommendations is the need for a cultural shift in the Legislative Branch. This change can't be legislated because it comes from within. The decline in public confidence and respect for the legislative process should be reason enough to drive the legislature to make necessary improvements to become a more efficient and effective institution. It is essential to instill in the 90 members of the legislature its sense of place as the third and co-equal branch of Oregon government. Irrespective of the chamber in which they serve or party affiliation or rural or urban home district or whether they like one another on a personal level, the people's elected representative must function as a unit or risk creating a vacuum to be filled by the executive or judicial branches, or the initiative process.

Recommendations emerged in eight key areas. Those areas are: frequency and length of legislative sessions; consequences of excessive partisanship; integrity of the initiative process; adequacy of legislative compensation; legislative ethics and integrity; ease of public access to legislative information; need for capitol building renovations; and sufficiency of staffing resources to support the work of the legislature.

The commission believes the following four focus areas create a comprehensive context for its recommendations and provide a platform for supplemental ideas that will inevitably emerge during legislative review.

### **RECOMMENDATIONS FOR FUNDAMENTAL REFORM**

- Open Primary
- Nonpartisan Legislature
- Nonpartisan State Controller
- Redistricting Commission
- Funding Government Standards and Practices Commission
- Initiative Reform
- Campaign Finance
- Legislator Compensation

### **RECOMMENDATIONS FOR INSTITUTIONAL REFORM**

- Annual Sessions and Session Structure
- Partisanship
- Staffing Legislative Offices
- Hiring Family Members
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- Public Access

## **RECOMMENDATIONS FOR REFORMING LEGISLATIVE OPERATIONS**

- Committees
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## **RECOMMENDATIONS FOR IMPROVING FACILITIES AND TECHNOLOGY**

- Capitol Renovation and Comprehensive Facilities Plan
- Wireless Access
- Use of Technology
- Oregon Channel
- Audio and Video Hardware
- Security

## RECOMMENDATIONS FOR FUNDAMENTAL REFORM

These recommendations focus on fundamental changes to the selection of legislators and rule of the legislature. They respond to concerns about who runs for office and how legislators are chosen, ethics, partisanship, the costs of campaigns, putting ideas for change on the ballot, and legislative compensation. They are intended to improve the transparency of decision-making; increase citizen participation; decrease institutional partisanship; and provide arm's length processes for elections and salary decisions.

### OPEN PRIMARY

#### Recommendation

- **Oregon should adopt an “open” primary, allowing all Oregon voters to nominate two candidates to appear on the general election ballot regardless of political party affiliation, or lack of party affiliation, of the elector or candidate.**

Currently, Oregon has “closed,” or party, primary elections. Candidates for the two major parties, Democrats and Republicans, compete for their parties’ nomination in the May primary. Registered Democrats and Republicans can only choose from among like-registered candidates. During a primary election, Independent voters, meaning those not registered with a major or minor party, can only vote in nonpartisan races and ballot measure contests.

Data from the Secretary of State, Elections Division show that about 22% of Oregon voters are Independents. Under Oregon’s closed primary, Independent voters have no influence during the primary election in determining which candidates will be considered in the general election.

In an open primary, office holders will be elected in a fundamentally different way – an open primary will give voters maximum choice, in every election, to vote for the candidates they believe are best suited to govern Oregon. Parties will still exist, and citizens can choose to register with them or not.

### NONPARTISAN LEGISLATURE

#### Recommendation

- **Members of each house should determine whether they want to be elected with partisan labels. One house may choose to be nonpartisan and the other not. However, both houses and the Governor would need to approve legislation to modify the definition of “nonpartisan” office.**

Generally, Oregon’s Legislative Assembly is organized according to affiliation with a major political party. If party labels are removed, some other organizational principle would be required.

For constituents now represented by members of the minority party, a nonpartisan legislature might allow a better quality of democracy because legislators would be free to focus on district needs and concentrate on policy, without party influence. Moreover, legislators would build coalitions around policy development and constituent needs rather than along party lines.

The probable redistribution of power in a nonpartisan legislature also might moderate what has been characterized as an atmosphere of extreme partisanship in the Oregon legislature.

The idea of electing leaders on a nonpartisan basis is not new. Many county commissions, city councils, school boards and other legislative bodies are elected based on knowledge, skills and abilities, not party label.

## NONPARTISAN STATE CONTROLLER

### Recommendations

- **Create a nonpartisan statewide State Controller, to be selected in a manner determined by law, to manage, administer and oversee state elections and elections policy, campaign finance administration, investigations including elections and ethics issues, and legislative redistricting. State Controller was selected as a working title.**
- **The State Controller will conduct investigations for the Oregon Government Standards and Practices Commission and will need a sufficient budget to be effective.**
- **Redistricting will be managed by the State Controller consistent with the recommendations made in a separate proposal for a five-member redistricting commission.**
- **The inclusion of the state audit function is to be considered by the legislature as one of the duties of the Controller either initially or at a later date.**
- **The State Controller's term of office should be no fewer than six years. The office holder will be barred from seeking statewide elected office until two years after the expiration of the six-year term.**

Partisan campaigns, elections, and organizations play both a critical and constructive role in the formation of public policy. However, there are limits to the proper role of partisanship in the conduct of public business.

Partisan elections and partisan organization in principle are organizing vehicles for offices and functions that involve political choices among competing public policy goals. Partisan organizations form around broad goals and priorities. Party affiliation helps voters choose candidates whose goals and priorities they prefer.

Political partisanship, however, has no proper role in functions that do not involve choices among competing policy goals, but which depend on accurate determinations and reporting of facts. These functions need to be administered by someone whose professional interest is solely in carrying out these duties and who is above any reasonable suspicion of pursuing a political agenda.

Chief among these is the conduct of elections including compliance with campaign regulations. Others are investigation of violations of government ethics laws or other claims of maladministration of public programs. The legislature needs a nonpartisan investigatory officer to perform investigatory services essential to any oversight function. These functions therefore should be headed by a nonpartisan elected official who will not use this office as a platform for pursuing a political career.

A model for such an office is found in the nonpartisan federal Government Accountability Office, headed by the Comptroller General of the United States, which investigates and issues reports on requests from

both major parties in Congress, as well as on its own initiative. The term State Controller was selected for this office, but the title is not critical. Additional information on each recommendation is provided below.

- **Create a nonpartisan statewide State Controller, to be selected in a manner determined by law, to manage, administer and oversee state elections and elections policy, campaign finance administration, investigations including elections and ethics issues, and legislative redistricting. State Controller was selected as a working title.** There are several means to providing nonpartisan administration of the elections, campaign finance, related investigations, and redistricting functions. Making the existing Secretary of State a nonpartisan office was discussed, but the recommendation is for a controller function responsible for all duties of the existing Elections Division while leaving the balance of the current Secretary of State's functions in place.
- **The State Controller will conduct investigations for the Oregon Government Standards and Practices Commission and will need a sufficient budget to be effective.** Investigatory functions currently exist in the state Elections Division. This recommendation enhances those functions to include the needs of the Government Standards and Practices Commission. Investigatory and subpoena power are essential to effective administration of these functions. Providing services both to the Elections Division and the GSPC leverages expertise and resources for both organizations. Success requires adequate and sufficient funding, which has not always been forthcoming in budget processes; consequently, the committee has stressed the need for sufficient funding.
- **Redistricting will be managed by the State Controller consistent with the recommendations made in a separate proposal for a five-member redistricting commission.** Redistricting and its related processes are one function whose purpose and credibility requires them to be undertaken on an arm's length nonpartisan basis. The responsibility for the redistricting commission and its work would rest in this new office.
- **The inclusion of the state audit function is to be considered by the legislature as one of the duties of the Controller either initially or at a later date.** Moving the audit function from the Secretary of State to the Controller requires additional discussion by the legislature. It fits appropriately into the duties of a Controller, but as a constitutionally mandated function, the transition would require a constitutional amendment to take effect.
- **The State Controller's term of office should be no fewer than six years. The office holder will be barred from seeking statewide elected office until two years after the expiration of the six-year term.** A longer term length and limitations on subsequent campaigns for office are intended to provide additional buffers from partisan pressure for the office and the office holder.

## **REDISTRICTING COMMISSION UNDER STATE CONTROLLER ADMINISTRATION**

### **Recommendation**

- **Establish a redistricting commission responsible for drafting legislative and congressional district plans under administration of the State Controller, a new position.**

The process of redistricting blends politics, geography and technology, leading to apportionment of districts that allows citizens equal representation in the state legislature and in Congress.

Article IV, section 6, of the Oregon Constitution, and ORS 188.010 outline deadlines, criteria, and responsibilities for redistricting. In years ending in “1,” the legislature prepares plans for legislative and congressional districts and submits them for approval like any other piece of legislation. As with legislative enactments, redistricting plans are subject to the Governor’s veto.

If the legislature either fails to enact a legislative redistricting plan by July 1, or if its plan or a portion of the plan is successfully challenged in court, then the responsibility for drawing legislative district lines, or for correcting a specific problem area, falls to the Secretary of State. There is no corresponding timeline for congressional redistricting. If the legislature and Governor do not agree to a new congressional plan, the existing plan is in effect until a case is filed in federal court to adopt a plan.

Only twice in the past six redistricting cycles (since 1951), have the legislature and governor agreed to the same legislative and congressional plans. But drafting new plans requires the legislature to expend a great deal of time and money, hire specialized staff, purchase new equipment and technology, and hold numerous field hearings around the state for public comment.

The recommendation is to establish a process that is staffed by skilled professionals, overseen by a state official with no political stake in the outcome, and may result in plans that are more fair and can be prepared more efficiently.

The redistricting commission should have five members; it should solicit testimony and recommendations from the public on any proposed plans; and it should submit plans to the legislature for consideration, approval or modification by June 1.

An example of how a commission could be structured follows:

1. Five members appointed by the State Controller, using specified qualifications, by December 1 of the '00 year. When considering appointments to the commission, the State Controller must consult with political parties and representatives of non-affiliated voters.
2. A person holding elected public office or political party office, or a person elected or appointed to public office or political party office, may not be a member of the commission. A commission member may not have held an elected public office or a political party office within two years of the date of the member’s appointment to the commission.
3. The commission will prepare legislative and congressional districting plans. The commission will use criteria outlined in ORS 188.010 to draw the legislative districting plan and criteria from ORS 188.010 (1)-(3) along with any federal criteria to draw the congressional district plan.
4. Staff will be provided by the State Controller.
5. The commission must submit its proposals to the Legislative Assembly no later than June 1.
6. No later than June 30 the Legislative Assembly may amend the commission proposals with approval of 3/5 vote of both chambers. Pending legal challenges, if the legislature does not amend the plans by June 30, the plans are effective January 1 of the following year.
7. Court challenges to the redistricting plans may be filed in federal court (congressional plan) and state Supreme Court (state plan) after June 30.
8. Legal challenges to the legislative plan are to be resolved by the Supreme Court no later than November 15 and the plan will be effective January 1 of the following year.

# FUNDING OF THE GOVERNMENT STANDARDS AND PRACTICES COMMISSION (GSPC)

## Recommendation

- **The Legislative Assembly should identify, develop and implement a dedicated and stable source of funding for the Government Standards and Practices Commission, that is as independent of legislative approval as legally possible.**

The Oregon Government Standards and Practices Commission (GSPC) educates public officials about ethics laws, investigates allegations that public officials have violated ethics laws, and enforces and imposes penalties for ethics law violations by public officials, including legislators and registered lobbyists. The GSPC has limited staff and a limited budget to cover a broad range of laws and officials.

Funding of the GSPC should be removed from legislative control because legislators should not determine the budget for the agency that investigates alleged legislative ethics violations.

## INITIATIVE REFORM

### Recommendations

- **Require citizen initiative or referendum chief petitioner(s) to be registered voters in Oregon.**
- **Require that for each measure, a statement appear in the Voters' Pamphlet that lists the number of signatures gathered in each of Oregon's 36 counties, what percentage of signatures gathered are from each county, and what percentage of eligible voters in each county signed the petition.**
- **Require a notarized statement indicating the identities and physical addresses of the top five contributors to a ballot measure signature-gathering effort to be disclosed in the Voters' Pamphlet.**
- **Direct the Secretary of State to publicize and explain the process for filing complaints about the initiative process and then insist that existing penalties for Voters' Pamphlet or other violations be imposed.**
- **Establish a regular process for considering and possibly taking legislative action on initiative proposals.**
- **Establish a process for providing timely advisory opinions on whether initiative proposals meet eligibility requirements.**
- **Conduct a rigorous review of fraudulent or other irregular means to gather signatures submitted for a measure to qualify for the ballot, and clarify remedies for violations.**

The Oregon Legislative Assembly is responsible for the state's laws, however they are enacted. Oregon's initiative, referendum and referral process also makes every Oregon voter a crucial partner in the lawmaking process.

The legislature is involved in the review and analysis of proposed ballot measures. For example, a chief petitioner may submit 50 signatures to Legislative Counsel requesting assistance in drafting an initiative.

Also, the Legislative Revenue Office assists the Financial Impact Committee in preparing financial estimates for the ballot and Voters' Pamphlet.

Legislators and citizens must recognize that initiated statutes are just that: statutes. Recent legislatures have sometimes treated statutes passed by initiative as untouchable despite the law's costs or other needs for improvement. Lawmaking by elected representatives is the intended norm, and initiatives were meant to be exceptional measures.

These recommendations are intended to enhance the Legislative Assembly's ability to be an effective partner in Oregon's total lawmaking system. Additional information on each recommendation is provided below.

- **Require citizen initiative or referendum chief petitioner(s) to be registered voters in Oregon.** The initiative process is an opportunity for Oregonians to make decisions for and on behalf of Oregon; therefore those petitioning for change should be Oregonians.
- **Require that for each measure, a statement appear in the Voters' Pamphlet that lists the number of signatures gathered in each of Oregon's 36 counties, what percentage of signatures gathered are from each county, and what percentage of eligible voters in each county signed the petition.** All of Oregon should have a say in the initiative process and voters should have as much information about where ideas for ballot measures come from and who is promoting them. By disclosing the geographic distribution of signatures, Oregonians will be able to note if signatures were gathered statewide, showing some level of support.
- **Require a notarized statement indicating the identities and physical addresses of the top five contributors to a ballot measure signature-gathering effort to be disclosed in the Voters' Pamphlet.** Even if a measure has an Oregon resident as its chief petitioner, it is possible that the bulk of the financial backing for placing it on the ballot comes from people or organizations outside of Oregon. In an attempt to know as much as possible about the financial supporters and based on a formula to be developed by the Secretary of State, the identities and addresses of the top five donors (corporate or individual) to the signature-gathering effort should be publicized in the Voters' Pamphlet.
- **Direct the Secretary of State to publicize and explain the process for filing complaints about the initiative process and then insist that existing penalties for Voters' Pamphlet or other violations be imposed.** Although many rules and laws regulate the initiative process, many Oregonians do not know how to call attention to possible violations. The Secretary of State should provide more information on how to file a complaint and what penalties apply to those who violate the rules.
- **Establish a regular process for considering and possibly taking legislative action on initiative proposals.** The legislature should consider enacting legislation on topics raised by the initiative process by having appropriate committees study initiatives that appear to have support to qualify for the ballot. The committees would report to the legislature either a proposal for legislative action or a statement of why legislative action is not recommended. The initiative's chief petitioners would remain free to pursue their initiative campaign even if the legislature were to enact laws on the same subject. Moving to a second legislative session in even-numbered years will provide additional opportunity for analysis and action by the legislature on proposed ballot measures.
- **Establish a process for providing timely advisory opinions on whether initiative proposals meet eligibility requirements.** Courts must sometimes invalidate a successful ballot measure because it

was legally ineligible for approval through the initiative process. Currently, the initial determination of eligibility is left to the Secretary of State, on the legal advice of the Attorney General.

- **Conduct a rigorous review of fraudulent or other irregular means to gather signatures submitted for a measure to qualify for the ballot, and clarify remedies for violations.** The Secretary of State has recently hired a full-time investigator whose sole responsibility is to provide oversight and investigation of the signature gathering process. While hiring the investigator is important, more resources should be made available to enforce the laws and rules related to signature gathering. The signature gathering process must be clear and violations must be met with swift and just resolution and penalties.

## CAMPAIGN FINANCE

### Recommendations

- **Appoint a Commission on Campaign Finance Reform to examine the role of campaign finance in legislative decision-making.**
- **Reform the use of campaign funds by candidates and elected officials.**
- **Improve legislator compensation in conjunction with reforms related to use of campaign funds by candidates and elected officials.**
- **Consider moving the primary election date to the first Tuesday in June or August.**

Public confidence in the legislature is low. Part of the reason appears to be the role of money in elections and the high costs of elections. As costs go up, candidates rely more on special interest funding. Large campaign contributions may inhibit subsequent independent decision-making. Legislatures perceived to be dominated by special interests risk eroding public confidence. Additional information on each recommendation follows.

- **Appoint a Commission on Campaign Finance Reform.**
  1. The 2007 Legislative Assembly should appoint a Commission on Campaign Finance Reform to examine the role of campaign finance in legislative decision making with the goals of:
    - a. Separating legislative policy and budget decisions from the influence of campaign contributions;
    - b. Controlling escalating campaign costs and spending;
    - c. Shifting the balance of campaign activity away from fundraising towards increased issue discussion and voter engagement; and
    - d. Decreasing candidate and party dependence on donations from special interest groups.
  2. The Commission on Campaign Finance Reform should include current and former elected officials, lobbyists, professional legislative staff and others who understand the problems. The majority of the commission should not have immediate political or professional interests in the outcome.
  3. The Commission on Campaign Finance Reform should be staffed and funded by the legislature and present its findings and recommendations by a date set by the legislature.
- **Reform use of campaign funds by candidates and elected officials.** Candidates and legislators should be prohibited from using contributions personally, to defray office expenses, to pay criminal or civil penalties, or to make contributions to other candidates or political committees. Exceptions: a) A candidate should be permitted to distribute contributions to the principal campaign committee of the same candidate for nomination or election to a different public office; and b) If a candidate no

longer intends to receive contributions or make expenditures, and intends to discontinue the statement of organization of the candidate or committee, the unused contributions should be distributed to charitable organizations, political party political committees, legislative caucus political committees or to the Legislative Assembly.

- **Improve legislator compensation in conjunction with reforms related to use of campaign funds by candidates and elected officials.** Improvements to legislator compensation should be made in conjunction with legislative approval of reform of the use of campaign funds by candidates and legislators.
- **Consider moving the primary election date to the first Tuesday in June or August.** The Legislative Assembly and Secretary of State should consider moving the primary election date to a date later in the year, such as the first Tuesday in June or August. Doing so would shorten the campaign season, thereby, reducing the cost of campaigns.

## LEGISLATOR COMPENSATION

### Recommendations

- **The Public Officials Compensation Commission (POCC) should be given responsibility for establishing salaries for state elected officials, removing political consideration from that process.**
- **The commission will set salaries for: the Governor; Secretary of State; State Treasurer; Attorney General; Superintendent of Public Instruction; Commissioner of the Bureau of Labor and Industries; Judges of the Supreme Court; Judges of the Court of Appeals; Circuit Court Judges; Tax Court Judges; District Attorneys and Legislators.**
- **Salaries of elected officials should be based on the duties of the office and at a level that will attract citizens of the highest quality to public service.**

Service in the legislature requires personal and professional sacrifices. The Oregon Legislative Assembly meets part-time but has a nearly full-time workload. Attracting citizens with diverse backgrounds and experiences to represent Oregonians in the legislature is difficult. However, it is critical that legislators be of high quality, because the decisions they make affect the lives of every Oregonian.

Compensation should not be the reason for a person to run for legislative office. However, an increase in legislator compensation may help create an environment that attracts high quality citizens from a broad range of backgrounds to participate in the process.

Legislative service should not be perceived as a career, but a calling to public service, and it is important to provide adequate and appropriate compensation for these civic service positions. The public would rather be represented by a citizen legislature than a professional legislative body, and a citizen legislature includes members of diverse ages, employment and financial backgrounds.

Demographic data illustrate how the Legislative Assembly has changed over the past 40 years. In general, there is a decline in the number of early and mid-career (younger) legislators and an increase in the number of late-career or retired (older) legislators. There has been a decrease in the number of legislators involved in agriculture, law, banking and insurance, but an increase in the general category of small business owners and those who identify “legislator” as their primary employment.

The existing Public Officials Compensation Commission (POCC) should be revived with the purpose of establishing salaries for the state's elected officials and to remove political consideration from the process. The POCC should base salaries of elected officials on the duties of their office and to attract citizens of the highest quality to public service.

When establishing legislator compensation, the Public Officials Compensation Commission should take into account the effects of all other possible forms of compensation in recommending legislative salaries, including but not limited to: per diem payments during session and interim; mileage payments during session and interim; and hiring of family members as personal staff. The POCC should develop a salary differential, based on geography, after reviewing the impact on those legislators who must travel long distances or maintain two residences in order to participate in the legislative process in Salem.

### **Membership of the Public Officials Compensation Commission**

It is important that citizens make decisions about the compensation of elected officials. The public should understand what public officials do, what their compensation is and how high quality candidates can be attracted to public service positions.

Following are criteria relating to the Commission:

- To demonstrate their own civic responsibility, all members must have voted in the two General Elections prior to appointment to the Commission.
- The majority of the Commission should be public members selected from voter registration rolls by lottery by the Secretary of State.
- The commission should have 11 or more members, depending on the number of Congressional Districts in Oregon, apportioned as follows:
  - Two members appointed by the Governor, confirmed by the Senate, with background in compensation management;
  - One member appointed by the Chief Justice of the Supreme Court;
  - One member appointed by the Speaker of the House of Representatives;
  - One member appointed by the President of the Senate;
  - One member from each Congressional District selected from voter registration rolls by lottery by the Secretary of State; and
  - One member selected from voter registration rolls by lottery by the Secretary of State from the state at-large.
- The Commission should be staffed by the Department of Administrative Services.

### **Salaries Set by the Public Officials Compensation Commission**

The commission shall establish annual salaries for the following elected officers in the Executive, Judicial and Legislative branches of government:

- Governor
- Secretary of State
- State Treasurer
- Attorney General
- Superintendent of Public Instruction
- Commissioner of the Bureau of Labor and Industries
- Chief Judge of the Court of Appeals
- Court of Appeals Judges
- Chief Judge of the Supreme Court
- Supreme Court Judges
- Circuit Court Judges

- Tax Court Judges
- District Attorneys
- Legislative Assembly
  - Members of the Legislature
  - President of the Senate
  - Majority Leader of the Senate
  - Minority Leader of the Senate
  - Speaker of the House of Representatives
  - Majority Leader of the House of Representatives
  - Minority Leader of the House of Representatives

**Legislative Action on Salary Recommendations from the Public Officials Compensation Commission**

- The Commission should present the salaries to the Governor and Legislature by October 31 of each even-numbered year.
- Subject to appropriation, salary levels should take effect July 1 of odd-numbered years.
- Pursuant to section 1, Article VII (Amended) of the Oregon Constitution, the salaries of the Chief Justice and judges may not be diminished during the term for which they are elected.

# RECOMMENDATIONS FOR INSTITUTIONAL REFORM

These recommendations address the culture of the legislature. They respond to concerns about how often and how long the legislature meets, the effects of excessive partisanship, the adequacy and selection of staff, ease of public access to the process, and behaviors on the job. They are intended to produce significant efficiencies; build legislator and staff professionalism; and expand public access to information.

## ANNUAL SESSIONS AND SESSION STRUCTURE

### Recommendation

- **The Legislative Assembly should establish a new meeting time for the 2007 legislative session and hold a legislative session in 2008. The legislature must determine how and whether it is desirable to have annual sessions beginning with the 2009 session.**

Oregon's biennial legislative sessions no longer meet the needs of the state. Policy making, budgeting and executive oversight are ongoing responsibilities that require annual legislative presence and leadership.

Although the Oregon Constitution requires that the legislature meet biennially, it also permits the legislature to convene at other times when the needs warrant. In the 21<sup>st</sup> Century, annual legislative sessions may be necessary for the legislature to improve its ability to make policy, adopt a budget and oversee state agencies. Oregon will benefit if the legislature experiments with annual sessions before voters are asked to incorporate specific requirements into the constitution.

This recommendation allows the next Legislative Assembly to experiment with session timing and structure. It relies on the leaders and members to try different ways of doing business, but does not prescribe a permanent change in structure. It also anticipates that presiding officers, caucus leaders and committee chairs will assume responsibility for managing the workloads for members and staff, meeting the self-imposed deadlines, and maintaining a process that is open and accessible to the public.

Annual sessions are not a new idea in Oregon, nor are the elements contained in this recommendation. This recommendation does not prescribe a specific course of action on annual sessions. However, the Legislative Assembly should rigorously examine annual sessions and take action on a proposal in a timely manner.

### Budgeting

- State agency budgeting should continue on a biennial basis.
- The budget process should occur in a Joint Ways and Means Committee.

### Retime the regular session for 2007-2009 biennium and recommend a session in 2008

- Governor's biennial budget is submitted by December 1 or February 1 under current law.
- Bills are drafted and pre-filed for interim committees, agencies and members under current practice.
- Organizational meeting in January of odd-year to elect leaders, adopt rules, appoint committees, address Governor's vetoes, and assign bills to committees.

- House and Senate approve a resolution establishing concurrent deadlines for bill introductions, committee and floor action in each house, and other significant internal activities, including committee closure.
- Between January organizational meeting and first Monday in April, substantive committees meet on a limited basis to do overviews and dispense with some house-keeping measures. Committees also draft bills, work on amendments and/or prioritize workload and issues to be addressed after the first Monday in April start.
- Joint Way and Means Committee meets regularly between January and first Monday in April.
- Begin floor sessions first Monday in April (April 2, 2007) and prepare for the May revenue forecast.
- Sine die adjournment up to 120 calendar days after the first Monday in April (no later than July 30, 2007).
- All bills and other measures die at end of 2007 session; no carryover to 2008.
- Plan for legislative session in 2008 – timing and subject matter to be determined by the Legislative Assembly.

The intent of the recommendation is to ensure that enough flexibility is built into the session retiming plan so that legislators have ample opportunity to find the best fit for the public and legislators. If the first Monday in April is not the best date to begin full-time session, or July 30 is too long to be in session, then legislators can work together to determine an optimum start date and time limits.

**Annual sessions beginning in 2009 – Legislative Assembly to determine timing and how best to implement i.e. by referral or continue to modify session structure using its own authority**

**ODD YEAR:**

- January organization meeting to elect leaders, adopt rules, appoint committees, assign pre-filed bills to committee
- Committees meet for orientation, overviews, and begin work
- Floor sessions start first Monday in April
- 120 days maximum (calendar days)
- Budget and policy measures
- All bills and other measures die at end of odd year session; no carryover to even year
- Time extensions allowed only with 3/5 vote of both houses

**EVEN YEAR**

- Convene in January and begin committee work and floor sessions immediately due to timing of May primary
- 60 days maximum (calendar days)
- Fiscal and compelling policy issues
- Time extensions allowed only with 3/5 vote of both houses

## **PARTISANSHIP**

**Recommendations**

- **Presiding officers should, in practice, represent the body as a whole, and not use authority to prevent debate.**
- **Develop a more collaborative environment for discussions by majority and minority leadership regarding legislative priorities.**
- **Establish collaborative processes that include the minority in session management.**

- **Allow measures, with demonstrable evidence of a majority of members in support, to move to the floor for debate and vote.**
- **House and Senate Rules should not be used for the purpose of foreclosing access to significant policy issues.**
- **Require Vice-Chairs to be from minority parties.**

Many commission discussions have been partly centered in trying to resolve what is seen as excessive partisanship in the Legislative Assembly. It is hard to define what excessive partisanship is, but people generally know it when they see it. It is also difficult to make a single recommendation to resolve excessive partisanship, so many commission recommendations approach resolution from different angles. However, the following recommendations address specific behaviors of legislative leaders and their relationship to members of their respective chambers.

- **Presiding officers should, in practice represent the body as a whole, and not use authority to prevent debate.** The presiding officer should foster a collaborative decision-making environment involving majority and minority parties and acknowledge the diverse spectrum of opinion within each party.
- **Develop a more collaborative environment for discussions by majority and minority leadership regarding legislative priorities.** Whether this is a conversation between two leaders or occurs in a larger group, the goal is to identify the priorities most critical for Oregon’s citizens, not just those topics that will play well during the next election cycle.
- **Establish collaborative processes that include the minority in session management.** The goal is to ensure that information is shared, suggestions and counsel are solicited, and that open discussion occurs on a routine basis about what members, staff and the public can expect.
- **Allow measures, with demonstrable evidence of a majority of members in support, to move to the floor for debate and vote.** Use of rules, including action on minority reports, should not be reduced to straight party votes on every occasion. There are times when alternative ideas merit consideration and members from all parties should have the freedom to vote based on their own convictions, without fear of reprisal or penalty.
- **House and Senate Rules should not be used for the purpose of foreclosing access to significant policy issues.** When parties use rules to achieve policy objectives, the stature of the legislature is diminished in the eyes of the public.
- **Vice-Chairs should be from minority parties.** Requiring Vice-Chairs to be from minority parties has the benefit of offering developmental opportunities for members, as well as creating some pressure for minority members to be actively engaged in resolving complex policy questions.

## **STAFFING LEGISLATIVE OFFICES**

### **Recommendations**

- **Legislative Counsel, Legislative Fiscal and Legislative Revenue Offices should review their staffing needs based on duties assigned to their offices, ability to perform those**

**duties, and quality of service. The offices should present budget requests for additional staff to the next Legislative Assembly.**

- **Separate issue-area staff and committee staff in an effort to professionalize issue-area staff, make them more accessible to all members, and acknowledge relationships between chairs and committee staff.**
- **Each legislator should have at least one full-time legislative assistant during session and interim.**

The Legislative Assembly has dedicated, well-qualified, nonpartisan staff who draft legislation, determine financial effects of measures, and facilitate the committee process. Staff take the focus off the mechanics of the legislative process and direct it towards legislation and members. Partnering with nonpartisan staff are legislative assistants and caucus staff who serve a more specialized role, working with individual members or groups of legislators.

### **Legislative Counsel, Legislative Fiscal and Legislative Revenue Offices**

More staff are needed in the Legislative Counsel, Legislative Fiscal and Legislative Revenue Offices whether or not the Legislative Assembly chooses to transition to annual sessions. The exact number of additional staff needed in each office is difficult to predict because the length and nature of possible annual sessions are yet to be determined. Unresolved variables will influence staffing levels including: session length; budgeting; number of bills introduced; interim activities and additional duties assigned to each office. However, offices can review current staffing levels and submit requests for additional staff with the goal of continuing to provide timely and accurate service in order to facilitate the legislative process.

### **Issue Area and Committee Staffing**

Substantive committees address non-budget policy decisions such as health care, education, business, transportation and natural resources. Issue-area staff are recognized experts in policy matters. Committee staff facilitate the committee process regardless of subject matter. Committee chairs have some influence in how committees are staffed, and at times staff are assigned to committees that might not be able to take full advantage of their skills.

There is a need for consistency in staffing substantive policy committees. Consistency in staff may help in the development of good public policy when members can rely on recognized experts in different issue areas.

Issue-area staff and committee staff should be separated. This effort will professionalize issue-area staff, allow them to focus on policy research, and make them more accessible to all members. This recommendation also acknowledges the important relationship of trust that chairs must have with committee staff. Legislative staff should be hired and organized focusing on the following five principles:

- Professional – maintain and enhance a professional staff which has recognized “experts” in major issue areas including but not limited to health care, education, business, transportation, natural resources, and other non-budget topics;
- Continuous – create a staffing system that is consistent from session to interim and supports the needs of both houses;
- Stable – create the ability to attract and retain professional staff with recognized expertise in specific issues areas;
- Nonpartisan – ensure that research staff is available to all members regardless of minority or majority status, seniority, or committee assignment; and

- Non-political – insulate staff personnel decisions from the political environment including hiring, firing and staffing assignments.

A new legislative agency should be created to house issue-area staff, insulating them from the political and partisan pulls of the legislature. Committee staff may be relocated to the Chief Clerk of the House and Secretary of the Senate, remain under Legislative Administration, or be housed under a new Committee Services Agency.

### **Legislator Staffing – Legislative Assistants**

Generally, legislators represent more than 57,000 or 114,000 Oregonians per House or Senate District respectively. With improvements in technology over the last decade, the public has the ability to communicate with legislators more often and in more ways than ever before. With this communication comes an increase in constituent requests and concerns that require a legislator’s response. Moreover, issues facing legislators are increasingly complex.

Legislators are now budgeted to have one legislative assistant and one secretary for six months during session. During the interim, members have staff allowances for one staff person for 18 months at a salary less than the session secretary.

Legislators should be budgeted for at least one full-time legislative assistant to assist with legislative work during both the session and the interim.

## **HIRING FAMILY MEMBERS**

### **Recommendations**

- **Legislative leadership should adopt rules in 2007 that require any legislator who hires a spouse, child, parent or relative as an employee in their legislative office to file with the Chief Clerk of the House or Secretary of the Senate, a statement that they have hired a relative and indicate that person’s salary.**
- **The Chief Clerk of the House or Secretary of the Senate must certify that the salary is within the range acceptable for that position.**
- **The same process should be followed for salary increases.**

Oregon has no restrictions on the employment of family members as legislative staff. Legislators select and hire their own staff and set salaries within certain budgetary constraints. At least half of all states have rules relating to or prohibiting hiring family members.

Current law, ORS 243.305, establishes an expectation that there will be “fair and equal opportunities for employment and advancement” throughout all of state government. Hiring family members has the practical effect of denying a path to legislative employment and advancement for members of the public who might be interested in doing this work.

Many legislators trust family members to help them with their duties. Some legislators who live far from Salem bring family with them during session and want to employ them because family members are familiar with the unique qualities of the district, its people and issues. The practice of legislators hiring family members as assistants should be left to the discretion of individual members. However, legislators should acknowledge their own employment of family members.

## ALCOHOL CONSUMPTION

### Recommendation

- **House and Senate Rules should prohibit members and staff from being intoxicated while performing official legislative duties.**

Members of the public have witnessed some legislators performing official duties while under the influence of alcohol. This action showed a lapse in judgment on the part of those legislators and diminishes public confidence in the legislative decision-making process. All legislators are leaders and therefore must lead by example by exhibiting decorum and appropriate protocol especially when performing official legislative duties.

## PUBLIC ACCESS

### Recommendation

- **The Legislative Assembly should take steps to improve public access to the legislative process, including providing more notice about committee meetings and consideration of legislation.**

Oregon's legislative process has a well deserved reputation for being open and accessible to the public. The commission commends the Legislative Assembly for its dedication to keeping the process open. For example, committees are being encouraged to meet more often outside of Salem, which allows more citizens to attend legislative committee meetings. Also, the legislative website ([www.leg.state.or.us](http://www.leg.state.or.us)), which receives more than one million hits per month during session, provides easy access to information about legislators; bills, laws and related documents from the past several sessions; and archived audio recordings of committee meetings and floor sessions.

To further openness and access, the Legislative Assembly should:

- Require at least 48-hours notice before committee meetings for as long as possible during session and during the interim.
- Give as much notice as possible for hearing amendments to bills and provide an explanation of the effect of amendments to the public.
- Indicate clearly on agendas when testimony from the general public will be heard, distinct from introductory, invited or organized testimony.
- During public testimony, first hear from people who have traveled the farthest distance from Salem.
- Educate chairs to be more attentive to the needs of the audio/video audience, including having all speakers state their names on the record and explaining procedures or describing visual aids.
- Hold more committee hearings outside Salem.
- Make greater use of teleconference or videoconference technology in committee meetings to include people who might not be able to travel to Salem.
- Consider additional methods to provide access to the legislative process for the public living outside Salem.
- Take final action on bills in the capitol, not on the road, so that professional staff are available to answer last minute questions.

- Ensure that consultative and work groups created to consider proposals reflect diverse perspectives.
- Hold public hearings on recommendations from work groups before approving them.
- Move to one-hour meeting notice as close to the end of session as possible.
- Establish a page on the legislative website where citizens may request legislative committee agendas, including those from the Legislative Fiscal Office and Legislative Revenue Offices.
- Make the legislative website more useable to the general public by limiting the use of legislative jargon.
- Display the Citizens' Guide more prominently on the legislative website.
- Provide summary or overview documents on complicated budget and policy issues to the press and public.
- Draft Oregon Revised Statutes, bills and amendments in simple, understandable English and in logical order. (See Article IV, section 21 of the Oregon Constitution: "Every act and joint resolution shall be plainly worded, avoiding as far as practicable the use of technical terms.")

# RECOMMENDATIONS FOR LEGISLATIVE OPERATIONS REFORM

These recommendations address operational functions of the legislature. They respond to concerns about the role of committees, oversight and accountability, and the use of budget notes. They are intended to strengthen the knowledge base of legislators; assure multiple viewpoints during legislative debate; and increase transparency of the budget process.

## COMMITTEES

### Recommendations

- **Enhance legislator orientation curriculum to include more training in subject matter and procedural areas.**
- **Require comprehensive work plans for interim committees that prepare members for upcoming sessions.**
- **Increase continuity of both members and staff from session to interim committees.**
- **Maximize use of work groups and emphasize breadth of membership to reflect as many viewpoints in a policy discussion as possible.**
- **Require minority parties to select their committee members in proportion to membership of the body.**
- **Require presiding officers and members of each body to “institutionalize” the appointment of one or more members of a minority party to chair one or more significant committees or subcommittees.**
- **Keep the ability to open or reopen committees when needed during session to ensure that legislators experienced in particular subject areas are working on related bills.**
- **Establish and adhere to deadlines for committee actions including bill introductions, hearing deadlines, work session deadlines and chamber cross-over dates.**
- **Make investments in the above items.**

The Oregon Legislative Assembly is the most important decision-making body in the state. It requires an effective and rational decision-making process and a more structured and disciplined approach to addressing and resolving the problems confronting Oregon. Strengthening the knowledge base of legislators is essential and will result in a higher level of institutional competence and improved policy decisions.

A hallmark Oregon’s legislative process has been its strong committee system. The following recommendations focus on two parts of the committee process which, taken together, will enable policy decisions to be made in a thoughtful, deliberative way.

- Policy processes relate to the content of legislation. The goal of improving the policy process is to strengthen and support the knowledge base of legislators and staff.
- Administrative processes relate to the management of legislation. A timely, efficient administrative process with sufficient checks and balances to limit unforeseen problems is the goal.

Some of these recommendations were previously addressed in the Session Structure recommendation, but because they are also integral to the discussion of the role and function of legislative committees, they are repeated here. Additional information on each recommendation follows.

- **Enhance legislator orientation curriculum to include more training in subject matter and procedural areas.** It is important for legislators to have a basic understanding of the major issues that might be addressed during session. Formal instruction by experts or field trips to affected areas of the state may be required. In addition to subject area training, legislators should spend time learning how to be effective committee members or chairs, which includes knowing the process by which a bill becomes law and rules that govern floor discussions.
- **Require comprehensive work plans for interim committees that prepare members for upcoming sessions.** Legislators have limited time during session to study and debate all major policy issues, particularly those of a complex, technical nature. The importance of interim committee work must be recognized. Committee work plans must be agreed to before adjournment and must include specific goals and timelines for bill draft requests and introduction. Committees must be authorized to meet as needed to discuss and develop policy proposals.
- **Increase continuity of both members and staff from session to interim committees.** Committees are the principle vehicles for organizing information and policy discussions. Members can develop and build on a base of knowledge and expertise in a subject area when committee assignments are made that assure continuity of membership from session to interim to session. It is important to match a member's educational, occupational or life experience with the committee, but it is equally important to assign members with varied backgrounds who can bring a different perspective to issues. Similarly, staff should be assigned to subject matter in order to follow bills and policy discussions through the process from one house to the other and from session committee to interim committee.
- **Maximize use of work groups and emphasize breadth of membership to reflect as many viewpoints in a policy discussion as possible.** Committee chairs and members should make use of broad-based discussion groups to increase the participation of stakeholders in policy development and to solicit high-quality, in-depth information on complex topics, especially during the interim. Public comment should also to be solicited when appropriate. Work groups will not always be able to resolve differences or present a consensus to legislators, but they can provide more complete information on which to make decisions.
- **Require minority parties to select their committee members in proportion to membership of the body.** In a representative democracy, it is important that views are represented proportionally in all discussions. As the leader of the whole house, a presiding officer must ensure that committees reflect the balance between parties, unless there is sufficient reason to make an exception regarding committee appointments. Presiding officers must engage all members by assigning them to committees that make use of their strengths and interests.
- **Require presiding officers and members of each body to "institutionalize" the appointment of one or more members of a minority party to chair one or more significant committees or subcommittees.** Presiding officers should routinely appoint members of minority parties to key leadership positions on committees. Doing so would provide balance and a voice for alternative ideas; develop leadership abilities and expertise that will benefit the effectiveness of the legislative branch; offer opportunities for more effective working relationships; and decrease extreme partisanship.

- **Keep the ability to open or reopen committees when needed during session to ensure that legislators experienced in particular subject areas are working on related bills.** As the end of session approaches, the trend has been to funnel all substantive committee work to one or two committees because other committees stopped considering bills. Legislators who are generally unfamiliar with the session history of measures, or who might want to move in a different direction from the standing committee, take up complex policy bills under time constraints and other pressures. In order to improve the development of public policy in the waning hours of session, more substantive committees should remain open to consider associated legislation.
- **Establish and adhere to deadlines for committee actions including bill introductions, hearing deadlines, work session deadlines and chamber cross-over dates.** For committees and legislators to plan and manage workloads, they need a series of coordinated action deadlines. Deadlines are also useful in limiting requests for drafting and introducing measures, and requests for hearings and work sessions. All legislators, staff and the public should know what the deadlines are so that they can interact with committees in a timely manner. Deadlines should not be adjusted as the session progresses.
- **Make investments in the above items.** An effective committee process is crucial to the success of the Oregon Legislative Assembly. Therefore, legislators should invest time and financial resources needed to strengthen the committee process.

## **BILLS AND AMENDMENTS**

### **Recommendations**

- **Establish deadlines and time limits for bill introduction for members.**
- **Change House/Senate rules to allow members to sign onto bills before session so that bills can be filed before the session starts.**
- **Approve a concurrent resolution establishing dates including final introduction of measures, final committee hearings and the end of session.**
- **Use the early part of the session to consider bills filed by agencies before the start of session, committee and member bills, and prepare bills for floor debate in chamber in which bills originated.**

Recommendations related to bills and amendments focus on administrative processes related to drafting, introduction, and amendments for bills and other measures. Two factors affect the recommendations. First, a new bill drafting computer system will be installed and implemented for Legislative Counsel early in 2008. Second, these recommendations are connected to the recommendation calling for a joint resolution establishing dates for final introduction of measures, final committee hearings and the end of session.

This more structured approach for pre-session filing and the agreed upon deadlines for action throughout the session provide the necessary framework for the timely development of legislation and responsible deliberation by members and committees.

# PROGRAM EVALUATION

## Recommendation

- **Create an Office of Program Policy Analysis and Government Accountability, within the Legislative Fiscal Office, to assist the legislature with policy analysis, performance measurement, cost-benefit analysis, and oversight of state agencies.**

Oversight of state agencies is one of the most important functions of the Legislative Assembly, especially because the Oregon Constitution places so much authority in the executive branch. Combined with the constitutional authority to establish the state's budget, a well-staffed legislative program of government accountability would enhance the state's capability in a performance-based, program budgeting and accountability system. Many state legislatures and Congress have established Government Performance and Accountability Acts initiating performance-based budgeting reform. The staff agencies in those states provide program oversight focused on performance and concerned with performance measures, results, and cost-benefit analysis.

A professional staff required to apply professional standards could create performance reports that forge links among several activities:

- Planning, to achieve goals and objectives;
- Budgeting, to ensure that resources are available to carry out plans;
- Measuring, to assess progress and link resources actually used to results achieved; and
- Reporting, to present progress achieved and impacts on future efforts.

The commission suggests shifting the focus of government decision-making and accountability away from a preoccupation with activities – such as grants dispensed or inspections made – to a focus on the results of those activities, such as real gains in employability, safety, responsiveness, or program quality.

The creation of the Office of Program Policy Analysis and Government Accountability within the Legislative Fiscal Office (LFO) represents a restructuring and renaming of the Joint Legislative Audit Committee. This new division within LFO would permit a nonpartisan, professional staff to assist the legislature in holding state agencies accountable for using resources wisely and achieving program results. The staff should use nationally recognized program evaluation standards. The staff could also review agencies' plans, measure how well they are doing, and make recommendations to the legislature based on the information they have gathered.

# BUDGET NOTES

## Recommendations

- **Minimize the use of budget notes.**
- **Process budget notes through the respective subcommittees of Ways and Means, and restrict content to fiscal issues, as opposed to policy direction.**
- **Require that sponsors of budget notes submit drafts to subcommittees to vote on before they are included in a budget report.**
- **Make budget notes more accessible to legislators and the public and provide an opportunity for comment on the inclusion of budget notes before approval of a bill by Ways and Means.**

Budget notes cannot and do not set policy for an agency. However, such notes generally impose requirements on agencies regarding particular programs in their budgets, including making reports to the Emergency Board, or other action, during the interim. Budget notes presently are approved by the Co-Chairs of the Ways and Means Committee. When budget bills with budget notes are considered by the legislature, the notes are not approved by a majority of the House and Senate, nor by the Governor. Moreover, the public generally does not have the opportunity to comment on budget notes. All committee members should have the opportunity to review budget notes and approve the agency directives they contain. Additional information on each about the recommendation follows.

- **Minimize the use of budget notes.** Although not all matters related to an agency budget or the management or implementation of programs are suitable for inclusion in a bill, the use of budget notes should be kept to a minimum.
- **Process budget notes through the respective subcommittees of Ways and Means, and restrict content to fiscal issues, as opposed to policy direction.** There is a fine line between policy and fiscal decisions, but budget notes should address fiscal issues only.
- **Require that sponsors of budget notes submit drafts to subcommittees to vote on before they are included in a budget report.** The person proposing a budget note should communicate with the Ways and Means subcommittees about their request before it is approved by members. The author of a budget note also should be identified in the note.
- **Make budget notes more accessible to legislators and the public and provide an opportunity for comment on the inclusion of budget notes before approval of a bill by Ways and Means.** The current process of approving budget notes denies legislators the opportunity to vote on the direction given by a note and may deprive the public from knowing in a timely manner that a budget note has been attached to an agency's budget report.

# RECOMMENDATIONS FOR IMPROVING FACILITIES AND TECHNOLOGY

These recommendations address critical need for capital improvements to the Oregon State Capitol, and the technology infrastructure demands important to public access to the legislative process. They are intended to provide for contemporary information technology and sustained building maintenance.

## CAPITOL RENOVATION AND COMPREHENSIVE FACILITIES PLAN

### Recommendations

- **Legislative Administration should spend funds within its existing budget to update the renovation plan for the capitol “wings”; urge the 2007 Legislative Assembly to seek funding to implement the renovation plan so that the plan can be included in the March 2007 Certificate of Participation (COP) sale; and that the project begin as soon as possible.**
- **The Legislative Administration Committee should establish an advisory committee consistent with ORS 173.760 to develop a comprehensive plan for capitol renovation that outlines projects, estimates costs, and identifies funding sources and timelines.**

The present capitol building was completed in 1938. The House and Senate “wings” were built during the 1975-1976 interim to create office space for legislators and their staff, add hearing rooms, and add office space for the Legislative Counsel, Legislative Fiscal and Legislative Revenue Offices. Since then, improvements in technology have changed the legislative process and the way that constituents communicate with legislators. Moreover, the public is coming to the capitol more than ever, whether as tourists, school groups, or citizens participating in the legislative process.

The capitol is the peoples’ building and its physical condition calls for repairs. As the peoples’ building, it should be cared for not on behalf of the people who work in it, but as a symbol of Oregon government. The price of renovation, no matter how extensive, will only increase over time. Therefore, the Legislative Assembly should consider funding a renovation of the capitol a priority.

### Wings Renovation

A Capitol Wings Renovation Project has been under discussion since the late 1990’s. It addresses infrastructure problems including corroding water pipes in the House and Senate wings, overloaded electrical systems, overloaded computer network cable trays, bad air quality and circulation, a fire sprinkler system that is not up to code, and other fire hazards.

Renovations have yet to occur in the wings. The previous renovation plan should be updated and renovation should begin as soon as possible because costs will only increase.

### Comprehensive Facilities Plan

The original capitol building has similar problems to the wings, but the infrastructure is even older. The “Spring Break Quake” in March of 1993 damaged the building and illustrated the need for significant seismic upgrades. Also, annual legislative sessions, which the commission recommends the legislature

consider, would place additional demands for space for legislators, staff and the public, and on water, electrical and HVAC systems.

The Legislative Administration Committee, according to ORS 173.760, should establish an advisory committee to develop a comprehensive plan for renovation projects for the wings, the original building, seismic upgrades and the possibility of moving some capitol occupants to other locations on the mall. The initial goal of the advisory committee is to develop the comprehensive plan for capitol renovation including project outlines, approximate costs, funding sources and timelines. Subsequently, the advisory committee will review the plan and progress on an ongoing basis and revise the plan as necessary.

The advisory committee appointed to recommend a comprehensive renovation plan must include seismic rehabilitation of the building as well as:

- Safety (both the ability to work in a safe environment (OSHA) or be safe from crimes)
- Electrical wiring and plumbing
- Lighting in offices and hallways
- Technology cabling
- Space allocation
- Need for at least four large caucus rooms
- Need for committee meeting rooms that allow for roundtable discussions
- Video and audio upgrades for committee rooms, and chamber floors
- Public meeting and display space (capitol history center)
- Review ADA accessibility to the House and Senate chambers and to the wings
- Safety of the capitol grounds including the ability to get to entrances easily or being safe from crime

## WIRELESS ACCESS

### Recommendation

- **The legislature should fund creation of a secure wireless network and develop rules regulating the use of wireless technology by the public, legislators and legislative staff.**

Technological change is everywhere. Legislators now use computers, e-mail, the Internet, voicemail, cell phones, and other forms of electronic communication to do business. Recent advancements in technology allow for virtually instant communication between the public and the legislative branch.

The Wireless Analysis Project, conducted by Legislative Information Systems, studied the feasibility of making the capitol wireless. It is now possible to have a wireless network in the capitol, which will allow legislators and the public to access the network and Internet without begin tethered to a desk.

## USE OF TECHNOLOGY

### Recommendations

- **Use technology to the greatest extent possible to expedite the legislative process.**
- **Use consoles or laptops in the House and Senate chambers or in hearing rooms when appropriate.**

- **Investigate the feasibility of using “electronic bill book” software to guide legislators to electronic documents during committee discussion and floor debate.**
- **Approve rules governing the appropriate use of electronic devices during committee meetings and floor sessions.**

When legislators attend committee meetings and deliberations in the chambers, they usually take bill files stuffed with copies of bills, amendments, testimony, constituent communication and other material. When the pace of discussion is moving rapidly, it can be difficult to locate just the right piece of paper. As technology improvements are made in the capitol, legislators should incorporate new tools into the process to help them organize and gain quick access to information.

## **OREGON CHANNEL**

### **Recommendation**

- **The legislature should assist in funding the Oregon Channel Pilot Program during the 2007 legislative session to determine the utility of unedited coverage of legislative meetings and other public affairs events, such as agency meetings or Supreme Court arguments on a dedicated Public Broadcasting television channel.**

The public has many ways to learn about legislative activities and the legislative process, including newspapers, radio programs, Internet web logs, and television coverage. Portions of some legislative meetings and floor sessions are broadcast on local cable access channels. However, there is no comprehensive, unedited television coverage of Oregon government.

Legislative Media, Oregon Public Broadcasting, Southern Oregon Public Television, and the Oregon Public Access Network have proposed a partnership to create the “Oregon Channel,” a public affairs channel that televises government proceedings fulltime. The pilot project, to begin on the first day of session in January 2007, will televise select legislative committee meetings, floor sessions, news conferences, Supreme Court oral arguments, state agency meetings, board and commission meetings, debates, lectures, and public affairs programming.

## **AUDIO AND VIDEO HARDWARE**

### **Recommendation**

- **The legislature should fund upgrade of audio and video broadcast equipment in each hearing room and in the House and Senate chambers to ensure consistent coverage of legislative meetings and floor sessions.**
- **Approve budget packages to procure recording and archiving equipment that will allow legislative meetings to be indexed, searched, archived and stored electronically.**
- **Approve an adequate maintenance and replacement budget for audio and video systems so equipment is kept up to date.**

Audio recordings of committee meetings and floor sessions are the official record of legislative action. Therefore, it is important that they be recorded and archived in the most permanent manner possible.

Currently, audio recordings don't allow for section breaks that can be indexed electronically because they're on tape. Also, tapes are hard for people to use and they're physically deteriorating faster than new electronic recordings. Video and audio systems differ between hearing rooms and the chambers. Although meetings can be broadcast from all committee rooms and the chambers, some sound systems are better than others.

## SECURITY

### Recommendations

- **Legislative Administration should work with the Legislative Assembly to implement and fund the following:**
  - **Establish a process for performing background checks on employees;**
  - **Take appropriate measures to increase security in the parking garage;**
  - **Increase uniformed officer presence in the capitol;**
  - **Improve member and staff training about security;**
  - **Address secure access to the building including security equipment and personnel.**
- **An appropriate balance between security and public access must be maintained.**

The capitol houses the legislative branch, the Governor, the Secretary of State, the State Treasurer and many staff. The public needs access to all of these people for many reasons on any given day. The capitol is also a local tourist attraction. For these reasons, the capitol can be a target for disruptions. The capitol is very accessible to the public. Accessibility and security must be balanced in future discussions about security.

The number of people who work in the capitol fluctuates significantly between legislative session and the interim. Presently, background checks are not completed on legislative branch employees. Background checks are desirable as a means of reducing security risks.