

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

FILED 3-15-16 2:32 PM ARCHIVES DIVISION SECRETARY OF STATE
--

<u>Oregon Government Ethics Commission</u> Agency and Division	199 Administrative Rules Chapter Number
<u>Virginia Lutz</u> Rules Coordinator	(503) 378-5105 Telephone
<u>Oregon Government Ethics Commission, 3218 Pringle Rd. SE, Suite 220, Salem, OR 97302</u> Address	

RULE CAPTION

Adopts rules clarifying procedures and requirements for governing bodies holding executive sessions.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
4-25-16	2:30 p.m.	3218 Pringle Rd SE, Suite 220, Salem OR 97302	Marie Scheffers

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

199-040-0020; 199-040-0025; 199-040-0030; 199-040-0050

AMEND:

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 244.290

Other Authority:

Statutes Implemented:

ORS 192.660

RULE SUMMARY

Rule 199-040-0020 clarifies limitations on topics that may be addressed in executive session, including the fact that compensation is not a proper topic for executive session. Rule 199-040-0025 explains the Commission's procedure for opening complaints about improper executive sessions, providing notice that a complaint made about an executive session will be opened against each member of the governing body who attends the executive session. Rule 199-040-0030 provides guidance to governing bodies who intend to hold an executive session to review, evaluate, discipline, dismiss or consider a complaint or charge against a public official. Rule 199-040-0050 clarifies that the attorney being consulted must be present at an executive session held to consult with counsel concerning the legal rights and obligations of a public body with regard to current litigation or litigation likely to be filed.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

<u>04-25-2016 Close of Hearing</u> Last Day (m/d/yyyy) and Time for public comment	<u>Virginia Lutz</u> Rules Coordinator Name	<u>Virginia.Lutz@oregon.gov</u> Email Address
--	--	--

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.