

October 14, 1999

Gene E. Parker  
City Attorney  
City of The Dalles  
313 Court Street  
The Dalles, Oregon 97058

Dear Mr. Parker:

This letter is in response to your correspondence dated July 21, 1999 concerning the requirements for filing Annual Verified Statements of Economic Interest.

**OREGON GOVERNMENT STANDARDS AND PRACTICES COMMISSION STAFF OPINION  
NO. 99S-026**

**STATED FACTS:** The City of The Dalles recently entered into an intergovernmental agreement with Klickitat County, Washington, to create a regional airport board to oversee the operations of the city's municipal airport, which is located in Dallesport, Washington.

A question has arisen as to whether the members of the board appointed by the city council would be required to file a statement of economic interest with the Oregon Government Standards and Practices Commission (GSPC). The positions on the board are not elective offices, and the functions of the regional airport board would not appear to fit the definitions of a city planning, zoning or development commission.

**RELEVANT STATUTES:** The following Oregon Revised Statutes are applicable to the issues addressed herein:

ORS 244.020(5): Development commission means any entity which has the authority to purchase, develop, improve or lease land or the authority to operate or direct the use of land. This authority must be more than ministerial.

ORS 244.020(14): Planning commission means a county planning commission created under ORS chapter 215 or a city planning commission created under ORS chapter 227.

ORS 244.020(18): Zoning commission means an entity to which is delegated at least some of the discretionary authority of a planning commission or governing

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body relating to zoning and land use matters.

ORS 244.180: When city officials required to file statement.

(1): As used in this section, public officials of a city means each person holding an elective city office; each member of a city planning, zoning or development commission; and the chief executive officer of the city who performs the duties of manager or a principal administrator of the city.

QUESTION: Are members of the newly created regional airport board required to file Annual Verified Statement of Economic Interest forms with the Oregon Government Standards and Practices Commission (GSPC)?

OPINION: The stated facts indicate that the members of the regional airport board are not elected officials. Neither does the function of the board appear to fit the definitions of planning, zoning or development commissions set forth in ORS 244.020. Accordingly, there appears to be no requirement for board members to file a statement of economic interest.

**THIS RESPONSE ADDRESSES ONLY THE APPLICATION OF ORS CHAPTER 244 TO THE FACTS STATED HEREIN. OTHER LAWS OR REQUIREMENTS MAY ALSO APPLY. THIS IS NOT A FORMAL ADVISORY OPINION PURSUANT TO ORS CHAPTER 244.280. IT IS MY PERSONAL ASSESSMENT AS THE EXECUTIVE DIRECTOR OF THE OREGON GOVERNMENT STANDARDS AND PRACTICES COMMISSION.**

Please don't hesitate to call or write again if you have questions or desire additional clarification.

Sincerely,

L. Patrick Hearn  
Executive Director