

Bill sparks debate on Ethics Commission

By DANA TIMS
Of the Emerald

SALEM — Debate on a bill that would increase the amount lobbyists can spend "winning and dining" legislators before having to report the expenditure has revealed that the Oregon Government Ethics Commission may lack the authority to enforce its own conflict-of-interest rules applying to legislators.

Senate Bill 125 — "the lobbyist's bill" — passed the Senate two weeks ago amidst the most extensive floor debate thus far. It is now before the House

Committee on State Government Operations, where it received a first hearing Tuesday.

The proposal, important for its symbolic impact, is one of the session's more controversial bills and is likely to spark another heated floor debate in the House if it struggles out of committee intact.

But it was a related question that prompted an Ethics Commission official, who was testifying on SB 125, to express doubt that the commission has the constitutional authority to enjoin legislators from participating in apparent conflicts

of interest.

Early in the hearing, Rep. Bill Markham, R-Riddle, asked about the role of the Ethics Commission in handling conflicts of interest relating to legislators.

Paul Harvey, commission hearings officer, said he doubted whether the commission has any control over the members of the Legislature.

"The Legislature makes its own rules and is in that way unique," Harvey told committee members.

"Do you mean," Markham responded, "that even if a legislator were reported to have a conflict of

interest, and that were the case, you wouldn't be able to do anything?"

At least three instances were reported during past sessions, said Harvey, in which improprieties occurred. "Usually," he went on, "it was for use of the office for personal gain. We did talk to them and there was no problem."

But, Harvey explained, if those legislators hadn't cooperated, the commission would have had no recourse.

At that point, committee Chair

Drew Davis, D-Portland, suggested that an Attorney General's opinion be sought on the matter.

Harvey was amenable to the suggestion, but noted, "the law says the Legislature makes its own rules."

The Ethics Commission comes under "sunset review" during the next biennium, which means its substance and concepts must be considered and reaffirmed before it can receive additional funding.

Harvey suggested to committee members that additional legal bite could be built into the commission at the time of that review.



Duncan bill tackles increases, maximizes local school control

SALEM, (AP) — State schools chief Verne Duncan has asked the Legislature to put a lid on increases in school spending while leaving local government a maximum of control.

Duncan told a news conference Tuesday that statewide school

costs rose 13½ percent this year. He said he has drafted a bill that would give districts three options for limiting increases in school budgets.

"While for the most part increases in school expenditures are all defensible...I believe the time has come for a major effort at controlling expenditures," Duncan said.

He said basic school support has decreased the percent of school budgets made up of property taxes "but these efforts have been primarily a method of controlling the sources of school districts' revenues, not controlling over-all expenditures."

Duncan said his plan was not designed to correlate with Gov. Vic Atiyeh's tax relief proposals, but he said the plans would not be incompatible.

Under Duncan's plan, a district could choose one of three formulas for computing its school budget. He said one formula

would work best for a rapid growth district, the second would fit a declining enrollment district while the third option might be best for a district operating within a tax base.

The first option is a formula based on a specified percentage increase, using the district's projected average daily membership as a multiplier. The second is based on a flat percentage increase over current year budget requirements. The third allows those districts which can operate within their approved tax bases to do so.

The percentage needed for computing the first or second formula would be set by the Legislature.

Duncan pointed out that levy approval for any amount outside the district's tax base would still be required. He said the plan also allows a district to hold one vote on a levy in excess of the limitation established by the formula.

Atiyeh restores state travel, hiring

In an effort to reduce paperwork, Gov. Victor Atiyeh has rescinded an order that restricted travel and hiring of new state employees.

During the six-month long "freeze," both out-of-state travel and the hiring of classified staff members required specific written approval from Salem, says Jack Steward, University personnel director.

A procedural outline, which will in effect regulate the same areas and was developed by Steward and Vice-Presidents Paul Olum, Curtis Simic and Ray Hawk, explains that the governor's action was taken "primarily in an effort to reduce delays and burdensome paperwork."

"No more justification to Salem

of out travel and hiring actions will be necessary," says Joanne Carlson, assistant to Olum.

Carlson and Steward stress that the executive order's intent has not been canceled. "Without the freeze, we still hold our own reviews in these areas, and we strive to economize the budget," Steward says.

"In any case, anything on state funds must ultimately be approved by Salem — the procedure is simply now less complicated."

There is an "ongoing responsibility to review programs and ex-

pensitures and continue only those which truly benefit the citizens of Oregon," according to the procedural outline.

Steward says he sees no significant differences ahead for the University. "The reviews will no longer be so regimented, but the process of expenditure review is nothing new."

"Even before the freeze, we had to always review our spending in view of budgetary cut-backs," he says, adding, "under the freeze, we were always able to justify our expenditures."

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