

Capitol Operations Plan: 2021 Legislative Session – 23 December 2020

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INTRODUCTION

The COVID-19 pandemic has taken an unprecedented public health and economic toll on Oregon, the country, and the world. Legislative Leadership extends its deepest condolences to all who have been impacted by this pandemic, and to the family and friends of all Oregonians who have lost their lives.

Every state is grappling with the challenge of how to operate in session during this pandemic. Legislative Leadership is committed to maintaining a safe workplace for its employees and reducing the likelihood of transmission of COVID-19 among occupants, while maintaining and enhancing public access to the legislative process. The goal of Legislative Leadership is to balance the following priorities during the 2021 legislative session:

- Safety
- Transparency
- Strong public participation
- The completion of the Legislature's business

Given the fluidity of the pandemic and the highly contagious nature of the virus, regular tracking of key public health indicators and metrics should be employed to ensure legislative operations are as safe and effective as possible for Members and Legislative Branch staff, while maintaining transparency and accessibility to the public. The Presiding Officers will finalize plans to begin session following final reviews by the Oregon Health Authority (OHA) and Oregon Health & Science University (OHSU). Capitol protocol will be subject to periodic review during the session.

Communication is essential to any functioning entity. Legislative Administration is working to enhance public communications, so the general public is aware of legislative processes before coming to the Capitol. Legislative Administration will also revamp the existing 1-800 number so Oregonians can learn how to testify in committee, view the committee schedule, find their legislator, and make committee sign-ups more accessible, including through language support services.

HOW TO READ THIS DOCUMENT

This document is intended to serve as a blueprint for how the 2021 legislative session will operate based on current and best available information. It is informed by recommendations from the Core Team (see *background*). Core Team recommendations are elaborated upon in the appendices for alternative operations should the pandemic abate.

This document is organized into three major sections:

- Part I includes general operating procedures regardless of the status of the building;
- Part II outlines chamber protocol specific to operations on the House and Senate floors;
- Part III identifies changes to committee procedures to ensure transparency and access;

- Appendix includes internal agency plans and directives for Capitol occupants, and recommendations from the Core Team and Sub Teams for Capitol operations should the building be physically opened to the general public.

Prior to final adoption, this document was circulated for final feedback from legislative members and staff and provided to OHA and OHSU for final review.

As Oregonians adhere to public health guidance to curb the spread of the virus, Legislative Leadership is also committed to modeling best public health behavior to ensure the safety of all who enter the Capitol.

BACKGROUND

The planning process began in September with the creation of the Core Team. This team was tasked with creating operational recommendations for the 2021 legislative session.

Steps include:

1. Establishing a core team to identify risks, develop plans, and provide recommendations to leadership.
2. Convening sub-teams to consider specific solutions in each of the main operational areas: House, Senate, Capitol, Committee, Agency, and Public Access.
3. Communicating progress and final plans to members, employees, Capitol tenants, and the public.
4. Implementing the final approved plan.

Initial Planning Considerations

- Consideration of best, worst, and most likely scenarios.
- Compliance with public health directives and guidelines.
- Maximizing opportunities for public engagement.

Core Team Membership

Non-Partisan Offices

Legislative Fiscal Office
 Legislative Revenue Office
 Legislative Policy and Research Office
 Legislative Counsel
 Interim Legislative Equity Officer
 Human Resources
 Chief Information Officer
 Facilities Manager
 CAMS Project Director
 Oregon State Police
 Interim Legislative Administrator
 Visitor Services

Others: Capitol Club & Capitol Press

House of Representatives

House Republican Office
 House Democratic Office
 House Speaker's Office
 Chief Clerk
 Legislative Aide, HD 29
 Legislative Aide, HD 07

Members:

Rep. Drazan

Rep. Evans

Senate

Senate Republican Office
 Senate Democratic Office
 Senate President's Office
 Secretary of Senate
 Legislative Assistant, SD 04

Members:

Sen. Girod

Sen. Wagner

Sub Team Focus Areas

House Chamber	Senate Chamber	Capitol Operations	Committee Operations	Agency Operations	Public Access
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PART I: GENERAL OPERATING PROCEDURES

BUILDING SAFETY MEASURES

The following safety measures will be in place as a baseline for session operations in 2021.

Supplies and Equipment

Legislative Administration should monitor and consider our stockpiles of personal protective equipment (PPE), sanitizers, and disinfectants. The current count, rate of consumption, and rate of replenishment of all items below factor into these decisions:

- Personal Protective Equipment: N95 masks, non-N95 masks, gloves, protective suits (for custodial staff).
- Sanitizers: soap, hand sanitizer.
- Disinfectants: Oxyvir, Bioesque, Lysol spray, Clorox wipes.
- Other Supply: trash bags, paper towels, toilet paper, seat covers.

PUBLIC HEALTH GUIDANCE

Face Masks

Any person authorized to work on-site during the legislative session must wear a mask in all legislative facilities unless alone in their office. Facemasks are available in Room 49 upon request. Individuals will be responsible for the maintenance of their own mask (see *appendix*). Facemasks should be worn at all times unless alone in an office (masks must be worn in communal spaces that are single occupancy, like restrooms). Congregating in public spaces is not advised and should be avoided. Staff and members are strongly encouraged to be mindful of their surroundings to avoid unintended gatherings.

Staffing

Members should allow staff to work off-site with on-site work limited to the number of personnel that can be accommodated according to square footage requirements (see *appendix*). Interns, second assistants, and other legislative assistants are encouraged to work remotely. Caucus offices can assist members in producing a staffing plan for the 2021 session. Legislative branch agencies should encourage staff to work off-site with on-site work limited to their respective agency plans (see *appendix*).

Communal Spaces

- One-way hallways, direction of travel signage, and ‘keep to the right’ signs for stairwells will be posted to maintain physical distancing as much as possible.
- Occupancy limits on elevators are posted (1 – 2 people, depending on the elevator).
- Elimination of communal food and/or drink. Includes but is not limited to:

- Shared coffee pots, refrigerators, or water pitchers.
- Water fountains or water coolers.
- Buffet-style meals, candy dishes, etc.
- Members are encouraged to use the member lounge service (lounge closed, prepared meals available) and/or bring reusable drinking containers. Bottled water will be provided daily.
- No eating or drinking near another person.
- Placement of hand sanitizer in multiple locations (high traffic, entrances, exits). Occupants are strongly encouraged to perform frequent hand washing.
- The basement café will not be available for the 2021 session.
- The Capitol Club lounge will not be available until public entry is permitted.

Exposure Notification

- Please see the November 16, 2020 memo from Legislative Administration (linked in *appendix*) for protocols regarding a known COVID-19 event.

CAPITOL ENTRY FOR AUTHORIZED PERSONNEL

The session will begin with committees meeting remotely, limiting floor sessions where possible, and physical access to the Capitol permitted for authorized personnel (contract workers, legislative employees, legislative members, Treasurer’s Office, Governor’s Office, Oregon State Police). If public health conditions improve and the metrics permit, authorized personnel will be expanded to include the public, subject to public health protocols (e.g. occupancy limit if necessary).

Metrics for Expanding Entry to the Capitol

- The Capitol shall remain open only to authorized personnel when Marion County remains in extreme, high, or moderate risk, according to OHA’s Risk and Protection Framework.
- When Marion County enters moderate risk, the Presiding Officers shall work with caucus leaders on developing a framework – based on subgroup recommendations – to expand in-person access to the Capitol and increase staff presence in the building.
- When Marion County enters the low risk category, the Capitol shall be open to members of the public with minimal restrictions.

The Presiding Officers propose monthly evaluations beginning on March 1 through Sine Die. If public health metrics are met, the Legislative Administrator shall advise the Presiding Officers and shall begin planning to expand authorized access to the Capitol in accordance with recommendations from the Core Team (see *appendix*).

ORGANIZATIONAL DAYS

Organizational Days will run like a special session. In the House, members will be called to the floor in cohorts for swearing in, given the occupancy challenges. In the Senate, members may remain on the floor. No joint session will be held, and the Governor’s State of the State address will be broadcast virtually on a different day.

Families and friends can attend virtually by prior registration with the Clerk and Secretary of Senate's office, respectively. Family and friends will then join virtually on the House floor. All activities will be livestreamed online.

Training

Pre-session training will include mandatory and optional modules that will be available through our Online Learning Portal. Training modules will come available between late December and the first week of January, depending upon the topic. Notification of available training and relevant information will be sent out in the coming weeks.

ON-SITE EXPECTATIONS OF STAFF, MEMBERS, AND PRESS

Entry

- Authorized personnel must not enter the building if displaying any COVID-19 symptoms (see this [link](#) for symptoms and [this link](#) to use the virtual CDC tool).
- Wash hands regularly and refrain from touching the face or masks.
- Be familiar with [coughing and sneezing etiquette](#).
- All personnel shall use their badges to enter the Capitol for contact tracing purposes.
- Non-badged media must check in at the Capitol Press Corps office.

Conducting Business

Employees, members, and the press must always maintain at least six feet of distance, when feasible. Requests for additional barriers and PPE can be made of facility services in Room 49, however, physical barriers are no substitute for physical distancing and mask wearing. Physical barriers can be an additional tool for lowering risk in areas like a reception desk, etc.

It is strongly recommended that all meetings of authorized personnel occur virtually, unless it is impossible to do so. Members may have varying preferences for scheduling meetings with the public. Members are encouraged to contact their respective caucus offices for support organizing their session schedule. For example, some members may prefer to use Zoom for an "open meeting hour," while others may want 15-minute virtual meetings scheduled, etc.

PART II: CHAMBER PROTOCOL

In both chambers, seating will be arranged in the side aisles in order to maintain six feet distance, the honorary page program will be delayed until the building is fully open to the general public, and floor staff will operate doors to reduce touchpoints.

HOUSE FLOOR

Document Distribution: No hard-copy floor distribution of documents – floor letters, executive appointment calendars/rosters, amendments. All official distribution will be done electronically and posted on OLIS. Floor letters should be sent to the Clerk’s office via email. Floor letters will be posted on OLIS. The Clerk will announce on the floor the availability online of said documents.

Scripts: Scripts for motions or agenda items will continue to be printed as hard copies and placed on member desks. Staff will observe all sanitation protocols to minimize public health risks when distributing script pages.

Quorum: Once quorum is reached, a quorum will be presumed unless questioned. Members will be limited based on occupancy guidance unless, upon public health review, the Legislature can safely permit more members to be on the floor.

Note: 40 members may be on the main floor (with five on the side aisles and 35 at their desks) with up to five staff (three from clerk’s office, one from Speaker’s office and one from the Minority Leader’s office) with regular presence. Up to 20 members may occupy the third floor galleria and are encouraged to do so to minimize bottle necks at the floor entrances. Members may watch floor from their offices if preferred but must be cognizant of bottle necks at entrances and remain physically distanced while waiting to have their vote recognized.

Invocation/Opening: Given by members or staff already in chamber to minimize variance in number of persons on the chamber floor and to reduce exposure until public health guidelines are revised, pursuant to a change in the public health emergency.

Carriers: Members who are assigned to be bill carriers need to have access to their desks while they are carrying a measure. Members within six feet of a carrier should move away from a carrier to provide at least six feet of distance while the carrier is at their desk. Members must keep their mask on when speaking and should speak loudly. The Clerk will alert the presiding officer if the speech is inaudible.

Debate: Members who wish to participate in debate will depress their right-to-speak button to get in the queue. If a member is not in the chamber due to public health concerns or occupancy restrictions, but does wish to speak to an issue, the member will notify their whip or caucus leader (either directly or through a caucus staff member in the chamber) and the designated whip

or caucus leader may depress their right-to-speak button. The presiding officer, chief clerk, and reading clerk need to be attentive to the potential for a slowing of the debate due to the fluid process to get “in the queue.” Following debate and prior to recognizing the closer, the presiding officer will announce that “debate will be closed in one minute.” The countdown will commence immediately following the announcement. The Chief Clerk will keep the time and notify the presiding officer when the time has elapsed. If nobody wishes to be recognized, the presiding officer will recognize the closer. Once the closer has commenced, the presiding officer will not return to debate. Members within six feet of the member speaking should move away the speaking member providing at least six feet of distance while the speaking member is at their desk. Members must keep their mask on when speaking and should speak loudly. The Clerk will alert the presiding officer if the speech is inaudible.

Roll Call/Voting: The 30-second window for voting is removed. Voting will take as long as it takes to record the votes of all present members. After the names of all members have been called, a five-minute countdown will begin. The presiding officer will determine when the vote is closed.

Floor Presence: To the degree possible, the Speaker, the Speaker Pro Tempore, the Democratic and Republican leaders, and the Democratic and Republican whips (or a designee) will need to have a permanent presence on the traditional chamber floor. The House chamber is exclusively reserved for the following: members of the House, staff of the Chief Clerk’s Office, the Speaker’s office, caucus offices, and, if the carrier of a measure or a member asking a question of the carrier requests, LC, LFO, LRO, and LPRO staff. Staff should not sit at or use another member’s desk or chairs, even if unoccupied.

Press: The North Gallery is reserved for accredited members of the press. Staff and members are not permitted in this area.

Unanimous Consent Procedure: If the Speaker requests to suspend the rules, it will be announced clearly from the rostrum and presumed without objection. Other voice votes will be presumed without objection. This does not preclude any member on the floor of the House from objecting and requesting a roll call vote be taken on any question.

Rule Changes: Required rule changes should be minimal and particular to the 2021 Regular Session. These changes would be removed or rendered inoperative once the public health emergency ends or is contained. Rule changes adopted unrelated to the public health emergency would remain operative.

SENATE FLOOR

Document Distribution: No hard-copy floor distribution of documents – floor letters, executive appointment calendars/rosters, amendments. All official distribution will be done electronically

and posted on OLIS. Floor letters should be sent to the secretary's office via email. Floor letters will be posted on OLIS.

Scripts: Scripts for motions or agenda items will continue to be printed as hard-copies and placed on member desks. Staff will observe all sanitation protocols to minimize public health risks when distributing script pages.

Quorum: To establish a quorum, the Senate Reading Clerk will slowly call the roll. Once the entire roll has been called and quorum is reached, a quorum will be presumed unless questioned.

Invocation/Opening: Given by members or staff already in the chamber to minimize variance in the number of persons on the chamber floor and to reduce exposure until public health guidelines are revised, pursuant to a change in the public health emergency.

Carriers: Members who are assigned to be carriers need to have access to their desks while they are carrying a measure. Members within six feet of a carrier should move away from a carrier to provide at least six feet of distance while the carrier is at their desk.

Debate: Members who wish to participate in debate will depress their right-to-speak button to get in the queue. If a member is not in the chamber due to public health concerns but does wish to speak to an issue, the member will notify their whip or caucus leader (either directly or through a caucus staff member in the chamber) and the designated whip or caucus leader may depress their right-to-speak button. The presiding officer, secretary, and reading clerk need to be attentive to the potential for a slowing of the debate due to the fluid process to get "in the queue."

Roll Call: For each vote, the reading clerk will slowly call the roll. Caucus staff will assist with the voting procedure by contacting members off the floor (in the chamber area or in member office area), informing them of the need to return to the floor for voting if they are not on the floor at the beginning of a vote. Voting from the side aisles and 3rd floor gallery will be allowed. Members must follow Senate rules and vote audibly to facilitate transparency, in a time when the Capitol may have limited access for the public and more persons may be streaming Senate floor sessions via device.

Unanimous Consent Procedure: If the President requests that the rules be suspended, it will initially be a "unanimous consent" request. This does not preclude either caucus leader or a member from objecting and requesting a roll call vote on any question.

Seating and Staff:

- The Senate floor and chamber area will be reserved for the following: members of the Senate, Secretary of the Senate staff essential to floor session functioning, and very limited other staff essential for legislative procedures. No more than one staff member from each of the following offices – SPO, SDO, SRO – will be allowed on the floor at one time. LPRO, LFO, LRO, LC or other member staff will be allowed only as necessary and required by a member. Such staff may need to remain on the side aisle for

consultation, depending on the number of persons allowed on the Senate floor per public health guidelines. Secretary of the Senate and caucus staff on the floor will facilitate the process required to limit/control nonpartisan staff movement and access to chamber floor.

- The Senate President, President *Pro Tempore*, and caucus leadership should remain on the floor during the entire floor session to facilitate the process.
- Press/Media – Limited to no more than two persons on each side aisle of chamber floor. Additional media may be physically distanced in the North gallery.

Note: Senate Rules will likely need to be modified to account for changes made pursuant to the public health emergency. The Senate Chamber subgroup anticipates that such required rule changes would be minimal and particular to the 2021 Regular Session, and would be removed or rendered inoperative once the public health emergency ends or is contained. Rule changes adopted unrelated to the public health emergency would remain operative.

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PART III: COMMITTEE OPERATIONS

















The legislature is a committee-driven body. Remote access to committees has expanded input opportunities to many who do not live near the Capitol or who cannot plan their day around a trip to the Capitol. The unique circumstances of COVID-19 have expanded how the public engages with the Legislature but also requires additional transparency during all committee interactions. In accordance with guidance from Legislative Counsel, the following protocols shall be maintained as regularly as possible:

- Committee business shall be completed remotely. Committee rooms will not be set up to accommodate in-person participation by members. Members may stream committee meetings from their Capitol offices or from places outside of the Capitol.
- Transparency:
 - Members shall remain on camera as much as possible and notify the chair or committee staff if they need to have their camera off for more than a few minutes;
 - Chat features shall not be used for deliberation;
 - LPRO, LFO, and LRO staff shall “pin” members to the screen so the public knows who is speaking and who is present;
 - Public testimony shall be expanded to include video testimony;
 - Each chamber shall adopt rules to increase the amount of time an amendment must be posted prior to committee action (note: this will require a House and Senate rule change).
 - CCTV can stream one live event at a time. Legislative Administration will develop a rotating schedule of committee meetings and floor debate.
- Access:
 - Committee agendas shall state the approximate time by which an item will begin so the public is not waiting unnecessarily on a phone line or in a Teams queue;
 - The public record will be extended by 24 hours for all public meetings;
 - Call-in, video, and written testimony will be accepted;
 - Viewing stations will be set up on the Capitol Mall;
 - Local government partners will be asked to facilitate links or referrals to the Legislature’s 1-800 line or Capitol webpage to let the public know when session begins;
 - Increase the amount of time an amendment must be posted prior to committee action.
- Capacity:
 - Automated testimony uploader will be completed by the end of the year, providing more capacity for committee staff to support members of the public who need assistance testifying.
- Press:
 - Press shall be given links to join virtual meetings upon request to receive real-time access to hearings. Press will remain off video and muted. LPRO/LRO/LFO committee staff shall remind members that press may be on the line when the committee is “at ease.”

Note: some of these protocols will require changes to House and Senate chamber rules in addition to changes to committee rules.

APPENDIX

TABLE OF RESOURCES

OSHA Information			
OSHA Rule Requirement Summary	 OR OSHA Rule Requirements_26Oc	OSHA Infection Control Assessment	 OSHA Infection Control Assessment
OSHA Risk Assessment	 OSHA Risk Assessment Form.dc		
Legislative Agency Recommended Internal Operations for limited, hybrid, and full capitol entry			
Legislative Policy & Research Office	 LPRO Agency Plan.docx	Legislative Fiscal Office	 LFO - AgencyPlan Draft 101920 (002).d
Legislative Counsel	 LC PlanTemplate final 10-29 .docx	Legislative Revenue Office	 LRO - Agency Plan Draft.docx
Legislative Administration			
Sub-Team Initial Draft Recommendations for limited, hybrid, and full capitol entry			
Senate Chamber Operations	 2021 Senate Chamber Operation	House Chamber Operations	 Conceptual House Floor Framework 20
Committee Operations	 Memo - Committee Ops.pdf	Public Access	 Subteam Recommendation_Pi
Capitol Operations	 Legislative Administration Ope		 Public Access Subgroup_Capitol P
Other Documentation			
Exposure Notification Process	 Exposure Notification Process	LC Opinion on 2021 session constraints	 LC opinion on 2021 Session Constraints.
Occupancy	<ul style="list-style-type: none"> Adjusted Occupancy Open based on 35 sq ft/person in a completely open space W/furniture considers loss of square footage due to furniture in the space <p>The black number is based on 35 sq ft/person (OHA guidance)</p>		 Capitol_Occupancy.xlsx