

**HOUSE OF REPRESENTATIVES**

**THIRD READING ALERT**

**PROJECTED THIRD READINGS FOR MONDAY, MARCH 3, 2014**

**HOUSE CONVENES AT 10:30 A.M.**

BILL#	COMM	RECOMMENDATION	Filed	CARRIER
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**PROPOSITIONS AND MOTIONS:**

**(Possible Consideration of Senate Amendments)**

**HB 4045** A-Eng      **AGNR**      **03/03/2014**      **Witt**  
 Reconstitutes the Well Construction Contractors Continuing Education Committee and statutory provisions related to continuing education programs for licensed water well constructors. Ratifies actions taken on or after January 7, 2014, and before effective date of measure. Sunsets January 2, 2022. Declares emergency, effective on passage. **Senate amendments sunset measure on January 2, 2022.** (Senate vote: 30-0)  
**Please note: Has minimal fiscal impact, no statement issued.**

**HB 4056** A-Eng      **RULES**      **concur**      **03/03/2014**      **Whisnant**  
 Prohibits county clerk or county recording officer from recording document that records death filed in conjunction with owning or having interest in land if document originated in this state and includes medical information related to cause of death. Clarifies application to documents, to record death, received on or after January 1, 2014. Declares emergency, effective upon passage. **Senate amendments clarify that Act applies to documents, to record death, received on or after January 1, 2014.** (Senate vote: 30-0)

**HB 4104** B-Eng      **BL**      **concur**      **03/03/2014**      **Holvey**  
 Deletes limiting interim medical benefits to certain types of services. Requires health benefit plan to expedite pre-authorizations and guarantee payment of expenses for medical services provided prior to the acceptance or denial of the claim according to the terms, conditions and benefits of the plan. Deletes requirement that workers' compensation insurer or self-insured employer pay any balance after the health benefit plan makes payment. Requires, if claim is accepted, the workers' compensation insurer or self-insured employer to pay for medical services provided, including reimbursement to the injured worker or health benefit plan, subject to terms and conditions of workers' compensation statutes. Deletes provision allowing workers' compensation insurer or self-employed insurer to recover expenses for interim medical benefits on denied claims. Requires, if claim is denied, health benefit plan to pay for medical services provided according to the terms, conditions and benefits of the plan. Specifies, in the state insurance code, that a health benefit plan may not exclude, and shall expedite pre-authorizations required for, work-related injuries or occupational diseases when the worker is waiting for a workers' compensation claim to be accepted or denied. Requires a health benefit plan to guarantee payment of pre-authorized medical services according to the terms, conditions and benefits of the plan if the claim is found not to be a compensable workers' compensation claim. **Senate amendments delete portions of ORS 656.247(4)(a). Deletes ORS 656.247(5). Specifies that section 2 applies to health benefit plans entered into or renewed on or after the effective date of the measure.** (Senate vote: 30-0)

LEGEND		
AGNR.....Agriculture & Natural Resource	JUD.....Judiciary	dp=do pass
BL .....Business & Labor	REV .....Revenue	dpa=do pass with amendments
CPGE....Consumer Protection & Government Efficiency	RULES.....Rules	Aa=adopt with amendments
ED .....Education	RC.....Rural Communities	PE=print measure engrossed
EE .....Energy & Environment	TED.....Transportation & Economic Development	A=adopt
HC.....Health Care	VET.....Veterans' Services & Emergency Preparedness	re=referred or referral
HEWD .Higher Education & Workforce Development	WM .....Ways and Means	res=rescind
HS .....Human Services & Housing		sub=subsequent

**SENATE BILLS:**

***(Carried over from Friday, February 28, 2014 Calendar)***

**SB 1536 B-Eng JUD dpa PE 02/25/2014 Williamson**  
 Defines “public defense provider” and clarifies which of the juvenile court records they are allowed to see. Clarifies that terms “record of the case” and “supplemental confidential file” are included documents filed prior to the effective date of [SB 622](#). Grants the Oregon Judicial Department (OJD) authority to permit access to juvenile court records to certain specified agencies such as the Office of Public Defense Services, the Attorney General and district attorneys. Grants the Chief Justice of the Oregon Supreme Court and the Chief Judge of the Oregon Court of Appeals or a presiding judge of a judicial circuit authority to permit researchers or evaluators access to juvenile court records. Makes disclosure provisions operative on September 30, 2015 rather than July 1, 2014. Clarifies that for adoptions cases filed before January 1, 2014, a person over the age of 18 who would like access to his or her adoption records can obtain his or her name at birth and the names of his or her birth parents and petitioners to the adoption proceedings. (Committee Vote: 8 - 0 - 1)

**SB 1541 REV dp 02/25/2014 Barnhart**  
 Reinstates the tax credit for crop donation as provided in ORS 315.156. The bill also increases the percentage of wholesale price allowed as credit amount from the original 10% to 15%. The bill applies to tax years beginning on or after January 1, 2014 and before January 1, 2020. (Committee vote: Ayes, 7 – Bailey, Berger, Davis, Gelser, Read, Vega Pederson, Barnhart; Nays, 2 – Bentz, Conger)

**Please note: Has minimal fiscal impact, no statement issued.**  
**Please note: Has Revenue Impact Statement**

**SB 1550 A-Eng JUD dp 02/25/2014 Hicks**  
 Requires that a trial must commence within two years from the date of the filing of the charging instrument if the most serious offense in the instrument is a misdemeanor, and three years if the most serious offense in the charging instrument is a felony. Stipulates that these time limits cease to apply if the defendant fails to appear at trial. Excludes periods when the defendant is: (a) being examined for fitness to proceed; (b) determined to be unfit to proceed; (c) being examined for mental disease or defect or other mental defense raised by the defendant; (d) unable to appear because of illness. Excludes period of time for interlocutory appeal or stays of proceeding by an appellate court in a mandamus or habeas proceeding. Excludes periods of time the defendant has attempted to avoid apprehension or prosecution or the defendant’s location cannot be determined by due diligence. Requires court to dismiss the charging instrument without prejudice unless the court finds substantial and compelling reasons to allow the proceeding to continue. Includes “reserve” police officer within the term “police officer”. (Committee Vote: 8 - 0 - 1)

**Please note: Has Fiscal Impact Statement**

**LEGEND**

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I-5 .....Interstate-5 Bridge Replacement Project	WM .....Ways and Means	

**SB 1504**                      **RULES**                      **dp**                                      **02/27/2014**                      **Holvey**  
 Expands list of prior violations that prohibit individual from becoming paid circulator. Amends time period paid circulator's criminal records check is valid. Permits name of candidate nominated for more than one district office to appear on ballot more than once. Permits elector who submitted ballot in unsigned return identification envelope to remain on active voter registration rolls. Resolves discrepancy regarding day on which challenged ballot records may be released to public. Resolves certification date discrepancy for write-in ballots. Limits prohibition on electioneering to business hours. Permits person to show person's own marked ballot to another person. (Committee Vote: Ayes, 7 – Barnhart, Berger, Harker, Holvey, Jenson, Smith Warner, Hoyle; Nays, 1 – Kennemer)

**SB 1525 B-Eng**                      **HEWD**                      **dpa PE**                                      **02/26/2014**                      **Harker**  
 Grants Higher Education Coordinating Commission (HECC) authority to enter into and administer interstate agreements regarding provision of post-secondary distance education. Clarifies relationship between HECC and Oregon Education Investment Board (OEIB). Revises composition of State Board of Higher Education (SBHE). Prevents faculty and non-faculty staff members of university governing board from taking part in board discussions relating to collective bargaining. Clarifies legislative intent on how constitutional references to SBHE are interpreted. Enables universities with independent governing boards to continue to participate in the Public Employees Retirement System (PERS) as they currently do by making those agencies for purposes of PERS. Prohibits any faculty or non-faculty staff member of institutional governing board of a university from participating in collective bargaining discussions that affect faculty or non-faculty staff of that university. Establishes that notice must be given to Governor and SBHE of intent to become a university with an independent governing board no later than May 15, 2014. Clarifies that independent governing boards of technical and regional universities shall take over administrative responsibilities for university on July 1, 2015. Reestablishes work group on regional education service delivery systems. Clarifies that registering to vote in Oregon has no effect on student eligibility to participate in Western Undergraduate Exchange coordinated by Western Interstate Commission for Higher Education. Declares emergency, effective on passage. (Committee Vote: Ayes, 8 – Gallegos, Gorsek, Greenlick, Huffman, Johnson, Smith Warner, Whisnant, Harker; Nays, 1 – Gilliam)

**Please note: Has Fiscal Impact Statement**

**SB 1531 B-Eng**                      **JUD**                      **dpa PE**                                      **02/26/2014**                      **Olson**  
 Allows a county to impose restrictions on marijuana facilities that impose reasonable limitations on the hours that a medical marijuana facility may operate, reasonable limitations on the hours of operation, reasonable zoning restrictions, and reasonable conditions on the dispensing of medical marijuana. Allows the governing body of a city or county to adopt ordinances that prohibit the establishment of medical marijuana facilities or regulate these facilities. Prohibits the transfer of marijuana infused products unless the product is properly packaged. Requires the Oregon Health Authority to consider the federal Poison Prevention Packaging Act when adopting regulations for the packaging of marijuana infused products. Effective March 1, 2014. (Committee Vote: 8 - 0 - 1)

**Please note: Has Fiscal Impact Statement**

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**SB 1534** B-Eng      **JUD**      **dpa PE**      **02/26/2014**      **Barnhart**

Makes a number of technical clarifications to existing statute and reinstates language pertaining to reciprocal state tax exemptions. Clarifies an Internal Revenue Code reference and the calculation of the phase-out for the medical subtraction. Clarifies the applicability of the 2.5 percent tax on IC-DISCs to those formed prior to January 1, 2014 and aligns the IC-DISC provisions for the 2.5 percent tax, the deduction, and the subtraction. Clarifies that certain cigarette tax revenue is directed to the General Fund. Ties the meaning of “material participation” to the definition in the Internal Revenue Code and clarifies that the non-passive preferential rates are applicable to income from Oregon sources. Makes the use of the non-passive income tax rates an ‘opt-in’ choice for taxpayers instead of an ‘opt-out’. Limits the authority of the Department of Revenue to waive penalty and interest in certain cases to tax year 2013. Reinstates the handicapped child and severe disability tax credits beginning with tax year 2013. Changes the word “on” to “in” for statutes relating to navigable waters. Limits potential filing penalties to W-2s. Allows a potential local income surtax to be apportioned analogous to the state level approach. (Committee Vote: 9-0-0)

**Please note: Has minimal fiscal impact, no statement issued.**

**Please note: Has Revenue Impact Statement**

**SB 1544**      **RULES**      **dp**      **02/27/2014**      **Berger**

Changes membership and meeting requirements of Citizens’ Initiative Review Commission (the Commission). Directs Commission to establish compensation for electors by rule. Eliminates sunset date for Commission. Declares emergency, effective on passage. (Committee Vote: 8 - 0 - 1)

**Please note: Has minimal fiscal impact, no statement issued.**

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