

**HOUSE OF REPRESENTATIVES**

**THIRD READING ALERT**

**PROJECTED THIRD READINGS FOR WEDNESDAY, APRIL 29, 2015**

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

<b>BILL#</b>	<b>COMM</b>	<b>RECOMMENDATION</b>	<b>Filed</b>	<b>CARRIER</b>
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**SPECIAL ORDER OF BUSINESS**

<a href="#"><u>HCR 18</u></a>	<b>RULES</b>	<b>A</b>	<b>04/10/15</b>	<b>Whitsett</b>
Commends Dr. Donald R. Pettit for his career and achievements on Earth and in space. (Committee vote: 9-0-0)				

**HOUSE BILLS:**

*(Carried over from Tuesday, April 28, 2015 Calendar)*

<a href="#"><u>HB 2723-A</u></a>	<b>RCLUW</b>	<b>dpa PE</b>	<b>04/24/15</b>	<b>Clem</b>
<p>Authorizes city or county to designate any urbanized area of city or county as urban agriculture incentive zone. Authorizes city or county to enter into agreement with owner of unimproved land within agriculture incentive zone if owner agrees to restrict use to small-scale urban agricultural production for five consecutive years. Allows unimproved land to undergo special assessment as farmland. Permits special assessment of area of unimproved land to be smaller than tax lot, of which area is a part, and limits assessment to area actually used for small-scale urban agricultural production. Requires interested owners to file application with county assessor on or before April 1 preceding first property tax year to have unimproved land granted special assessment. Requires application be made on forms prepared by Department of Revenue that include certain information. Disqualifies special assessment if county assessor discovers that gross income requirements were not met or if unimproved land is no longer used for urban agricultural production effective January 1 of year discovery is made. Levies additional tax against land found in violation of five-year contract equal to difference between taxes assessed against land and taxes that otherwise would have been assessed against land for each property tax year in contract. Authorizes Department of Revenue to adopt rules necessary for administration of urban agriculture incentive zone special assessment. Requires local government to consider extent to which lands designated by a city or county as urban agriculture incentive zone will affect future development for purpose of inventory and determination of housing capacity as part of periodic review of comprehensive plan or regional plan that concerns the urban growth boundary. Clarifies that designation of urban agriculture incentive zone has no effect on buildable land inventories or urban growth boundary of city or county that designates zone. Takes effect on 91<sup>st</sup> day following adjournment of 78<sup>th</sup> Legislative Assembly. (Committee vote: Yeas: 6 - Clem, Gilliam, Gomberg, Helm, Post, Witt; Nays: 1 - McLane)</p>				

**Please note: Has Revenue Impact Statement**

**LEGEND**

HAGNR ..... Agriculture and Natural Resources	HBL ..... Business and Labor	dp=do pass
HCOND ..... Conduct	HCPGE ..... Consumer Protection and Government Effectiveness	dpa=do pass with amendments
HED ..... Education	HEE ..... Energy and Environment	PE=print measure engrossed
HHC ..... Health Care	HHEDIW ..... Higher Education, Innovation, and Workforce Development	CC=and be placed on Consent Calendar
HHS ..... Human Services and Housing	HJUD ..... Judiciary	A=adopt
HRCLUW ..... Rural Communities, Land Use, and Water	HREV ..... Revenue	Aa=adopt with amendments
HRULES ..... Rules	HTED ..... Transportation and Economic Development	sub=subsequent
HVET ..... Veterans and Emergency Preparedness	JAUD ..... Audits	res=rescind
JHIT ..... Health Insurance Transition	JLAC ..... Legislative Administration	re=referred or referral
JLC ..... Legislative Counsel	JM91 ..... Implementing Measure 91	
JOCSS ..... Oregon China Sister State	JTAX ..... Tax Credits	
JWM ..... Ways and Means		

**HB 2832-A**                      **HEDIW**                      **dpa PE**                                              **04/23/15**                                              **Nathanson**

Requires governing board or entity of public or private postsecondary institution to evaluate contract with third party financial firm based on recommendations from United States Department of Education (DOE) and Consumer Financial Protection Bureau (CFPB). Specifies contract may not include revenue sharing, per-use transaction fee on debit card, fee for initial disbursement via paper check or electronic funds transfer and account inactivity fee. Requires contract to be made public and posted on web site of postsecondary institution. Creates private right of action for students. Requires public university or community college contracting with third party financial firm to undertake reasonable efforts to establish collaboration agreements with other institutions. (Committee vote: Yeas: 5 - Gallegos, McKeown, Read, Reardon, Williamson; Nays: 4 - Hayden, Johnson, Nearman, Whisnant)

**Please note: Has Fiscal Impact Statement**

**HB 2941-A**                      **EE**                                              **dpa PE**                                              **04/23/15**                                              **Johnson**

Updates language in ORS 757.603. Requires electric company to provide portfolio of rate options to residential electricity consumer that includes option for electricity associated with specific renewable energy resource, including solar photovoltaic, if Public Utility Commission (PUC) finds through public comment or market research conducted by electric company that demand is sufficient. Directs PUC to evaluate programs to incentivize development and use of solar photovoltaic energy systems and submit report to Legislature that recommends most effective, efficient and equitable approach to incentive programs and, for each program, recommendation on whether program should be discontinued, modified, extended or remain unchanged. Lists factors PUC must consider in developing recommendations. Requires report be submitted to interim legislative committee related to energy on or before September 15, 2016. Declares emergency, effective upon passage. (Committee vote: Yeas: 8 - Bentz, Boone, Heard, Helm, Holvey, Johnson, Reardon, Vega Pederson; Nays: 1 – Weidner)

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

**HB 2948-A**                      **HC**                                              **dpa PE**                                              **04/23/15**                                              **Keny-Guyer**

Specifies additional conditions under which protected health information may be disclosed by a healthcare provider that does not subject the provider to civil liability. Clarifies additional conditions under which a healthcare provider may disclose protected health information for an individual being treated for mental illness, without obtaining an authorization from the individual or a personal representative. Declares an emergency, effective on passage. (Committee vote: 9-0-0)

**Please note: Has Fiscal Impact Statement**

**HB 2980-A**                      **JUD**                                              **dpa PE**                                              **04/23/15**                                              **Barker**

Authorizes defendant to request district attorney to approve extension of stay of criminal proceedings in district attorney diversion. Requires court to grant extension upon district attorney approval. Allows defendant to request extension after district attorney request for termination. (Committee vote: 7-0-2)

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

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**HB 3011-A**                      **TED**                      **dpa PE**                      **04/24/15**                      **Bentz**  
 Allows dispensaries for Class 1 flammable liquids located in counties with population less than 40,000 residents to permit self-dispensing of such liquids when no owner, operator or employee of the dispensary is present. Specifies that dispensaries may continue to operate as self-service dispensaries if population of county increases above 40,000 residents. (Committee vote: 6-0-1)

**HB 3025-A**                      **BL**                      **dpa PE**                      **04/24/15**                      **Nosse**  
 Establishes unlawful employment practice for employer in the following cases: use of a job application form that inquires about applicant's conviction history; inquiring about or considering an applicant's conviction history prior to an interview; or inquiring about or considering an applicant's conviction history prior to making a conditional offer of employment when no interview is conducted. Creates right of civil action for violation. (Committee vote: Yeas: 6 - Barton, Doherty, Evans, Fagan, Holvey, Nosse; Nays: 5 - Barreto, Esquivel, Heard, Kennemer, Weidner)

**Please note: Has Fiscal Impact Statement**

**HB 3058-A**                      **BL**                      **dpa PE**                      **04/23/15**                      **Komp**  
 Permits retired Tier One and Tier Two member of Public Employees Retirement System to work for school district oreducation service district as a teacher of career and technical education for unlimited hours without loss of retirement benefits. Defines teacher of career and technical education. Sunsets June 30, 2018. Declares emergency, effective on passage. (Committee vote: Yeas: 9 - Barton, Doherty, Esquivel, Evans, Fagan, Heard, Holvey, Kennemer, Nosse; Nays: 2 - Barreto, Weidner)

**HB 3093-A**                      **JUD**                      **dpa PE**                      **04/23/15**                      **Post**  
 Provides persons licensed to carry concealed handgun in another state the same protections afforded to persons with Oregon concealed handgun permit provided issuing state license requirements are no less stringent than Oregon requirements. Directs Department of Justice to compile list of eligible states and make list available to law enforcement and public. Specifies that permit holder's home state must recognize Oregon concealed carry permit for law to apply. (Committee vote: 7-0-2)

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

**HB 3143-A**                      **HS**                      **dpa PE**                      **04/23/15**                      **Whitsett**  
 Directs Department of Consumer and Business Services (DCBS) to develop model sign for victims of human trafficking. Requires sign be available on departmental website. Directs DCBS and Department of Human Services create sticker consistent with sign. Directs Oregon Liquor Control Commission to include materials in outlet license renewal packets. Becomes operative 60 days after passage. Sunsets January 2, 2018. Declares emergency, effective on passage. (Committee vote: 9-0-0)

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

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**HB 3187-A**                      **HS**                      **dpa PE**                      **04/23/15**                      **Komp**  
Sets and clarifies term limits for members of Oregon Commission for the Blind. Increases term of service to four years. Defines full term of service. (Committee vote: Yeas: 7 - Evans, Gallegos, Hayden, Keny-Guyer, Piluso, Stark, Taylor; Nays: 2 - Buehler, Parrish)

**HB 3188-A**                      **AGNR**                      **dpa PE**                      **04/24/15**                      **McKeown, Heard**  
Allows for creation of one or more predator control district within county where minimum of 50 percent of landowners owning 10 or more acres of agricultural, forestland or mixed farm and forest use lands petition county commissioners. Includes bears, bobcats, and red foxes in definition of predator. Establishes petition filing and hearing requirements. Requires assessment on lands in predator control district not to exceed \$1 per acre or per thousand dollars of assessed value of specified properties. Limits assessment only to 10 acre properties outside of incorporated cities, zoned for farm use, forest use, or mixed farm and forest use. Grants county authority to change boundaries of district to include additional properties. Exempts lands owned by public body from assessment unless public body otherwise agrees. Requires appointment of five member advisory board representing farm, forest and livestock producers to advise county commissioners on district business and report on district predator control efforts. Directs that law would be repealed January 2, 2022. (Committee vote: 8-0-1)

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

**Please note: No revenue impact, statement issued (Indeterminate Impact)**

**HB 3214-A**                      **RCLUW**                      **dpa PE**                      **04/24/15**                      **Clem**  
Requires Land Conservation and Development Commission (LCDC) to adopt or amend rules regarding statewide planning goal criteria allowing local government to rezone land developed or committed to residential use without requiring local government to take new exception to statewide planning goals related to agricultural and forest lands. Requires LCDC to adopt rules that allow rezoning that authorizes change, continuation or expansion of industrial use in operation for previous five years. Specifies restrictions on what rules adopted or amended must provide. Declares emergency, effective on passage. (Committee vote: 7-0-0)

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

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**HB 3217-A**                      **RCLUW**                      **dpa PE**                                              **04/24/15**                                              **Bentz**

Directs Department of State Lands (DSL) to establish by rule pilot program for voluntary stream restoration and beaver recovery through construction of artificial beaver dams located in Malheur Lake drainage basin. Defines terms. Requires pilot program to include requirement for monitoring and criteria for evaluating program and requirements for participants to provide information on number and specific locations of artificial beaver dams to be constructed and materials to be used. Exempts construction of artificial beaver dams on qualifying streams from being considered artificial obstructions and exempts them from fish passage requirements. Where practicable, requires DSL to adopt rules that include options for designing and constructing beaver dams in manner for fish passage in a qualifying stream if streams were restored as result of voluntary restoration project or dams that could be modified to provide fish passage if streams were restored and native migratory fish return as result of voluntary restoration project. Requires participating landowners to work collaboratively with State Department of Fish and Wildlife to provide appropriate fish passage for any native migratory fish that return to area in restoration project. Requires DSL to provide preliminary report to Legislative Assembly no later than January 1, 2017 and to report to Legislative Assembly on identified environmental and economic impacts resulting from pilot program no later than January 1, 2025. Sunsets January 2, 2027. Declares emergency, effective on passage. (Committee vote: Yeas: 5 - Clem, Gilliam, McLane, Post, Witt; Nays: 2 - Gomberg, Helm)

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

**HB 3222-A**                      **RCLUW**                      **dpa PE**                                              **04/23/15**                                              **Gilliam**

Requires Land Conservation and Development Commission to issue order requiring local government, state agency or special district to take action necessary to bring its comprehensive plan, land use regulations, limited land use decisions or other land use decisions into compliance if local government’s standards, conditions and procedures discourage needed housing through unreasonable cost or delay. (Committee vote: 7-0-0)

**HB 3243-A**                      **BL**                                              **dpa PE**                                              **04/23/15**                                              **Weidner**

Expands definition of “indigent person” to include those whose relative, or other person with legal right to direct disposition of remains, refuses to pay for the disposition, and those for whom no other person wishes to direct and pay for the disposition. Transfer duties of maintaining list of institutions that may accept or process bodies for education or research purposes from Oregon Health and Science University to Oregon Mortuary and Cemetery Board. Provides duties funeral establishment must to perform when taking custody of unclaimed body. Extends from five days to ten days the time a funeral establishment must wait before transferring body to education or research institution. Transfers responsibility for collecting death certificate filing fee from Oregon Health Authority to Mortuary and Cemetery Board. Directs that at least \$6 of \$20 filing fee be used for reimbursing licensees for disposition of body of indigent deceased person. Directs Board to adopt rules regarding funds for indigent disposition and to consider historical data related to reimbursements. (Committee vote: 11-0-0)

**Please note: Has Fiscal Impact Statement**

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**HB 3244-A**                      **BL**                      **dpa PE**                      **04/23/15**                      **Esquivel**  
 Provides that borrower or borrower's agent may rely on lender's payoff statement for purpose of establishing amount borrower must pay to satisfy obligation under real estate loan agreement unless borrower delivers an amended payoff statement. Provides that lender may recover amount borrower owes that did not appear on payoff statement or amended payoff statement only as unsecured debt or by foreclosing other property securing the obligation. Declares emergency, effective on passage. (Committee vote: 11-0-0)

**HB 3248-A**                      **CPGE**                      **dpa PE**                      **04/24/15**                      **Holvey**  
 Requires public agency terminating contract with qualified nonprofit agency for individuals with disabilities (QRF) to require in new contract for same work that contractor must offer employment to employees of terminated QRF at terms as or more favorable than terms under former contract. Allows contracting agency to require QRFs to comply with applicable local ordinances governing labor standards and to disqualify from public contracts QRFs repeatedly violating local labor standard ordinances. (Committee vote: Yeas: 4 - Fagan, Holvey, McLain, Rayfield; Nays: 2 - Nearman, Stark; Exc: 1 - Buehler)

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

**HB 3282-A**                      **RCLUW**                      **dpa PE**                      **04/24/15**                      **Buehler**  
 Authorizes the Land Conservation and Development Commission (LCDC), upon request by city, to permit city to undergo periodic review for limited purpose of completing changes to proposed amendments to comprehensive plan and land use regulations required on remand after review by LCDC. Authorizes city to adopt, and Director of Department of Land Conservation and Development to approve, work program that includes only changes required on remand if periodic review is initiated. Declares emergency, effective on passage. (Committee vote: 7-0-0)

**HB 3292-A**                      **HS**                      **dpa PE**                      **04/23/15**                      **Sprenger**  
 Directs Oregon Health Authority adopt rules identifying activities landlords may contractually delegate to renters of tourist facilities. Relieves landlord of liability for failure of tenant to meet terms of contract. (Committee vote: 9-0-0)

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

**HB 3301-A**                      **HC**                      **dpa PE**                      **04/23/15**                      **Lively**  
 Allows naturopathic physician to apply for credentialing by an insurer as a primary care provider and to meet specific insurer requirements. (Committee vote: Yeas: 6 - Greenlick, Kennemer, Keny-Guyer, Lively, Nosse, Weidner; Nays: 2 - Buehler, Hayden; Exc: 1 - Clem)

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

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**HB 3315-A**                      **CPGE**                      **dpa PE**                      **04/23/15**                      **Rayfield**  
 Requires Oregon Department of Fish and Wildlife (ODFW) for two fiscal years beginning July 1, 2015, to track and prepare statements reporting hours spent by ODFW personnel, and applicable hourly rate, performing recompensable assistance for other state executive department agencies. For fiscal years beginning July 1, 2017, requires ODFW to track and prepare statements and to invoice other agencies for services estimated to be provided in next biennium. Requires ODFW to reflect over- and under-payments in future estimates. Requires ODFW to report to Legislative Assembly on types of permit review work for which invoicing will be allowed, and list of statutes and rules applicable to permit review work carried out by ODFW. Declares emergency, effective upon passage. (Committee vote: 6-0-1)

**Please note: Has Fiscal Impact Statement**

**HB 3318-A**                      **HS**                      **dpa PE**                      **04/23/15**                      **Taylor**  
 Creates "Oregon State Lottery Responsible Gambling Code of Practices Act," as specified. Directs Oregon State Lottery Commission comply with gaming code. Requires report to legislature by October 1<sup>st</sup> of each even-numbered year. (Committee vote: 9-0-0)

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

**Please note: No revenue impact, statement issued (Indeterminate Impact)**

**HB 3323-A**                      **HS**                      **dpa PE**                      **04/23/15**                      **Piluso**  
 Allows type B area agencies in service areas with a population of 650,000 or more, to bring civil action for physical or financial abuse of vulnerable persons. Declares emergency, effective on passage. (Committee vote: Yeas: 8 - Buehler, Evans, Gallegos, Hayden, Keny-Guyer, Piluso, Stark, Taylor; Nays: 1 - Parrish)

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

**HB 3339-A**                      **ED**                      **dpa PE**                      **04/23/15**                      **Johnson**  
 Requires Secretary of State to conduct audit related to Teacher Standards and Practices Commission (TSPC). Details audit requirements. Requires Secretary of State to report audit results no later than September 15, 2015. Declares emergency, effective on passage. (Committee vote: 9-0-0)

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

**HB 3343-A**                      **HC**                      **dpa PE**                      **04/23/15**                      **Vega Pederson**  
 Requires insurers that cover prescription contraceptives to reimburse health care provider or dispensing entity for 3-month supply of contraceptives and for a 12-month period after the initial 3-month period. (Committee vote: Yeas: 6 - Buehler, Clem, Greenlick, Keny-Guyer, Lively, Nosse; Nays: 3 - Hayden, Kennemer, Weidner)

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

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**HB 3347-A**                      **HC**                      **dpa PE**                      **04/23/15**                      **Hoyle**  
 Expands person with mental illness definition to include “unable to provide for basic personal needs that are necessary to avoid serious physical harm in the near future, and is not receiving such care as is necessary to avoid such harm” language. (Committee vote: 9-0-0)

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

**HB 3378-A**                      **HC**                      **dpa PE**                      **04/23/15**                      **Greenlick**  
 Requires hospitals to adopt written discharge policies. Modifies definition of lay caregiver. Specifies topics to be included in the discharge policy, that patient and lay caregiver are provided instruction or training prior to discharge, and that the hospital notify the lay caregiver of the patient’s discharge. Specifies policy requirements. (Committee vote: 9-0-0)

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

**HB 3437-A**                      **JUD**                      **dpa PE**                      **04/23/15**                      **Lininger**  
 Authorizes “Certificates of Good Standing” (“Certificates”) for offenders who have been convicted of Class A misdemeanors or felony offenses. Establishes eligibility and procedure. Defines terms. Creates offense if person knowingly presents revoked or invalid certificate. Establishes rebuttable presumption in cases of negligent hiring if employer had notice of certificate. (Committee vote: Yeas: 8 - Barker, Greenlick, Krieger, Lininger, Olson, Post, Sprenger, Williamson; Nays: 1 – Barton)

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

**HB 3452-A**                      **JUD**                      **dpa PE**                      **04/23/15**                      **McLane**  
 Prohibits contracts allowing use of property or facilities by education providers, or by nonprofit organizations providing services to youths, from requiring individual participant to indemnify property owner for damages not caused by individual participant. Declares emergency, effective on passage. (Committee vote: 7-0-2)

**HB 3478-A**                      **EE**                      **dpa PE**                      **04/23/15**                      **Piluso**  
 Phases in prohibition on manufacture and sale of personal care products and over-the-counter drugs that contain synthetic plastic microbeads. As of January 1, 2018, prohibits manufacture for sale of personal care product, other than over-the-counter drug, that contains synthetic plastic microbeads. As of January 1, 2019, prohibits manufacture or accepting for sale, of personal care product that contains synthetic plastic microbeads; prohibits manufacture for sale, may accept for sale, over-the-counter drug that contains synthetic plastic microbeads. As of January 1, 2020, prohibits manufacture of or accepting for sale personal care products or over-the-counter drugs that contain synthetic plastic microbeads. Specifies violation is unlawful trade practice. (Committee vote: 9-0-0)

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**[HB 3494-A](#)**                      **HS**                      **dpa PE**                      **04/24/15**                      **Barton**  
 Prohibits devocalization and/or declawing of cats or dogs, except under prescribed circumstances.  
 (Committee vote: 9-0-0)

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

**[HB 3530-A](#)**                      **HC**                      **dpa PE**                      **04/23/15**                      **Hoyle**  
 Prohibits specified terms imposed on vision care provider by vision care insurance or vision care discount card. (Committee vote: 9-0-0)

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

### **HOUSE BILLS:**

**[HB 2361-A](#)**                      **REV**                      **dp**                      **04/27/15**                      **Bentz**  
 Prohibits court from charging Long-Term Care Ombudsman (LTCO) or Disability Rights Oregon (DRO) fee for filing objection to petition or motion in protective proceeding. Applies to protective proceedings commenced on or after the effective date. (Committee vote: 6-0-3)

**[HB 2486-A](#)**                      **REV**                      **dpa PE**                      **04/27/15**                      **Davis**  
 Removes statutory provisions relating to categorization of property tax revenue under Measure 5 that were held unconstitutional by Oregon courts. Takes effect on 91st day following adjournment sine die.  
 (Committee vote: 6-0-3)

**[HB 2776-A](#)**                      **JUD**                      **dpa PE**                      **04/27/15**                      **Taylor, Parrish**  
 Allows peace officer to apply to circuit court judge for ex parte emergency protective order provided that victim consents. Establishes that court may enter order if court finds probable cause to believe that officer has responded to domestic disturbance that requires mandatory arrest, the person is in immediate danger of abuse by a family or household member and emergency protective order is necessary to prevent person from suffering further abuse. States that emergency protective order expires seven days after entry. Provides that violation of emergency protective order constitutes contempt of court. (Committee vote: 9-0-0)

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

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**HB 3365-A**                      **JUD**                      **dpa PE**                      **04/27/15**                      **Olson**  
 Modifies crime of displaying obscene materials to minors. Eliminates depictions of nudity from definition of obscene materials. Adds instruments or devices designed for sexual stimulation to list of prohibited materials for minors, if that minor is under the age of 14 years old. (Committee vote: Yeas: 8 - Barker, Barton, Krieger, Lininger, Olson, Post, Sprenger, Williamson; Nays: 1 - Greenlick)

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

**HB 3367**                      **RCLUW**                      **dp**                      **04/27/15**                      **Olson**  
 Authorizes local government to conditionally approve establishment of permanent or temporary transportation facility designed primarily for walking, running, bicycling or any other nonmotorized recreational use by public on land zoned for exclusive farm use. (Committee vote: Yeas: 6 - Clem, Gilliam, Helm, McLane, Post, Witt; Nays: 1 - Gomberg)

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

**HB 3391-A**                      **HS**                      **dpa PE**                      **04/27/15**                      **Evans**  
 Directs Attorney General to file suit in circuit court on behalf of employees of Department of Human Services (DHS) in certain internally-substantiated cases. Directs DHS to convene and staff "The Task Force on Safety for Child Welfare Employees." Outlines membership, objectives and process. Compels written report and presentation to legislature by September 15, 2016. Declares emergency, effective on passage. (Committee vote: 9-0-0)

**Please note: Has Fiscal Impact Statement**

**HB 3399-A**                      **JUD**                      **dpa PE**                      **04/27/15**                      **Nathanson**  
 Requires Justice of Peace or municipal court judge to hold juris doctor degree or to have completed course on courts of special jurisdiction offered by National Judicial College within 12 months of election or appointment. Provides extension period for completion of course and allows presiding judge to allow completion of equivalent course. Requires judges for courts of record to be member of Oregon State Bar. Requires justice courts and municipal courts to keep a transcript or audio recording of all misdemeanor or felony proceedings for at least 12 months. Declares emergency; effective on passage. (Committee vote: Yeas: 6 - Barker, Barton, Greenlick, Krieger, Lininger, Williamson; Nays: 3 - Olson, Post, Sprenger)

**Please note: Has Fiscal Impact Statement**

**HB 3524-A**                      **HS**                      **dpa PE**                      **04/27/15**                      **Parrish, Reardon**  
 Directs state agencies to give priority notification to non-profit organizations of lands available for purchase for purposes of affordable housing development. (Committee vote: Yeas: 6 - Evans, Gallegos, Keny-Guyer, Parrish, Piluso, Taylor; Nays: 3 - Buehler, Hayden, Stark)

**Please note: Has Fiscal Impact Statement**

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**SENATE BILLS:****SB 189****JUD****dp****04/27/15****Post**

Allows state agencies to adopt model rules developed by Attorney General relating to confidentiality of mediation sessions without complying with statutory rulemaking procedures. Requires agencies adopting such model rules to file notice of adoption of rules with Secretary of State. Declares emergency; effective on passage. (Committee vote: 7-0-2)

**SB 367-A****JUD****dp****04/27/15****Linger**

Specifies that certificate holder is solely liable for assessments by homeowners association or association of unit owners coming due during redemption period. Requires claimant to include any assessment paid by purchaser to homeowners association or association of unit owners with interest to redeem property from purchaser at execution sale or to redeem property. Requires certificate holder to include assessments paid to homeowners association or association of unit owners in accounting to judgment debtor. Clarifies that certificate holder is deemed owner of property if claimant has not redeemed property by end of redemption period, whether or not sheriff has executed and delivered deed. (Committee vote: 7-0-2)

**SB 375****JUD****dp****04/27/15****Sprenger**

Allows use of declaration under penalty of perjury in specified court procedures in lieu of affidavit. Includes small claim court claim forms, testimony submitted in violation proceedings, divorce and custody forms, juvenile guardianship reports, and restraining order forms. Declares emergency; effective on passage. (Committee vote: 7-0-2)

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

**SB 376****JUD****dp****04/27/15****Olson**

Removes requirement that petitioner file two additional copies of petition in post-conviction relief proceedings. Allows guardianship reports be accompanied by declaration under penalty of perjury in lieu of affidavit. Sets regular term of circuit court as January 1 to December 31 of each year. Directs State Court Administrator to prescribe form and content of restraining orders to prevent abuse of elderly persons and persons with disabilities; deletes current statutory form. Declares emergency; effective on passage. (Committee vote: 7-0-2)

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**SB 381-A**                      **JUD**                      **dp**                                      **04/27/15**                      **Greenlick**

Requires Oregon State Bar (Bar) Board of Governors to include member from region outside state of Oregon who maintains office outside of Oregon, but is active member of Bar. Provides Board authority to establish dates by which payment to professional liability insurance must be made, requires written notice of delinquency of payment, and allows reasonable time to cure default. Modifies function of Board of Bar Examiners (BBX). Requires Supreme Court to appoint BBX members in accordance with rules of Supreme Court. Requires at least two public members. Specifies BBX is to carry out admission examination of Bar applicants in accordance with Bar bylaws and Supreme Court rules. Includes investigation of applicants' character and fitness within BBX charge. Specifies admission documents are confidential and that admission process is judicial proceeding for public records disclosure purposes. Declares emergency; effective on passage. (Committee vote: 7-0-2)

**SB 402-B**                      **JUD**                      **dpa PE**                                      **04/27/15**                      **Olson**

Allows affiant in small estate to open deposit accounts with funds from decedent and to pay claims and expenses of decedent or small estate. Provides liability protection for financial institutions that open accounts for small estate affiants. Specifies financial institution is not required to ensure that funds are properly applied. Allows affiant approved by Department of Human Services or Oregon Health Authority to convey any real or personal property to third party for valuable consideration prior to expiration of period for appointment of personal representative, even if heir or devisee fails or refuses to join in conveyance. Allows liens on property conveyed by affiant as against decedent or estate, but not against heirs or devisees. Makes conforming changes. (Committee vote: Yeas: 6 - Barker, Barton, Lininger, Olson, Post, Sprenger; Nays: 1 – Greenlick; Exc: 2 - Krieger, Williamson)

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