

HOUSE OF REPRESENTATIVES

THIRD READING ALERT

PROJECTED THIRD READINGS FOR THURSDAY, APRIL 30, 2015

HOUSE CONVENES AT 10:30 A.M.

BILL#	COMM	RECOMMENDATION	Filed	CARRIER
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SPECIAL ORDER OF BUSINESS

<u>HCR 27</u>	RULES	A	04/24/15	Hoyle, Gilliam
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In memoriam: David B. Frohnmayr, 1940-2015. (Committee vote: 7-0-2)

PROPOSITIONS & MOTIONS:

(Consideration of Committee and Minority Reports)

<u>HB 2758-A</u>	HC(Committee)	dpa PE	04/28/15	Williamson, Greenlick
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Prohibits carriers and third-party administrators from disclosing to anyone other than the enrollee receiving services, personal information about an enrollee, upon the request of the dependent enrollee. Specifies procedure for enrollees making a confidential communication request. Requires Department of Consumer and Business Services to submit report no later than December 1, 2016 on the effectiveness of the process. Changes the definition of personal health information to protected health information. Protects confidential communication in appeal of adverse benefit determination. Declares an emergency, effective on passage. (Committee vote: Yeas: 5 - Clem, Greenlick, Keny-Guyer, Lively, Nosse; Nays: 4 - Buehler, Hayden, Kennemer, Weidner)

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

<u>HB 2758-A</u>	HC(Minority)	dpa PE	04/28/15	Hayden
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Prohibits carriers and third-party administrators from disclosing to anyone, other than the enrollee receiving services, personal health information about an enrollee, upon the request of the enrollee if enrollee states that disclosure may lead to abuse of enrollee. Defines personal health information. Specifies procedures that carriers and third-party administrators follow for enrollee to request to have their personal information confidential. Requires Department of Consumer and Business Services to submit report no later than February 1, 2017 on the effectiveness of the process. Permits a healthcare provider to report abuse if the provider receives from a patient a confidential communication request and the patient is an unemancipated minor under 19 years of age and states in the confidential communication that disclosure of all or part of a communication regarding the patient may lead to abuse of the patient. (Signers of the Report: Rep. Cedric Hayden, Rep. Jim Weidner)

Please note: Has minimal fiscal impact, no statement issued

<u>HB 2758-A</u>	HC(Committee) or (Minority)	Williamson, Greenlick or Hayden
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Please note: see descriptions above

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		

HOUSE BILLS:*(Carried over from Wednesday, April 29, 2015 Calendar)*

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.

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)

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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.

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.

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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

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.

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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.

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 1st 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)

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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.

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.

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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)

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.

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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.

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.

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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

HOUSE BILLS:

HB 2310-A **JUD** **dpa PE** **04/28/15** **Barker**
 Provides that Department of Corrections must consider lesser or greater included offense of crime for which sentence imposed and any other crime in same county designated as part of same criminal episode when computing sentence. Establishes that incarcerated person receive credit for time served in jail after arrest and before commencement of probationary sentence when probation ordered as downward dispositional departure, presumptive sentence or as part of diversion program or specialty court program where the defendant is not on probation. Provides that unless both court expressly orders otherwise and prosecuting attorney and defendant provide consent, person may not receive presentence incarceration credit for time served in jail if crime not directly related to crime for which current sentence being imposed, or for violation of conditions of probation, parole or post-prison supervision for crime not directly related to crime for which current sentence imposed. Allows sentencing judge to limit credit for time served given to inmates sentenced on downward dispositional departure. Applies to sentencing proceedings occurring on or after effective date of act. Declares emergency, effective on passage. (Committee vote: 9-0-0)
Please note: Has Fiscal Impact Statement

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HB 2386-B **BL** **dpa PE** **04/28/15** **Holvey**

Authorizes Labor Commissioner to issue temporary cease and desist order when there is reason to believe statutes governing prevailing wage rate, farm and construction labor contractors, wage and hour, or employment conditions have been violated. Allows employer to provide a bond in lieu of payment if temporary cease and desist order mandates compensation to an employee in an amount disputed by the employer. Establishes process for employer to contest temporary cease and desist order and allows court to award attorney fees to employer for proceedings contesting a temporary cease and desist order. Prohibits Commissioner from enforcing temporary cease and desist order issued under this section that would preclude the ongoing harvest or distribution of perishable agricultural products but allows such order to be enforced after completion of harvest or distribution that was in progress at time the order was issued. Authorizes Labor Commissioner to impose civil penalty when employer fails to pay wages on regular payday. Authorizes Labor Commissioner to administratively compel employer to provide bond when employer fails to establish and maintain a regular payday. (Committee vote: Yeas: 6 - Barton, Doherty, Evans, Fagan, Holvey, Nosse; Nays: 5 - Barreto, Esquivel, Heard, Kennemer, Weidner)

Please note: Has Fiscal Impact Statement

HB 2571-A **JUD** **dpa PE** **04/28/15** **Williamson**

Requires law enforcement agency to establish policies and procedures for retaining recordings from cameras worn upon police officers to record interactions with members of public while on duty. Outlines public records requirements and exemptions. Clarifies terms related to evidence and discovery. Declares emergency, effective on passage. (Committee vote: Yeas: 7 - Barker, Barton, Greenlick, Krieger, Lininger, Sprenger, Williamson; Nays: 2 - Olson, Post)

Please note: Has Fiscal Impact Statement

HB 2704-A **JUD** **dpa PE** **04/28/15** **Barker**

Establishes exemption to one-party notification in context of recording if person is openly recording law enforcement officer engaging in lawful duties in a place open to the public. (Committee vote: Yeas: 7 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Williamson; Nays: 2 - Post, Sprenger)

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

HB 2764-A **BL** **dpa PE** **04/28/15** **Fagan**

Modifies circumstances under which attorney fees may be awarded and amount of attorney fees in workers' compensation claims. Requires interest payment on compensable benefits, attorney fees, penalties and costs that are withheld pending an appeal. Allows attorney fees under certain circumstances for representation related to or before the Director of Department of Consumer and Business Services. Requires attorney fees awarded to be equitable in aggregate in relation to fees earned by attorneys for insurers or self-insurers. Directs Board to review attorney fees biennially. Declares emergency, effective on passage. (Committee vote: Yeas: 6 - Barton, Doherty, Evans, Fagan, Holvey, Nosse; Nays: 5 - Barreto, Esquivel, Heard, Kennemer, Weidner)

Please note: Has Fiscal Impact Statement

LEGEND

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HB 3040-A **JUD** **dpa PE** **04/28/15** **Huffman, Taylor**

Directs Oregon Law Commission to conduct study and make recommendations for changes to law relating to hearsay in criminal actions involving sex trafficking. Directs Commission to make recommendations to interim committee of Legislative Assembly related to judiciary no later than December 31, 2015.
(Committee vote: 9-0-0)

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

HB 3498-A **JUD** **dpa PE** **04/28/15** **Esquivel**

Requires applicant for registration by State Marine Board (Board) as outfitter and guide to submit affidavit disclosing criminal convictions. Permits Board to take action for serious or repeated violations of small watercraft statutes and convictions of certain crimes. Directs Board to revoke registration if outfitter and guide is convicted of certain other crimes. Authorizes Board to take action before operative date. Applies to applications for initial or renewed registration received by Board on or after effective date. Declares emergency, effective on passage. (Committee vote: 9-0-0)

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

FINAL READING, MEMORIALS AND RESOLUTIONS:

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

HJM 14-A **VET** **Aa PE** **04/24/15** **Buehler**

Urges Congress and Secretary of Veterans Affairs to direct the U.S. Department of Veterans Affairs Portland Regional Benefit Office to release data regarding Patient-Centered Community Care program.
(Committee vote: 7-0-0)

HJM 18 **VET** **A** **04/24/15** **Esquivel**

Urges Congress to change funding of veterans' health care from discretionary entitlement to permanent and direct entitlement. (Committee vote: 7-0-0)

SENATE BILLS:

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

SB 5515-A **WM** **dp** **04/21/15** **Williamson**

Commission on Judicial Fitness and Disability. (Committee vote: 9-0-3)

Please note: Has Budget Report.

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SB 5537-A **WM** **dp** **04/21/15** **Nearman**
 Real Estate Agency. (Committee vote: 9-0-3)
Please note: Has Budget Report.

SB 35-A **BL** **dp** **04/24/15** **Komp**
 Specifies form of notice which telephone cooperative must provide to directors, members, shareholders and other persons. Allows majority of members or shareholders of telephone cooperative to approve the sale, lease, exchange or other disposition of all or substantially all of cooperative's assets, unless a cooperative's by-laws require a greater number. (Committee vote: 11-0-0)

SENATE BILLS:

(Carried over from Wednesday, April 29, 2015 Calendar)

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** **Lininger**
 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.

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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)

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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