

**HOUSE OF REPRESENTATIVES**

**THIRD READING ALERT**

**PROJECTED THIRD READINGS FOR WEDNESDAY, MAY 6, 2015**

**HOUSE CONVENES AT 11:00 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**

**HCR 25**                      **RULES**                      **A**                                      **04/24/15**                      **Boone**  
 In memoriam: Shirley Kalkhoven, 1927-2015. (Committee vote: 7-0-2)

**SJM 10**                      **RCLUW**                      **A**                                      **04/30/15**                      **Kenemer, Barton**  
 Urges Congress to designate Willamette Falls and surrounding communities as National Heritage Area.  
 (Committee vote: 5-0-2)

**Please note: Will be made a Special Order of Business Immediately**

**PROPOSITIONS AND MOTIONS:**

*(Possible Consideration of Senate Amendments)*

**HB 2305-B**                      **HC**                                      **concur**                                      **05/04/15**                      **Greenlick**  
 Allows individuals who complete a polysomnographic program that combines education and training to apply for the polysomnographic technologist license. Clarifies that an individual that has met the required education and training, and who has obtained and maintained the nationally recognized credential, meets the prerequisites for licensure by the Respiratory Therapist and Polysomnographic Technologist Licensing Board. Specifies education, training and examinations must have occurred as of March 1, 2013. **EFFECT OF COMMITTEE AMENDMENT: Adds that education, training and examinations must have occurred as of March 1, 2013.** (Senate vote: 30-0)

**PLEASE NOTE: HAS MINIMAL FISCAL IMPACT, NO STATEMENT ISSUED.**

**HOUSE BILLS:**

*(Carried over from Tuesday, May 05, 2015 Calendar)*

**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.**

**LEGEND**

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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 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, May 05, 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, May 05, 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.**

**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)

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- 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)

**SB 232**                                      **JUD**                      **dp**    **05/01/15**                      **Parrish**

Authorizes Department of Corrections (DOC) to apply for grants or other financial support for reentry services. Establishes DOC subaccount for funding received. Continuously appropriates funding in subaccount for reentry support and services. Declares emergency, effective on passage. (Committee vote: 7-0-2)

**Please note: Has Fiscal Impact Statement**

**SB 238**                                      **JUD**                      **dp**    **04/30/15**                      **Post**

Requires private safety agencies to comply with certain personnel record requests from Department of Public Safety Standards and Training (DPSST). Authorizes DPSST Director to apply for court order compelling compliance. Clarifies internal use of public safety officer's photograph permitted without written consent. Declares emergency, effective on passage. (Committee vote: 8-0-1)

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

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**SB 239**                      **JUD**                      **dp**                                      **04/30/15**                      **Krieger**  
Includes reserve officers in definitions of “public safety personnel” and “public safety officer.” Adds reserve officers to definition of “commissioned.” Adds reserve officers to minimum age requirement for employment. Removes reserve officers from minimum standards and training exemption. Declares emergency, effective on passage. (Committee vote: 8-0-1)

**SB 343**                      **JUD**                      **dp**                                      **04/30/15**                      **McKeown**  
Repeals sunset provision related to authorized tribal police officers. Declares emergency, effective on passage. (Committee vote: 8-0-1)

**SB 366**                      **JUD**                      **dp**                                      **05/01/15**                      **Olson**  
Modifies definition of “recidivism” for purposes of statistical analysis by state agencies and public bodies. (Committee vote: 8-0-1)

**SB 371**                      **BL**                      **dp**                                      **05/01/15**                      **Evans**  
Clarifies procedure for notice of closure in workers’ compensation cases. Requires insurer or self-insured employer to mail a copy of notice of closure to worker’s estate in the event worker is deceased and also permits mailing to beneficiaries of estate. Establishes right of beneficiaries of deceased worker to request reconsideration of notice of closure. Allows beneficiaries who were not mailed a copy of the notice of closure one year to request reconsideration. Mandates that insurer or self-insured employer pay costs of necessary interpreter services for reconsideration proceedings. Declares emergency, effective upon passage. (Committee vote: 10-0-1)

**SB 387-A**                      **JUD**                      **dp**                                      **05/01/15**                      **Greenlick**  
Requires court to ensure fingerprinting from person arrested for driving under the influence of intoxicants (DUII). Establishes that court will make inquiry concerning fingerprinting at time of arraignment, sentencing and diversion entry. Applies to offenses committed on or after effective date of act. (Committee vote: 8-0-1)

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

**SB 448**                      **JUD**                      **dp**                                      **04/30/15**                      **Olson**  
Allows presiding judge of 7<sup>th</sup> Judicial District, with Chief Justice of the Oregon Supreme Court’s approval, to enter memorandums of understanding with the Confederated Tribes of Warm Springs regarding adjudication and disposition of youths and youth offenders for cases arising in Wasco County or Hood River County. (Committee vote: 8-0-1)

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**SB 533-A**                      **TED**                      **dp**    **04/30/15**                      **Davis**  
Permits motorcycle operators and bicycle operators to proceed at a stop light under certain conditions when vehicle detection device fails to detect the presence of the motorcycle or bicycle. (Committee vote: 7-0-0)

**SB 584-A**                      **CPGE**                      **dp**    **05/01/15**                      **Frederick**  
Requires contracting agency to suspend the right to submit a bid or proposal for disadvantaged, minority, women or emerging small business (DMWESB) enterprise that exhibits pattern of failing to perform a commercially useful function. Extends maximum possible length of suspension for violations. Requires Oregon Business Development Department (OBDD) to revoke certification for DMWESB enterprises after investigation reveals violations. Requires contracting agency to notify OBDD when investigating contractor for failing to perform a commercially useful function. Allows OBDD to conduct independent investigation in response to notification. Becomes operative January 1, 2016. Declares emergency, effective on passage. (Committee vote: 7-0-0)

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

**SB 600**                                      **JUD**                      **dp**    **05/01/15**                      **Lininger**  
Approves adoption of and modification to rules by the Criminal Justice Commission. (Committee vote: 8-0-1)

**SB 614**                                      **JUD**                      **dp**    **04/30/15**                      **Greenlick**  
Allows peace officers to enter motor vehicle and impound animal when authorized by law and with probable cause to believe animal is being subjected to certain criminal offenses. . (Committee vote: 8-0-1)  
**Please note: Has minimal fiscal impact, no statement issued.**

## **SENATE BILLS:**

**SB 27**                                      **RULES**                      **dp**    **05/04/15**                      **Barnhart**  
Resolves certain contradictory provisions applicable to duties of county clerk. Eliminates biannual duty of county to examine financial books and papers of county clerk, clerk of county court, treasurer and sheriff. Requires purchaser to record sheriff's certificate of execution sale in County Clerk Lien Record. (Committee vote: Yeas: 8 - Barnhart, Gilliam, Hoyle, Kennemer, Nosse, Rayfield, Smith Warner, Wilson; Nays: 1 – McLane)

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- SB 28-A**                      **RULES**                      **dp**                                      **05/04/15**                      **Barnhart**  
Clarifies that county clerk may use voter's registration record, rather than physical registration card to authenticate signatures. Permits elections official to deliver form updating information on district board members by best form of communication. Clarifies that filing officer is responsible for release as public record, information regarding challenged ballot. Filing officer for purpose of release of information is Secretary of State for federal, statewide and state senator and representative elections, and county clerk for county, city or district elections. (Committee vote: Yeas: 5 - Barnhart, Hoyle, Nosse, Rayfield, Smith Warner; Nays: 4 - Gilliam, Kennemer, McLane, Wilson)
- SB 363-A**                      **JUD**                                      **dp**                                      **05/04/15**                      **Greenlick**  
Prohibits prosecuting attorney from charging defendant fee for performing duties associated with processing order to set aside conviction or record of arrest. (Committee vote: 8-0-1)  
**Please note: Has minimal fiscal impact, no statement issued.**
- SB 590**                              **JUD**                                      **dp**                                      **05/04/15**                      **Krieger**  
Requires court to appoint court visitor in guardianship proceeding for minor respondent who is more than 16 years of age and for whom guardianship petition is likely to be filed as respondent reaches age of majority. (Committee vote: 8-0-1)  
**Please note: Has minimal fiscal impact, no statement issued.**
- SB 622-A**                      **JUD**                                      **dp**                                      **05/04/15**                      **Barton**  
Adds home care workers and personal support workers to list of mandatory reporters of abuse. Specifies Legislative Assembly members are mandatory reporters of abuse of residents of long-term care facilities and abuse of adults with developmental disabilities or mental illness. Extends criminal liability protection to those who make reports in good faith. (Committee vote: 8-0-1)  
**Please note: Has minimal fiscal impact, no statement issued.**

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