

HOUSE OF REPRESENTATIVES

THIRD READING ALERT

PROJECTED THIRD READINGS FOR MONDAY, MAY 11, 2015

HOUSE CONVENES AT 10:30 A.M.

BILL#	COMM	RECOMMENDATION	Filed	CARRIER
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SPECIAL ORDER OF BUSINESS

<u>HCR 24</u>	RULES	A	04/24/15	Taylor, Williamson
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In memoriam: Gretchen Miller Kafoury, 1942-2015. (Committee vote: 7-0-2)

<u>HB 3348-A</u>	RULES	dpa PE	04/13/15	Barnhart
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Designates March 10 of each year as “Mighty Oregon” Day. (Committee vote: Yeas: 8 - Barnhart, Gilliam, Hoyle, Kennemer, McLane, Nosse, Smith Warner, Wilson; Nays: 1 – Rayfield)

<u>HCR 19</u>	RULES	A	04/13/15	Nathanson
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Congratulates 2014 University of Oregon Ducks football team on their Rose Bowl victory. (Committee vote: 9-0-0)

PROPOSITIONS AND MOTIONS:
(Possible Consideration of Senate Amendments)

<u>HB 2129-A</u>	REV	concur	05/07/15	Barnhart
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Allows taxpayer to petition county assessor for correction in maximum assessed value of property for the current tax year upon demonstrating that new property or improvement to property added to the tax roll in a prior tax year did not exist as of the assessment date for that prior tax year or any subsequent tax year. Requires assessor to correct maximum assessed value of property for current tax year in manner determined by assessor. Correction must reflect, in a manner determined by assessor, removal of the new property or improvements. Requires property constituting an integral part of the land or improvements that has been continuously in existence since the prior tax year and was not included in any assessment for prior tax years to be considered new property or new improvements to property. The amendment to the measure resolves conflicts between the measure and [HB 2487](#) which both make changes to ORS 311.234. Amendment language essentially applies statutory changes contained in [HB 2129](#) to [HB 2487](#) (signed by Governor on April 22nd). Both measures make changes to existing law regarding how MAV is corrected in instances where actual property square footage differs from square footage contained in property tax records of assessor. Applies to property tax years beginning on or after July 1, 2015. **EFFECT OF COMMITTEE**

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
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AMENDMENT: Amendment to resolve conflicts with [HB 2487](#); Amendment removes section 1 of [HB 2129](#) and replaces section 1 of Enrolled [HB 2487](#) with section 1 language from introduced [HB 2129](#). Conforms applicability of petitions filed language between HBs 2129 and [HB 2487](#). (Senate vote: 29-1 Thatcher)

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

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

HOUSE BILLS:

[HB 3086-A](#) REV dpa PE 05/06/15 Fagan, Kennemer
Requires City of Damascus to distribute to ad valorem property taxpayers all excess moneys remaining in city funds after satisfying all outstanding legal debts and obligations of city. Takes effect only if House Bill 3085 (2015) disincorporating City of Damascus is approved by majority of people of city voting in next regular general election held throughout this state. Declares emergency, effective on passage. (Committee vote: 8-0-1)

Please note: Has Fiscal Impact Statement

SENATE BILLS:

(Carried over from Thursday, May 07, 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** **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.**

- 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 7th 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.

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.

SB 219 **HEDIW** **dp** **05/05/15** **Williamson**
 Directs appropriations for public universities and Oregon Health and Science University (OHSU) to Higher Education Coordinating Commission (HECC) rather than Department of Administrative Services. Requires majority approval of HECC members for official action. Declares emergency, effective on passage. (Committee vote: 9-0-0)

Please note: Has Fiscal Impact Statement

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SB 240 **HEDIW** **dp** **05/05/15** **Johnson**
 Authorizes State Apprenticeship and Training Council to make exceptions to apprentice wage schedule, journeyworker hourly wage rate or minimum ratio of journeyworkers to apprentices to accommodate Oregon Youth Authority (OYA) training programs and apprenticeships. Declares emergency, effective on passage. (Committee vote: 9-0-0)
Please note: Has minimal fiscal impact, no statement issued.

SB 686-A **HEDIW** **dp** **05/05/15** **Reardon**
 Permits individual enrolled in alternative education program to be considered out-of-school youth for purposes of federal Workforce Innovation and Opportunity Act of 2014. (Committee vote: 9-0-0)

SENATE BILLS:

SB 7-A **CPGE** **dp** **05/06/15** **Rayfield**
 Requires Department of Administrative Services to procure or supervise procurement of information technology goods and services for Oregon Health Authority. (Committee vote: 7-0-0)
Please note: Has minimal fiscal impact, no statement issued.

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