

HOUSE OF REPRESENTATIVES
THIRD READING ALERT
THIRD READINGS FOR TUESDAY, MAY 12, 2015
House Convenes at 11:00 AM

BILL#	COMM	RECOMMENDATION	Filed	CARRIER
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Consent Calendar:

<u>SB 277</u>	<u>HBL</u>	dp, CC	5/4/2015	
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Authorizes Department of Consumer and Business Services (DCBS) to license through the Nationwide Multi-State Licensing and Registry System entities providing money transmission, debt management, and check cashing services. Allows DCBS to modify, by rule, licensing practices, procedures and information to meet Registry requirement. Aligns licensing or registration statutes in each program area to be based on the calendar year for first-year licensing or registration and subsequent renewals. Declares emergency, effective on passage; becomes operative 91 days after effective date. (Committee Vote: Aye, 10; Exc., 1 --Fagan)

No Fiscal Impact**No Revenue impact****Third Reading Of House Bills:**

<u>HB 2083 A-Eng.</u>	<u>HREV</u>	dpa PE	5/5/2015	Vega Pederson
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Measure as amended creates exception to five-year ownership requirement for homestead of claimant for deferral if claimants for deferral moved to homestead from a homestead that met all the homestead requirements, sell existing qualifying homestead within one year of purchasing new home, satisfy lien for deferral on existing home and owe no more than 80 percent of purchase price of new application homestead. Requires homestead to be insured for fire and other casualty. Allows Department of Revenue to purchase insurance for uninsured homestead and add cost of insurance coverage to lien. Increases county median real market value qualification limits for taxpayers that have continuously owned and lived in homestead at least 21 years. Requires Department of Revenue to electronically notify an office of Aging and Disability Resource Connection or seniors and people with disabilities division of the Department of Human Services if recertification is not received with 35 days after sending notification to taxpayer. Conforms new language with existing statutes. Changes apply to property tax years beginning on or after July 1, 2016. **House Amendment Replaces content of bill.** (Committee Vote: Aye, 7; Exc., 1 --Johnson)

May have fiscal impact, but no statement yet issued**May have revenue impact, but no statement yet issued****LEGEND**

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HREV=REVENUE
HED=EDUCATION

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HB 2130 A-Eng. **HREV** **dp** **5/8/2015** **Barnhart**
 Allows governing bodies to establish reasonable maximum holding times for land designated for low-income housing development and allows governing bodies to elect additional qualifying criteria. Requires additional criteria to not conflict with existing law criteria. Changes apply only to applications for exemption received on or after the effective date of measure and date on which the governing body adopts the reasonable maximum holding times and/or additional criteria. Takes effect on 91st day following adjournment sine die. (Committee Vote: Aye, 8)

No Fiscal Impact
No Revenue impact

HB 3497 B-Eng. **HREV** **dpa PE** **5/8/2015** **Huffman**
 Increases the minimum general services grant for an education service district (ESD) to \$1,165,000 for the 2015-16 school year. Specifies that this minimum grant should mirror the growth of the ESD's revenue in the State School Fund distribution in future school years. (Committee Vote: Aye, 7; Exc., 1 --Lininger)

Fiscal impact issued
Revenue impact issued

Third Reading of Senate Bills
(Carried Over from Monday, May 11, 2015)

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)

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)

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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)

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

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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.

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.

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- 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)
- 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
- 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.

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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)

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.

Third Reading Of Senate Bills:

SB 133 A-Eng. **HBL** **dp** **5/4/2015** **Kennemer**
Authorizes the Department of Business and Consumer Services to develop system that provides electronic access to building codes information available to public bodies that provide construction-related services. Prohibits Department from taking disciplinary action against public body that chooses not to participate in the system. Eliminates January 2, 2018, sunset on building permit surcharge used to defray cost of developing and administering electronic building codes information system. Reduces surcharge from five percent of permit fees to four percent. (Committee Vote: Aye, 10; Exc., 1 --Fagan)

No Fiscal Impact

No Revenue impact

SB 185 A-Eng. **HBL** **dp** **5/4/2015** **Doherty**
Establishes unlawful employment practice of requiring employee or job applicant to establish or maintain a personal social media account or to authorize employer to advertise on personal social media account of employee or applicant. (Committee Vote: Aye, 10; Exc., 1 --Fagan)

Has minimal fiscal impact

No Revenue impact

SB 286 **HBL** **dp** **5/4/2015** **Doherty**
Increases maximum civil penalties from \$10,000 to \$200,000 per event per day and raises the maximum penalty for a series of failures from \$500,000 to \$2,000,000, for violating statutes that provide for regulation of hazardous substance by Public Utility Commission. Clarifies process for imposing civil penalty and regarding where collected moneys are to be deposited. Declares emergency, effective on passage. (Committee Vote: Aye, 8; Exc., 1 --Fagan; Nay, 2 --Heard, Weidner)

No Fiscal Impact

No Revenue impact

SB 291 A-Eng. **HBL** **dp** **5/4/2015** **Holvey**
Modifies circumstances under which injured state worker has right to reinstatement or reemployment. Declares emergency, effective on passage. (Committee Vote: Aye, 6; Exc., 1 --Fagan; Nay, 4 --Barreto, Esquivel, Heard, Weidner)

No Fiscal Impact

No Revenue impact

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SB 295 A-Eng. **HED** **dp** **5/6/2015** **Taylor**
 Requires Chief Education Officer, members of Oregon Education Investment Board (OEIB), and auditor of metropolitan service districts to file verified statements of economic interest.
 (Committee Vote: Aye, 9)

No Fiscal Impact
No Revenue impact

SB 321 A-Eng. **HED** **dp** **5/6/2015** **McLain**
 Decreases compulsory school age from seven to six years of age. Takes effect July 1, 2016.
 (Committee Vote: Aye, 5; Nay, 4 --Barreto, Hack, Sprenger, Wilson)

Fiscal impact issued
Revenue impact issued

SB 496 **HBL** **dp** **5/4/2015** **Doherty**
 Clarifies that death or permanent total disability that is a compensable workers' compensation claim is a qualifying criteria for eligibility for benefits from the Public Safety Memorial Fund.
 (Committee Vote: Aye, 10; Exc., 1 --Fagan)

Fiscal impact issued
No Revenue impact

SB 553 A-Eng. **HED** **dp** **5/6/2015** **Piluso**
 Imposes limits on instances when student in fifth grade or lower may be subjected to out-of-school suspension or expulsion from school. Declares emergency, effective July 1, 2015.
 (Committee Vote: Aye, 7; Nay, 2 --Barreto, Hack)

Has minimal fiscal impact
No Revenue impact

SB 556 **HED** **dp** **5/6/2015** **Sprenger**
 Prohibits use of expulsion to address truancy. Declares emergency, effective July 1, 2015.
 (Committee Vote: Aye, 8; Nay, 1 --Barreto)

Has minimal fiscal impact
No Revenue impact

SB 693 A-Eng. **HBL** **dp** **5/4/2015** **Barton**
 Authorizes scrap metal business to make payment by electronic funds transfer, stored value card, or stored value device. (Committee Vote: Aye, 10; Exc., 1 --Fagan)

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