

HOUSE OF REPRESENTATIVES

THIRD READING ALERT

THIRD READINGS FOR WEDNESDAY, MAY 13, 2015

House Convenes at 11:00 AM

BILL#	COMM	RECOMMENDATION	Filed	CARRIER
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Propositions & Motions:*(Possible Consideration of Senate Amendments)*

HB 2546 B-Eng.	HHC	Concur	5/11/2015	Greenlick
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Defines "inhalant delivery system." Amends laws relating to sale of tobacco products to, and the use of tobacco products by, minors. Expands scope of the offense of endangering the welfare of a minor by knowingly causing sale of tobacco products to minors by including distribution and sale of inhalant delivery systems. Adds inhalants to the Oregon Clean Air Act and defines "inhalant" with operative date of January 1, 2016. Repeals laws relating to smoking in public that are duplicative or inconsistent with provisions of the Oregon Clean Air Act. Clarifies the exception also applies to devices approved by federal Food and Drug Administration. Allows healthcare facilities to allow inhalant delivery system on site for the purpose of administering medical marijuana. Directs Oregon Health Authority (OHA) to report on the consistency between state and federal regulations on or before February 1, 2019. Declares emergency, effective on passage.

Senate Amendment: Creates operative date for inhalant inclusion in Oregon Clean Air Act of January 1, 2016. (Senate Vote: Ayes, 22; nays, 8--Baertschiger Jr, Boquist, Ferrioli, Girod, Kruse, Olsen, Thatcher, Thomsen.)

Has Minimal Fiscal Impact

Has Minimal Revenue Impact

HB 2715 B-Eng.	HED	Concur	5/11/2015	Doherty
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Prohibits school district employee or volunteer from posting, publishing, or making publicly available personally identifiable information in relation to results of performance-based assessment. Allows exception for posting of personally identifiable information if consent of student 18 years or older, or parent or guardian of student if under 18, is obtained. Declares emergency, effective July 1, 2015

Senate Amendment: Allows for posting of specified information by school district employee only if consent is given by student who is 18 years of age or older or if given by parent or guardian of student, if student is under 18.

(Senate Vote: Ayes, 29; nays, 1--Boquist.)

Has Minimal Fiscal Impact

No Revenue Impact

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HB 3041 A-Eng. **HHC** **Concur** **5/11/2015** **Greenlick**
 Directs school districts to allow students to wear sun-protective clothing and nonprescription sunscreen, including sunscreen containing para-aminobenzoic acid. Specifies that nonprescription sunscreen is not a medication. Allows school district to prohibit certain clothing or hats based on inappropriateness. Declares an emergency, effective July 1, 2015. **Senate Amendment: Specifies that nonprescription sunscreen may contain para-aminobenzoic acid. Permits school district to prohibit certain hats or clothing based on inappropriateness.** (Senate Vote: Passed.Ayes, 30.)

Has Minimal Fiscal Impact
No Revenue Impact

Final Reading: Memorials and Resolutions:

SJM 9 **HAGNR** **A** **5/7/2015** **Boone**
 Urges Congress to expedite appropriation of funds to enhance efforts to monitor and prevent spread of aquatic invasive species and to implement Water Resources Reform and Development Act. (Committee Vote: Aye, 7; Exc., 2 --Gorsek, Whitsett)

No Fiscal Impact
No Revenue impact

Third Reading Of Senate Bills:

(Carried Over from Tuesday, May 12, 2015)

SB 343 **HJUD** **dp** **4/30/2015** **Barker**
 Repeals sunset provision related to authorized tribal police officers. Declares emergency, effective on passage. (Committee Vote: Aye, 8; Exc., 1 --Sprenger)

No Fiscal Impact
No Revenue impact

SB 366 **HJUD** **dp** **5/1/2015** **Olson**
 Modifies definition of "recidivism" for purposes of statistical analysis by state agencies and public bodies. (Committee Vote: Aye, 8; Exc., 1 --Sprenger)

No Fiscal Impact
No Revenue impact

SB 371 **HBL** **dp** **5/1/2015** **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: Aye, 10; Exc., 1 -- Heard)

No Fiscal Impact
No Revenue impact

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SB 387 A-Eng. **HJUD** **dp** **5/1/2015** **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: Aye, 8; Exc., 1 --Sprenger)

Has minimal fiscal impact
No Revenue impact

SB 448 **HJUD** **dp** **4/30/2015** **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: Aye, 8; Exc., 1 --Sprenger)

No Fiscal Impact
No Revenue impact

SB 533 A-Eng. **HTED** **dp** **4/30/2015** **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: Aye, 7)

No Fiscal Impact
No Revenue impact

SB 584 A-Eng. **HCPGE** **dp** **5/1/2015** **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: Aye, 7)

Has minimal fiscal impact
No Revenue impact

SB 600 **HJUD** **dp** **5/1/2015** **Lininger**
 Approves adoption of and modification to rules by the Criminal Justice Commission. (Committee Vote: Aye, 8; Exc., 1 --Sprenger)

No Fiscal Impact
No Revenue impact

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SB 614 **HJUD** **dp** **4/30/2015** **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: Aye, 8; Exc., 1 --Sprenger)

Has minimal fiscal impact
No Revenue impact

SB 27 **HRULES** **dp** **5/4/2015** **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: Aye, 8; Nay, 1 --McLane)

No Fiscal Impact
No Revenue impact

SB 28 A-Eng. **HRULES** **dp** **5/4/2015** **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: Aye, 5; Nay, 4 --Gilliam, Kennemer, McLane, Wilson)

No Fiscal Impact
No Revenue impact

SB 363 A-Eng. **HJUD** **dp** **5/4/2015** **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: Aye, 8; Exc., 1 --Williamson)

Has minimal fiscal impact
No Revenue impact

SB 590 **HJUD** **dp** **5/4/2015** **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: Aye, 8; Exc., 1 --Sprenger)

Has minimal fiscal impact
No Revenue impact

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SB 622 A-Eng. **HJUD** **dp** **5/4/2015** **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: Aye, 8; Exc., 1 --Sprenger)

Has minimal fiscal impact
No Revenue impact

SB 219 **HHEDIW** **dp** **5/4/2015** **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: Aye, 9)

Fiscal impact issued
No Revenue impact

SB 240 **HHEDIW** **dp** **5/4/2015** **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: Aye, 9)

Has minimal fiscal impact
No Revenue impact

SB 686 A-Eng. **HHEDIW** **dp** **5/4/2015** **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: Aye, 9)

No Fiscal Impact
No Revenue impact

SB 7 A-Eng. **HCPGE** **dp** **5/5/2015** **Rayfield**

Requires Department of Administrative Services to procure or supervise procurement of information technology goods and services for Oregon Health Authority. (Committee Vote: Aye, 7)

Has minimal fiscal impact
No Revenue impact

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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

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

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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)
No Fiscal Impact
No Revenue impact

Third Reading Of Senate Bills:

SB 141 A-Eng. **HBL** **dp** **5/6/2015** **Nosse**
 Creates provisions for persons appointed to operate a store established by the Oregon Liquor Control Commission to receive payments of four percent of the average annual sales from the previous five years if, and only if, the system for selling containers of distilled liquor at retail in this state changes after the person assumed operation of the store. Creates provisions to fund business loss compensation from proceeds from selling the assets of the Commission. Declares emergency, effective on passage. (Committee Vote: Aye, 11)
Fiscal impact issued
No revenue impact, statement issued (Indeterminate Impact)

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[SB 199 A-Eng.](#) [HJUD](#) dp 5/6/2015 Krieger
Requires Board of Parole and Post-Prison Supervision to notify victim prior to certain release determinations if the victim requests notification. (Committee Vote: Aye, 8; Exc., 1 --Sprenger)
Has minimal fiscal impact
No Revenue impact

[SB 225 A-Eng.](#) [HHS](#) dp 5/6/2015 Taylor
Allows Department of Human Services and Oregon Health Authority to notify benefit recipients of suspensions or closures of Supplemental Nutrition Assistance Program (SNAP) and The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), through news media, information at sites recipients frequent, and general mailings to recipients' households. Declares emergency, effective on passage. (Committee Vote: Aye, 7; Exc., 2 --Evans, Parrish)
Fiscal impact issued
No Revenue impact

[SB 287](#) [HED](#) dp 5/8/2015 Hack
Deletes provision that authorizes teachers who are licensed and properly endorsed by Teacher Standards and Practices Commission to practice speech-language pathology without obtaining license from State Board of Examiners for Speech-Language Pathology and Audiology. Becomes operative July 1, 2016. Creates grandfather clause for teachers who are licensed and properly endorsed before July 1, 2016. (Committee Vote: Aye, 9)
Has minimal fiscal impact
No Revenue impact

[SB 350 A-Eng.](#) [HJUD](#) dp 5/6/2015 Lininger
Authorizes judicial districts with populations between 100,000 and 200,000 to elect which set of timelines apply to motion to disqualify judge. Declares emergency, effective upon passage. (Committee Vote: Aye, 7; Exc., 2 --Sprenger, Williamson)
Has minimal fiscal impact
No Revenue impact

[SB 377 B-Eng.](#) [HJUD](#) dpa PE 5/6/2015 Barton
Modifies "Computer Crime" statute to specifically include "theft of an intimate image" as prohibited conduct. Amends ORS137.540 by re-ordering the general conditions of probation. Declares emergency, effective upon passage. **House Amendment: Adds technical re-ordering of the general conditions of probation so that the chronological order is symmetrical with the general conditions of post-prison supervision as it was prior to HB 3194 from the 2013 legislative session.** (Committee Vote: Aye, 8; Exc., 1 --Sprenger)
Has minimal fiscal impact
No Revenue impact

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SB 588 **HED** **dp** **5/8/2015** **Barreto**
 Allows school district and public charter school to be considered single legal entity for purpose of public charter school law if public charter school is only school in school district and other conditions are met. Declares emergency, effective July 1, 2015. (Committee Vote: Aye, 9)
Has minimal fiscal impact
No Revenue impact

SB 616 A-Eng. **HHS** **dp** **5/6/2015** **Stark**
 Directs Secretary of State to investigate Community Housing Trust Account with coordination from Department of Human Services. Outlines focus of investigation. Requires development of investment strategy and report to legislature by February 1, 2016. Declares emergency, effective on passage. (Committee Vote: Aye, 7; Exc., 2 --Evans, Parrish)
Has minimal fiscal impact
No Revenue impact

SB 628 **HTED** **dp** **5/8/2015** **Barreto**
 Designates portion of U.S. Highway 395, known as the Pendleton-John Day Highway, as the Don Kendall Memorial Highway. (Committee Vote: Aye, 7)
Has minimal fiscal impact
No Revenue impact

SB 839 A-Eng. **HJUD** **dp** **5/6/2015** **Fagan, Williamson**
 Immunizes person from arrest or prosecution for certain drug offenses when evidence obtained in response to request for medical assistance. Prohibits law enforcement from arresting person for violating supervision when evidence obtained is in response to request for medical assistance. Prohibits law enforcement from arresting person on certain Oregon warrants when person discovered after request for medical assistance. (Committee Vote: Aye, 8; Exc., 1 --Sprenger)
Has minimal fiscal impact
No Revenue impact

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