

HOUSE OF REPRESENTATIVES
THIRD READING ALERT
THIRD READINGS FOR THURSDAY, MAY 14, 2015
House Convenes at 11:00 AM

BILL#	COMM	RECOMMENDATION	Filed	CARRIER
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Special Orders Of Business:

SB 628	HTED	dp	5/11/2015	Barreto
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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

HCR 21	HRULES	A	4/7/2015	Sprenger
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Expresses support for and gratitude to citizens of Compact of Free Association (COFA) nations residing in United States. (Committee Vote: Aye, 9)
No Fiscal Impact
No Revenue impact

Propositions & Motions:***(Possible Consideration Of Senate Amendments)***

HB 2210 B-Eng.	HVEP	dpa PE	5/12/2015	Huffman
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Authorizes media access to restricted areas under emergency declaration for purpose of maintaining critical equipment. Prohibits emergency personnel from commandeering broadcaster property. Requires Office of Emergency Management (OEM) to authorize private broadcasters association to plan and create program to issue credentials for authorized persons. Requires such plan to include specified training. Requires private broadcasters association to submit annual report to OEM. **Senate Amendment Permits access only to maintain critical equipment.** (Senate Vote: Ayes, 30.)
No Fiscal Impact
No Revenue impact

LEGEND

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HB 2410 B-Eng. **HHEDIW** **dpa PE** **5/12/2015** **Read**

Allows community colleges to award training certificates for noncredit courses and programs upon approval of Higher Education Coordinating Commission (HECC). Requires board of district operating community college follow procedures established by HECC to ensure that course meets occupational employment need and fulfills regional educational need. Declares emergency, effective on passage. **Senate Amendment Requires board of district operating community college follow procedures established by HECC to ensure that course meets occupational employment need and fulfills regional educational need.** (Senate Vote: Ayes, 30.)

No Fiscal Impact
No Revenue impact

HB 2442 B-Eng. **HHS** **dpa PE** **5/12/2015** **Keny-Guyer**

Replaces existing State Housing Council with Oregon Housing Stability Council (new Council). Abolishes Advisory Committee on Energy, Community Development Incentive Advisory Board, and Interagency Council on Hunger and Homelessness and transfers responsibility to new Council. Authorizes new Council to provide Oregon Housing and Community Services (OHCS) with financial and budgetary oversight. Transfers responsibility for Oregon Hunger Relief Task Force to Department of Human Services and defines funding mechanism. Clarifies name changes and usage. **Senate Amendment Permits Community Action Partnerships of Oregon to advise OHCS and new Council.** (Senate Vote: Ayes, 27; nays, 3--Baertschiger Jr, Thatcher, Thomsen.)

No Fiscal Impact
No Revenue impact

HB 2546 B-Eng. **HHC** **dpa PE** **5/11/2015** **Greenlick**

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

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[HB 2715 B-Eng.](#) [HED](#) **dpa PE** **5/11/2015** **Doherty**

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

[HB 3041 A-Eng.](#) [HHC](#) **dpa PE** **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: Ayes, 30.)

Has minimal fiscal impact

No Revenue impact

Third Reading Of House Bills:

[HB 5007 A-Eng.](#) [JWM](#) **dpa PE** **5/12/2015** **Smith Warner**

Agency: Board of Chiropractic Examiners (Committee Vote: Aye, 18; Nay, 6 --Whitsett, Girod, Hansell, Thomsen, Whitsett, Winters)

Budget Report Issued

No Revenue impact

[HB 5013 A-Eng.](#) [JWM](#) **dpa PE** **5/12/2015** **Smith Warner**

Agency: Board of Licensed Professional Counselors and Therapists (Committee Vote: Aye, 21; Nay, 3 --Whitsett, Thomsen, Whitsett)

Budget Report Issued

No Revenue impact

[HB 5027 A-Eng.](#) [JWM](#) **dpa PE** **5/12/2015** **Rayfield**

Agency: Department of Land Conservation and Development (Committee Vote: Aye, 19; Nay, 5 --McLane, Whisnant, Whitsett, Girod, Whitsett)

Budget Report Issued

No Revenue impact

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[HB 5033 A-Eng.](#) [JWM](#) **dpa PE** **5/12/2015** **Huffman**
 Agency: Board of Psychologist Examiners (Committee Vote: Aye, 21; Nay, 3 --Whitsett, Thomsen, Whitsett)
Budget Report Issued
No Revenue impact

[HB 5037 A-Eng.](#) [JWM](#) **dpa PE** **5/12/2015** **Gomberg**
 Agency: Department of State Lands (Committee Vote: Aye, 16; Nay, 8 --McLane, Huffman, Whisnant, Whitsett, Girod, Thomsen, Whitsett, Winters)
Budget Report Issued
No Revenue impact

[HB 2690 A-Eng.](#) [HREV](#) **dpa PE** **5/12/2015** **Gomberg, Whisnant**

Exempts from property taxation land acquired and held by a nonprofit corporation for the purpose of building on the land residences to be sold to individuals with income not greater than 80 percent of area median income as adjusted for family size. Requires nonprofit corporation, within 10 years immediately preceding filing of claim for exemption, to have sold at least one residence to individuals with income not greater than 80 percent of area median income as adjusted for family size. Requires exemption to end at time of title transfer. Absent title transfer, exemption required to end after seven consecutive years with option for three year extension if claim is filed and filing fee paid. Requires additional taxes and penalties imposed upon nonprofit, if nonprofit corporation has not transferred title to the residences on the land by end of seven or ten year exemption period. Applies to property tax years beginning on or after July 1, 2015. **House Amendment Replaces content of bill.** (Committee Vote: Aye, 9)

Has minimal fiscal impact
Revenue impact issued

[HB 3206 A-Eng.](#) [HRULES](#) **dpa PE** **5/12/2015** **Williamson**

Modifies Oregon's post-conviction DNA testing ("testing") procedures. Authorizes testing for felony offenses only. Requires person to use as much specificity as is reasonably practicable when identifying what evidence should to be tested. It requires prima facie showing that exculpatory DNA evidence would lead to finding that person is actually innocent of crime and requires prima facie showing be consistent with statement of innocence filed by person. Prohibits testimony from victim at hearing on motion for testing unless victim consents. Authorizes court to grant motion for testing if there is reasonable possibility that, assuming exculpatory results, testing would lead to finding that person is actually innocent of offense. Requires testing be done by Oregon State Police unless both parties agree or compelling circumstances exist. Requires court to make findings when issuing order on motion for testing. Permits court-appointed counsel only when person completes affidavit swearing they are innocent of offense and are financially unable to obtain suitable counsel. Authorizes court to hear motion for new trial if testing produces exculpatory evidence. **House Amendment Limits availability of testing to felony offenses only. Requires person to use as much specificity as is reasonably practicable when identifying what evidence should to be tested. It requires prima facie showing that exculpatory DNA evidence would lead to finding that person is actually innocent of crime and requires prima facie showing be consistent with statement of innocence filed by person. Prohibits testimony from victim at hearing on motion for testing unless victim**

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consents. Authorizes court to grant motion for testing if there is reasonable possibility that, assuming exculpatory results, testing would lead to finding that person is actually innocent of offense. Requires testing be done by Oregon State Police unless both parties agree or compelling circumstances exist. Requires court to make findings when issuing order on motion for testing. Permits court-appointed counsel only when person completes affidavit swearing they are innocent of offense and are financially unable to obtain suitable counsel. Authorizes court to hear motion for new trial if testing produces exculpatory evidence. (Committee Vote: Aye, 6; Exc., 3 --McLane, Gilliam, Kennemer)

Has minimal fiscal impact

No Revenue impact

Third Reading Of Senate Bills:

(Carried Over from Wednesday, May 13, 2015)

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 --McLane, Gilliam, Kennemer, 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** **5/5/2015** **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** **5/5/2015** **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** **5/5/2015** **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** **5/6/2015** **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
- SB 133 A-Eng.** **HBL** **dp** **5/7/2015** **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

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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** **5/7/2015** **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** **5/7/2015** **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; Nay, 2 --Heard, Weidner; Exc., 1 --Fagan)

No Fiscal Impact
No Revenue impact

SB 291 A-Eng. **HBL** **dp** **5/7/2015** **Holvey**

Modifies circumstances under which injured state worker has right to reinstatement or reemployment. Declares emergency, effective on passage. (Committee Vote: Aye, 6; Nay, 4 --Barreto, Esquivel, Heard, Weidner; Exc., 1 --Fagan)

No Fiscal Impact
No Revenue impact

SB 295 A-Eng. **HED** **dp** **5/7/2015** **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** **5/7/2015** **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

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SB 496 **HBL** **dp** **5/7/2015** **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** **5/7/2015** **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** **5/7/2015** **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** **5/7/2015** **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

SB 141 A-Eng. **HBL** **dp** **5/11/2015** **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)

SB 199 A-Eng. **HJUD** **dp** **5/11/2015** **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

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SB 225 A-Eng. **HHS** **dp** **5/11/2015** **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** **5/11/2015** **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** **5/11/2015** **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** **5/11/2015** **Barton**
 Modifies "Computer Crime" statute to specifically include "theft of an intimate image" as prohibited conduct. Amends ORS 137.540 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

SB 588 **HED** **dp** **5/11/2015** **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

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SB 839 A-Eng. **HJUD** **dp** **5/11/2015** **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

Third Reading Of Senate Bills:

SB 4 **HJUD** **dp** **5/12/2015** **Greenlick**
 Modifies definition of "animal rescue entity" to clarify inclusion of animals located off-site. (Committee Vote: Aye, 7; Exc., 2 --Barton, Lininger)

Has minimal fiscal impact
No Revenue impact

SB 173 **HJUD** **dp** **5/12/2015** **Olson**
 Authorizes person who is licensed with concealed carry permit to present valid concealed carry license to peace officer in lieu of presenting firearm for inspection. (Committee Vote: Aye, 7; Exc., 2 --Greenlick, Sprenger)

No Fiscal Impact
No Revenue impact

SB 236 **HJUD** **dp** **5/12/2015** **Olson**
 Authorizes Department of State Police to enter into lease agreements and take title to real property. Declares emergency, effective upon passage. (Committee Vote: Aye, 7; Exc., 2 --Barton, Lininger)

No Fiscal Impact
No Revenue impact

SB 368 A-Eng. **HJUD** **dp** **5/12/2015** **Williamson**
 Clarifies that writ of execution for foreclosure suit is not required to include money award in all circumstances. Requires inclusion of declaration of amount of debt lien secures, and if plaintiff requests in complaint, money award against lien debtor. Provides clarifying language to distinguish between in rem (action taken directly against property, not the title of individual claimants) and real property. Requires sheriff to deliver proceeds from execution sale to court administrator. Permits judgment creditor in foreclosure to bid on foreclosed property at execution sale or ahead of time in writing with certain requirements. Mandates judgment creditor's bid may not exceed full amount owing on money award if judgment includes money award or amount declared in judgment when no money award is included. Applies to foreclosure suits commencing or pending on or after effective date. Declares emergency, effective on passage. (Committee Vote: Aye, 7; Exc., 2 --Barton, Lininger)

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No Revenue impact

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SB 378**HJUD****dp****5/12/2015****Sprenger**

Defines "boarding kennel" and includes definition under exemption for "keeper." Provides license fee exemption for animals considered "inventory." (Committee Vote: Aye, 7; Exc., 2 --Barton, Lininger)

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