

HOUSE OF REPRESENTATIVES

THIRD READING ALERT

PROJECTED THIRD READINGS FOR THURSDAY, JUNE 18, 2015

House Convenes at 11:00 AM

BILL#	COMM	RECOMMENDATION	FILED	CARRIER
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Special Orders Of Business:

HB 2796 A-Eng.	JWM	dp	6/15/2015	Parrish
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Authorizes the Health Licensing Office (HLO) to issue licenses to practice music therapy. Specifies licensing criteria for applicants. Authorizes HLO to adopt rules for licensing, qualifications and to establish standards. Prohibits persons from practicing music therapy or using the title of music therapist without a license. Declares emergency, effective on passage. (Committee Vote: Aye, 21; Exc., 3 --McLane, Read, Girod)

Fiscal impact issued

No Revenue Impact

SCR 14	HVET	A	6/4/2015	Esquivel
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Memorializes Corporal Keaton Grant Coffey. (Committee Vote: Aye, 7)

No Fiscal Impact

No Revenue Impact

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

HB 2316 C-Eng.	HJUD	Concur	6/16/2015	Barker
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Increases fee amounts charged by justice courts for various filings. Creates perpetuation deposition for material witnesses. **Senate Amendment The amendment allows for court proceedings to be recorded in other means than audio or stenographic only. That allowance is for municipal courts as well as justice courts. The amendment also makes language consistent with HB 3399.** (Senate Vote: Ayes, 23; nays, 7--Hansell, Johnson, Knopp, Olsen, Thatcher, Thomsen, Whitsett.)

Note: Requires a 3/5 Majority.

Has minimal fiscal impact

Revenue impact issued

HB 2463 B-Eng.	HRCLUW	Not Concur	6/15/2015	Clem
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Authorizes Department of State Lands (DSL) to seize and remove derelict or abandoned structure on, under, or over state-owned submerged land or submersible lands if DSL determines after providing notice and opportunity for hearing that structure is abandoned or derelict and owner has failed to correct identified problems within 20 days or longer reasonable time as specified in notice. Establishes notice requirements. Establishes Submerged Lands Enhancement Fund. Clarifies that marine debris may be removed and disposed of with moneys from Submerged Lands

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Enhancement Fund. Directs DSL to adopt rules, including procedures for notice and opportunity for hearing prior to seizure and manner by which request to DSL for use of money in Submerged Lands Enhancement Fund may be made and evaluated by DSL. Places liability of costs of removal, salvage, storage, and disposal of seized structure with owner. **Senate Amendment Specifies Department of State Lands is authorized to seize structure or if owner has failed to correct problems identified in notice within 20 days or longer reasonable time as specified in notice. Establishes notice requirements.** (Senate Vote: Ayes, 20; nays, 10--Baertschiger Jr, Boquist, Ferrioli, Girod, Hansell, Knopp, Kruse, Thatcher, Thomsen, Whitsett.)

Fiscal impact issued

No Revenue Impact

HB 2478 B-Eng. **HRULES** **Concur** **6/16/2015** **Hoyle**

Makes statutory changes to achieve gender neutral language with respect to legally recognized marriages. **Senate Amendment Resolves conflict with Senate Bill 604, 2015.** (Senate Vote: Ayes, 18; nays, 11--Baertschiger Jr, Ferrioli, Girod, Hansell, Knopp, Kruse, Olsen, Thatcher, Thomsen, Whitsett, Winters; excused, 1--Boquist.)

Has minimal fiscal impact

No Revenue Impact

HB 2509 B-Eng. **HRCLUW** **Not Concur** **6/11/2015** **Clem**

Requires Oregon Department of Agriculture (ODA), if requested by either party of dispute where person engaged in farming practice has reasonable belief that planting, growing or harvesting of agricultural or horticultural commodity on nearby land might or is interfering with farming practice, to provide mediation program services or refer parties to United States Department of Agriculture (USDA) for participation in certified state agricultural mediation program. Stipulates person requested to participate may elect to have proceeding conducted through either program. Requires person electing to have mediation services through ODA, rather than USDA referral must pay any additional costs and fees. Stipulates if ODA provides mediation services costs required of parties may not exceed \$2,500. Stipulates party requesting mediation services is responsible for paying unless both parties agree to divide costs. Authorizes court to consider if party is offered and is unwilling to participate in mediation when determining preliminary injunction. Requires parties to participate in mediation proceeding if court action arises, beginning no later than 270 days after action is filed. Authorizes court to impose sanctions against party that is unwilling to participate in at least four hours of mediation, or shorter time agreed upon by both parties. Establishes cause of action against party that discloses confidential communications or terms of mediation agreement if both parties agreed in writing to confidentiality. Clarifies Act does not require party to mediation to disclose confidential information that may be adverse to their legal interests. Stipulates Act does not apply to any dispute in county that has ordinance in effect regulating planting, growing, or harvesting of genetically engineered commodities. Requires, upon request by farmer or holder of patent granted for seed crop or trait, ODA Director to appoint representative from ODA to accompany farmer, patent holder or crop testing service at time sample is taken and authorizes ODA to charge requester fee for service. **Senate Amendment Replaces measure.** (Senate Vote: Ayes, 29; excused, 1--Johnson.)

Fiscal impact issued

No Revenue Impact

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HB 2832 B-Eng. **HHEDIW** **Concur** **6/16/2015** **Nathanson**

Requires governing board or entity of public or private postsecondary institution to evaluate contract with third party financial firm based on recommendations from United States Department of Education (DOE) and Consumer Financial Protection Bureau (CFPB). Clarifies that third party financial firms are for disbursement and management services of financial aid funds, or for management of financial accounts. Specifies contract may not include revenue sharing, per-use transaction fee on debit card, fee for initial disbursement via paper check or electronic funds transfer and account inactivity fee. Requires contract to be made public and posted on web site of postsecondary institution. Requires public university or community college contracting with third party financial firm to undertake reasonable efforts to establish collaboration agreements with other institutions. **Senate Amendment Defines the financial terms 'account,' 'financial aid funds' and 'financial aid refund disbursement process' for this provision. Clarifies that third party financial firms are for disbursement and management services of financial aid funds, or for management of financial accounts. Removes private right of action provision.** (Senate Vote: Ayes, 27; nays, 3--Baertschiger Jr, Thatcher, Whitsett.)

Fiscal impact issued
No Revenue Impact

HB 3469 A-Eng. **HJUD** **Concur** **6/15/2015** **Barton**

Increases penalty for crime of strangulation if defendant knows victim is pregnant. Makes crime a Class C felony, with maximum punishment of five years imprisonment, \$125,000 fine or both. Expands types of previous convictions that elevate assault in the fourth degree to from Class A misdemeanor to Class C felony. Makes technical fixes to animal welfare laws. **Senate Amendment Makes technical fixes to animal welfare laws.** (Senate Vote: Ayes, 29; nays, 1--Boquist.)

Fiscal impact issued
No Revenue Impact

Third Reading Of House Bills:

(Carried Over from Wednesday, June 17, 2015)

HB 5041 A-Eng. **JWM** **dpa PE** **6/15/2015** **Smith**

Agency: State Treasurer (Committee Vote: Aye, 16; Nay, 8 --McLane, Huffman, Whisnant, Whitsett, Girod, Hansell, Thomsen, Whitsett)

Budget Report Issued
No Revenue Impact

Third Reading Of Senate Bills:

(Carried Over from Wednesday, June 17, 2015)

SB 5544 A-Eng. **JWM** **dp** **6/15/2015** **Hack**

Agencies: Department of Agriculture; Department of Fish and Wildlife (Committee Vote: Aye, 21; Exc., 4 --Smith, Johnson, Thomsen, Winters)

Budget Report Issued
No Revenue Impact

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SB 72 B-Eng. **JWM** **dp** **6/15/2015** **Olson**
 Agency: Oregon State Board of Nursing (Committee Vote: Aye, 21; Exc., 3 --Smith, Thomsen, Winters)
Budget Report Issued
No Revenue Impact

SB 245 A-Eng. **JWM** **dp** **6/15/2015** **Gomberg**
 Consolidates and updates authorized use of permit fees and tipping fees to include policy development, permitting, inspecting, monitoring, enforcement, training, technical assistance, responding to complaints, rulemaking, and other activities that support safe management of solid waste. Clarifies fees apply to sites that receive domestic solid waste or solid waste generated outside of state for final disposal or destruction and person who transports solid waste out of state for final disposal or destruction. Establishes fee is levied on district for solid waste delivered to disposal site owned and operated by metropolitan service district. Authorizes Environmental Quality Commission (EQC) to establish fees for composting if amount of waste tonnage per calendar year falls below 90 percent of amount of waste tonnage averaged from 2014 to 2016 for two consecutive years and would remain in effect until EQC determines fee is no longer necessary. Requires solid waste disposal tipping fee be no more than \$1.18 per ton for biennium beginning July 1, 2015 and per ton fee on disposal sites for composting be no more than per ton fee assessed on domestic solid waste, less \$0.81 per ton. Stipulates after July 1, 2017 Department of Administrative Services and EQC may proportionally adjust fee to meet revenue needs consistent with legislatively authorized budget or adjust for inflation based on certain guidelines. Establishes tipping fee rebate program for nine most economically distressed counties. Authorizes fees on disposal sites that receive and person who transport out of state for final disposal building demolition or construction wastes, land clearing debris and waste tires. Requires Department of Environmental Quality to submit report to interim legislative committee on environment and natural resources no later than October 31, 2022. (Committee Vote: Aye, 19; Nay, 1 --Girod; Exc., 4 --Smith, Shields, Thomsen, Winters)
Fiscal impact issued
No Revenue Impact

SB 262 A-Eng. **JWM** **dp** **6/15/2015** **Rayfield**
 Increases fees for oil spill prevention program. Expands uses of moneys in Oil Spillage Control Fund to include planning and preparedness activities. Expands reporting requirements to include the penalties recovered by the department for civil penalties for the willful and negligent discharge of oil and the activities of the Department of Environmental Quality in collecting penalties for oil spills. (Committee Vote: Aye, 20; Exc., 4 --Smith, Shields, Thomsen, Winters)
Fiscal impact issued
No Revenue Impact

SB 441 A-Eng. **JWM** **dp** **6/15/2015** **Gomberg**
 Agency: Oregon Business Development Department (Committee Vote: Aye, 20; Exc., 4 --Smith, Shields, Thomsen, Winters)
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SB 696 B-Eng.JWM

dp

6/15/2015

Keny-Guyer

Increases the Behavior Analysis Regulatory Board (BARB) membership from seven members to nine. Eliminates the BARB requirement to register licensed health care professionals and behavior analysis interventionists. Permits criteria for licensure to include certification by another agency approved by BARB. Requires fingerprinting for licensure. Directs Health Licensing Office to register behavior analysis interventionists. Creates title protections. Incorporates BARB under health professional regulatory boards and Health Licensing Office provisions. Permits insurance reimbursement to certain licensed health care professionals actively practicing applied behavior analysis through July 1, 2018 and requires documentation to Health Licensing Office. Allows health benefit plan to establish credentialing requirements for provision of behavior analysis. Creates operative date of November 1, 2015. Declares emergency, effective on passage. (Committee Vote: Aye, 20; Exc., 4 --Smith, Shields, Thomsen, Winters)

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