

HOUSE OF REPRESENTATIVES

THIRD READING ALERT

PROJECTED THIRD READINGS FOR MONDAY, JUNE 22, 2015

House Convenes at 11:00 AM

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

<u>HB 2478 B-Eng.</u>	<u>HRULES</u>	Concur	6/16/2015	Hoyle
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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

<u>HB 2509 B-Eng.</u>	<u>HRCLUW</u>	Not Concur	6/11/2015	Clem
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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

LEGEND

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HB 3085 A-Eng. **HRCLUW** **Concur** **6/17/2015** **Fagan**

Requires City of Damascus to surrender its charter, disincorporate and cease to exist on 61 st day after election. Requires city to satisfy all outstanding legal debts and obligations and expend all moneys as provided by law and to convey all real property and tangible and intangible personal property to Clackamas County, no sooner than the 30th day after election. Refers Act to people of City of Damascus for their approval or rejection at next primary election held throughout the state. Requires majority of voters voting on Act to approve law. **Senate Amendment Refers question of disincorporation to voters in City of Damascus, at next primary election. Requires city to surrender its charter, disincorporate and cease to exist on 61st day after election. Requires city, no sooner than the 30th day after election, to satisfy all debts, obligations, liabilities, expenses, transfer real property, tangible and intangible personal property and moneys to Clackamas County.** (Senate Vote: Ayes, 21; nays, 9--Baertschiger Jr, Girod, Hansell, Kruse, Monroe, Thatcher, Thomsen, Whitsett, Winters.)

Fiscal impact issued
Revenue impact issued

HB 3086 B-Eng. **HRCLUW** **Concur** **6/17/2015** **Fagan**

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 primary election held throughout this state. Declares emergency, effective on passage. **Senate Amendment Requires City of Damascus satisfy all debts, obligations, liabilities, expenses, transfer real property, tangible and intangible personal property and moneys to Clackamas County, no sooner than 30th day after election. Changes timeline for distribution and property tax years used to calculate amount of money to be distributed to ad valorem property taxpayers of excess moneys remaining in city funds.** (Senate Vote: Ayes, 29; nays, 1--Thatcher.)

Fiscal impact issued
No Revenue Impact

HB 3382 A-Eng. **HAGNR** **Concur** **6/17/2015** **Witt**

Defines Willamette Valley Protected District (District). Directs College of Agricultural Sciences (College) at Oregon State University to use field monitoring and research of canola to identify acreages on which canola can be grown within District. Allows State Department of Agriculture (Department) to authorize up to 500 acres for growing canola for commercial purposes within District provided it is on acreage identified by College that was not used for growing canola under chapter 724, Oregon Laws 2013 (Research Area); grown in manner determined to be compatible with growing of other crops; and under same conditions imposed by College for Research Area. Allows Department to assess civil penalty up to \$25,000 against person who grows canola without authorization. Requires Department to develop and report recommendations regarding means for coexistence of production of canola and other crops, including recommendations for legislation, to Legislature no later than November 15, 2018. Requires College to submit specified information for review by experts having sufficient knowledge of vegetable seed production to provide evaluation of research. Requires assessment to include review of published material from certain areas. Sunsets authorization to grow 500 acres of canola for commercial purposes per year in District on January 2, 2020. Extends sunset from January 2, 2019 to July 1, 2019 for law imposing general prohibition on growing of canola in District. **Senate Amendment Stipulates 500 acres for growing canola for commercial purposes grown per year must be on acreage not used for growing canola under chapter 724, Oregon Laws 2013 (Research Area); grown in manner determined to be compatible with growing of other crops; and under same conditions**

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imposed by College of Agriculture Sciences of Oregon State University (College) under Research Area. Requires Department of Agriculture to develop and report recommendations regarding means for coexistence of production of canola and other crops, including recommendations for legislation, to Legislature no later than November 15, 2018. Requires College to submit information for review by experts having sufficient knowledge of vegetable seed production to provide evaluation of research. Requires assessment to include review of published material from certain areas. (Senate Vote: Ayes, 25; nays, 5--Bates, Gelser, Prozanski, Riley, Thatcher.)

Fiscal impact issued
No Revenue Impact

Third Reading Of House Bills:

(Carried Over from Thursday, June 18, 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 House Bills:

HB 5002 A-Eng. **JWM** **dpa PE** **6/17/2015** **Rayfield**
Agency: Department of Agriculture (Committee Vote: Aye, 23; Exc., 1 --Girod)
Budget Report Issued
No Revenue Impact

HB 5003 A-Eng. **JWM** **dpa PE** **6/17/2015** **Rayfield**
Ratifies fee changes adopted by the Department of Agriculture and approved by the Department of Administrative Services. Fees were modified for nurseries, seed dealers and industrial hemp.
House Amendment The amendment corrects errors in the introduced version and adds industrial hemp fees which were adopted after the legislative concept was submitted.
(Committee Vote: Aye, 20; Nay, 3 --McLane, Whisnant, Thomsen; Exc., 1 --Girod)
Fiscal impact issued
No Revenue Impact

HB 2207 B-Eng. **JWM** **dpa PE** **6/17/2015** **Gomberg**
Authorizes the Environmental Quality Commission to adopt by rule, standards and procedures for implementing alternative ballast water management strategies for vessels with empty ballast tanks that enter waters of state. **House Amendment Removes the requirement that civil penalties collected under state laws regulating discharge of ballast water into waters of state be deposited in Invasive Species Control Account instead of the General Fund.** (Committee Vote: Aye, 23; Exc., 1 --Girod)
No Fiscal Impact
No Revenue Impact

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HB 2228 A-Eng. **JWM** **dp** **6/17/2015** **Whisnant**
 Requires Oregon State Police to establish voluntary fingerprint retention program. Limits purposes for which collected information may be used. Contains notification requirements and processes for participation and discontinuation of participation. Requires Department of Administrative Services to create rules. Repeals ORS 181.545 addressing Voluntary Central Criminal Records Check Registry. (Committee Vote: Aye, 21; Nay, 2 --Whitsett, Shields; Exc., 1 --Girod)

Fiscal impact issued

No Revenue Impact

HB 3100 A-Eng. **JWM** **dp** **6/17/2015** **Greenlick**
 Restructures the framework for conducting public health activities and duties in the state and for how public health services are provided to Oregonians. Provides mechanisms by which local health departments may implement provisions of the bill separately and at varying times. Modifies terminology and funding distributions. Becomes operative January 1, 2016. Declares an emergency, effective on passage. (Committee Vote: Aye, 21; Nay, 2 --Whitsett, Thomsen; Exc., 1 --Girod)

Fiscal impact issued

No Revenue Impact

HB 3479 A-Eng. **JWM** **dpa PE** **6/17/2015** **Piluso**
 Agency: Department of Veterans' Affairs (Committee Vote: Aye, 23; Exc., 1 --Girod)

Budget Report Issued

No Revenue Impact

Third Reading Of Senate Bills:

(Carried Over from Thursday, June 18, 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

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

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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)

Budget Report Issued
No Revenue Impact

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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