

HOUSE OF REPRESENTATIVES

THIRD READING ALERT

PROJECTED THIRD READINGS FOR THURSDAY, JUNE 25, 2015

House Convenes at 11:00 AM

BILL#	COMM	RECOMMENDATION	FILED	CARRIER
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Special Orders Of Business:

<u>HB 2936 C-Eng.</u>	<u>JWM</u>	dpa PE	6/22/2015	Stark
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Extends criminal and civil immunity to sobering facility and staff, registered with Oregon Health Authority (OHA) before January 1, 2016 for acting on probable cause in good faith without malice. Extends criminal and civil immunity to sobering facility and staff registered with OHA on or after January 1, 2016 for acting on probable cause in good faith without gross negligence. Defines sobering facility as one that: provides acutely intoxicated persons with safe, clean, supervised environment until sobriety improves; affiliates with OHA-approved addictions treatment program or provider; adopts comprehensive written policies and procedures incorporating best practices for safety of intoxicated persons, employees and volunteers; and is registered with OHA. Requires OHA to establish registry of sobering facilities. Permits OHA to register only facilities in operation when Act becomes effective and has submitted written request to OHA by December 31, 2015. Permits OHA to accept written requests from new sobering facilities after January 1, 2016, but prohibits registering more than three. Requires OHA to report on sobering facilities each regular legislative session beginning with 2017. Requires affiliated providers to enter into written agreement to consult, train, advise and make referrals. Allows for discharge of person who is danger to self or others within first 24 hours of admission. Prohibits disclosure of records without consent. Allows law enforcement to transport intoxicated person to sobering facility. Declares emergency, effective on passage. **House Amendment Amendment includes Oregon State Police in the definition of "police officer," and specifies that "police officer" includes a member of a law enforcement unit who is commissioned or employed part-time and full-time.** (Committee Vote: Aye, 23; Exc., 1 --Winters)

Fiscal impact issued
No Revenue Impact

<u>SCR 7</u>	<u>HVET</u>	A	6/4/2015	Helm
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Memorializes Specialist John Alexander Pelham. (Committee Vote: Aye, 7)

No Fiscal Impact
No Revenue Impact

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

<u>HB 2356 B-Eng.</u>	<u>HJUD</u>	Concur	6/23/2015	Post
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Modifies Invasion of Privacy statute to include two degrees of offenses. Increases penalties for recidivists and those who make recordings of others to a Class C felony. Adds ORS 163.700 to the criminal code. (Senate Vote: Ayes, 28; excused, 2--Beyer, Olsen.)

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Fiscal impact issued
No Revenue Impact

HB 2411 C-Eng. **HHEDIW** **Concur** **6/24/2015** **Doherty**

Proposes to change the name of Teacher Standards and Practices Commission (TSPC) to Professional Educator Standards Board. Under the adopted amendment the current TSPC name is continued. Updates terms for teacher education programs and institutions. Streamlines licensure structure for teachers and administrators establishing a three tiered system and reducing the total number of different licenses and endorsements from 80 to 38. Increases maximum amount allowed for fees for issuance of license. Declares emergency, effective July 1, 2015.

Senate Amendment Resolves conflicts. (Senate Vote: Ayes, 19; nays, 9--Baertschiger Jr, Boquist, Ferrioli, Hansell, Knopp, Kruse, Thatcher, Thomsen, Whitsett; absent, 1--Beyer; excused, 1--Olsen.)

Fiscal impact issued
No Revenue Impact

HB 2879 B-Eng. **HHC** **Concur** **6/24/2015** **Hoyle**

Directs Board of Pharmacy (BOP) to adopt rules allowing licensed pharmacist to prescribe and dispense hormonal contraceptive patches and self-administered oral hormonal contraceptives to person who is at least 18 years of age or person under 18 years of age, if that person has evidence of previous prescription. Directs BOP to work in consultation with Oregon Medical Board, Oregon State Board of Nursing and Oregon Health Authority, with consideration of American Congress of Obstetricians and Gynecologists guidelines, to develop standard procedures for prescribing contraceptives. Specifies that rules need to include: BOP-approved training program; requirement that patient use self-screening risk assessment tool prior to pharmacist prescribing contraceptive; that pharmacist advise and refer patient to patient's primary care practitioner upon prescribing and dispensing contraceptive; and provides patient with written record of contraceptive prescribed and dispensed. Rules require pharmacists to ensure that patient has seen provider once every three years after initial prescription and prohibits pharmacist from requiring patient to schedule appointment prior to prescribing and dispensing contraceptive. Defines oral contraceptive patch. Applies all state and federal laws governing insurance coverage of prescription contraceptive drugs, devices and products to contraceptive prescribed by pharmacist. Sunsets provisions relating to age limitation on prescribing and dispensing hormonal contraceptive patches and self-administered oral hormonal contraceptives on January 1, 2020. Establishes January 1, 2016 as operative date. Declares an emergency, effective on passage. **Senate Amendment Adds "women's health care practitioner" as to whom pharmacist may refer patient to or advise patient to consult upon dispensing contraceptive. Sunsets provisions relating to age limitation on prescribing and dispensing hormonal contraceptive patches and self-administered oral hormonal contraceptives on January 1, 2020.** (Senate Vote: Ayes, 24; nays, 4--Baertschiger Jr, Boquist, Thomsen, Whitsett; absent, 1--Beyer; excused, 1--Olsen.)

Has minimal fiscal impact
No Revenue Impact

HB 3188 B-Eng. **HAGNR** **Concur** **6/24/2015** **McKeown**

Authorizes landowners who meet certain criteria to petition for formation of predator damage control district within a county. Modifies definition of "predatory animals" to include bears, bobcats, and red foxes in addition to black bears, cougars, fur-bearing mammals, gray wolves, coyotes,

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rabbits, rodents, and birds. Requires county commissioners to appoint an advisory board for newly formed predator damage control district. Establishes presumptive charges of \$1 per acre for tax lots of 10 or more acres and a \$25 flat rate for tax lots with less than 10 acres. Requires advisory board to consider annually whether presumptive charges are sufficient and to recommend changes to the charges that may be approved by the county. Authorizes county to amend recommended charges. Allows landowners to elect whether to incur the charge and requires the board to submit a list of those landowners electing to incur charges. Requires the county to certify the list of landowners paying the charges so that they may receive services from the county to prevent, reduce, or mitigate damage from predatory animals in the district. (Senate Vote: Ayes, 27; nays, 1--Gelser; absent, 1--Beyer; excused, 1--Olsen.)

Has minimal fiscal impact

No revenue impact, statement issued (Indeterminate Impact)

HB 3243 C-Eng. **HBL** **Concur** **6/24/2015** **Holvey**
 Agencies: Oregon Health Authority; Mortuary and Cemetery Board (Senate Vote: Ayes, 28; absent, 1--Beyer; excused, 1--Olsen.)
Budget Report Issued
No Revenue Impact

HB 3391 B-Eng. **HHS** **Concur** **6/24/2015** **Evans**
 Directs Attorney General to file suit in circuit court on behalf of employees of Department of Human Services (DHS) in certain cases of threat to personal safety. Creates Task Force on Safety for Child Welfare Employees staffed by DHS. Outlines membership, objectives and process. Requires report to legislature by September 15, 2016. Declares emergency, effective on passage.
Senate Amendment Removes language establishing the Task Force on Safety for Child Welfare Employees. The amendment does not change the minimal fiscal impact. (Senate Vote: Ayes, 22; nays, 6--Baertschiger Jr, Boquist, Hansell, Thatcher, Thomsen, Whitsett; absent, 1--Beyer; excused, 1--Olsen.)
Has minimal fiscal impact
No Revenue Impact

Propositions & Motions:

(Consideration of Conference Committee Reports)

SB 93 B-Eng. **SB93** **concur, further amend & repass.** **6/22/2015** **Lively**
 Requires insurance to provide reimbursement for up to 90-day supply of previously dispensed eligible prescription drugs in certain circumstances, as specified. Clarifies that prescription benefit plan or a prescription drug benefit offered under a health benefit plan determines the reimbursement rates. Specifies that the provisions apply to contracts entered into or renewed on or after the effective date. **Amendment Clarifies that a prescription benefit plan or a prescription drug benefit offered under a health benefit plan determines the reimbursement rates. Specifies that the provisions apply to contracts entered into or renewed on or after the effective date.** (Committee Vote: Aye, 6)
Fiscal impact issued
No Revenue Impact

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Third Reading Of House Bills:*(Carried Over from Wednesday, June 24, 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 2041 A-Eng. **JM91** **dpa PE** **6/24/2015** **Lininger, Wilson**
 Imposes 17 percent tax on marijuana items sold by recreational marijuana retailers (retailers) at point of retail sale starting January 1, 2016. Requires Oregon Liquor Control Commission (OLCC) to enter into agreement with Department of Revenue (Department) authorizing Department to implement, administer and enforce rules and procedures for collection of tax. Requires retailers submit tax return on or before last day of January, April, July and October of each year for each previous calendar quarter. Allows retailer to deduct and retain 2 percent of taxes collected. Describes process for collection by Department for any delinquent tax. Requires retailer to keep records for 5 years. Allows Department to review records upon oral or written demand. Allows Department to disclose information to OLCC gained through review of records or subpoena. Requires medical marijuana dispensaries, selling to non-medical marijuana cardholders, to collect 25 percent tax on all sales starting on or after January 4, 2016. Sunsets on December 31, 2016.
House Amendment Replaces measure. (Committee Vote: Aye, 9; Exc., 1 --Beyer)
Fiscal impact issued
Revenue impact issued

HB 2968 B-Eng. **HREV** **dpa PE** **6/23/2015** **Whisnant, Gallegos**
 Directs the Chief Education Officer to convene a work group to produce a report on how SSF expenditures relate to the educational attainments of students from families in poverty. Details the contents of the report. Directs that the work group to submit the report to an education-related interim committee of the Legislative Assembly by November 15, 2015. Takes effect on passage.
House Amendment The amendment replaces the bill. Directs the Chief Education Officer to convene a work group to produce a report on how SSF expenditures relate to the educational attainments of students from families in poverty. Details the contents of the report. Directs that the work group to submit the report to an education-related interim committee of the Legislative Assembly by November 15, 2015. (Committee Vote: Aye, 8; Exc., 1 --Lininger)
Has minimal fiscal impact
No Revenue Impact

HB 3563 **JWM** **dp** **6/23/2015** **Gomberg**
 The measure makes changes to ORS 517.800, increasing the statutory limits on fees related to mining operations regulated by the Oregon Department of Geology and Mineral Industries. The measure requires all revenues from these fees be deposited into the Mined Land Regulation and Reclamation Program Subaccount. The Department is directed to report to the governing board annually on the financial status of the subaccount. (Committee Vote: Aye, 22; Nay, 1 --Thomsen; Exc., 1 --Winters)

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SB 306 B-Eng. **JWM** **dp** **6/19/2015** **Gomberg**

Adds levee inspection and repair projects to the qualified uses of monies in the Special Public Works Fund. Authorizes the Oregon Infrastructure Finance Authority (IFA) in the Oregon Business Development Department to provide loans or grants for levee projects to drainage districts, corporations for drainage or flood control or for-profit or nonprofit entities and individuals in the ownership, construction, inspection, accreditation, certification or repair of levees. Specifies that when considering project eligibility, IFA must find that the levee project substantially contributes to improvement, expansion or repair of state's or municipality's infrastructure system and is essential for use of development of farms, industrial or commercial land in Oregon to approve project. (Committee Vote: Aye, 21; Exc., 3 --McLane, Read, Girod)

Fiscal impact issued
No Revenue Impact

SB 469 B-Eng. **JWM** **dp** **6/19/2015** **Nathanson**

Agency: Oregon Health Authority (Committee Vote: Aye, 21; Exc., 3 --McLane, Read, Girod)

Budget Report Issued
No Revenue Impact

SB 473 B-Eng. **JWM** **dp** **6/19/2015** **Taylor**

Agency: Higher Education Coordinating Commission (Committee Vote: Aye, 18; Nay, 3 --Whitsett, Hansell, Whitsett; Exc., 3 --McLane, Read, Girod)

Budget Report Issued
No Revenue Impact

SB 475 **JWM** **dp** **6/19/2015** **Taylor**

The measure requires that students in youth care centers within a detention facility receive educational services through the Juvenile Detention Education Program (JDEP). The measure will allow the provider of the educational services within the detention facility to claim the students in the youth care centers as part of the Average Daily Membership (ADM) which is used to calculate the distribution of State School Funds. (Committee Vote: Aye, 21; Exc., 3 --McLane, Read, Girod)

Fiscal impact issued
Revenue impact issued

SB 875 B-Eng. **JWM** **dpa PE** **6/22/2015** **Nathanson**

Requires the State Board of Education to adopt rules regarding which school personnel may administer medications that treat adrenal insufficiency to students experiencing adrenal crisis. Requires training of school personnel to be conducted by the Oregon Health Authority under the supervision of a physician or nurse practitioner. Permits trained individuals, who receive medication from the parent or guardian of a student with adrenal insufficiency, to administer such medications if the student is suffering an adrenal crisis in an emergency situation when a licensed health care professional is not immediately available. Specifies that school districts are only required to have school personnel trained when a parent or guardian notifies the district that a student has been diagnosed with adrenal insufficiency. Operative January 1, 2016. Declares emergency, effective on passage. **House Amendment Resolves conflicts.** (Committee Vote: Aye, 22; Exc., 2 --Read, Winters)

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No Revenue Impact

Third Reading Of Senate Bills:

SB 699 B-Eng. **HRULES** **dpa PE** **6/23/2015** **Williamson**

Broadens exemption to allow, without a license from Board of Cosmetology, the application of temporary makeup or styling hair by method for sole purpose of preparing individual for professional film or video performance or theatrical performance. Adds specific cosmetology techniques that someone preparing individual for professional photograph, who does not possess cosmetology license, is allowed to do to prepare individual. Specifies Health Licensing Office may develop and disseminate guidelines to ensure sanitation and hygiene best practices are followed. Declares emergency, effective on passage. **House Amendment Adds specific cosmetology techniques that someone preparing individual for professional photograph, who does not possess cosmetology license, is allowed to do to prepare person. Specifies person may braid hair, apply hair spray or hold cream to hair or style hair through the use of barrettes, ties, clips, ribbons and other similar hair accessories provided that the person does not use any product that alters keratin of hair.** (Committee Vote: Aye, 9)

No Fiscal Impact
No Revenue Impact

SB 833 B-Eng. **HRULES** **dpa PE** **6/23/2015** **Greenlick**

Requires Oregon Health Authority (OHA) to give coordinated care organizations (CCOs) at least 60 days' advance notice of any amendments proposed to existing contracts, or to contracts to be renewed, between OHA and coordinated care organizations. **House Amendment Removes requirement directing OHA to submit proposed terms or proposed amendments to CCO contract to appropriate federal agency for review and approval no less than 135 days prior to contract expiration.** (Committee Vote: Aye, 8; Exc., 1 --Kennemer)

No Fiscal Impact
No Revenue Impact

SB 886 A-Eng. **HRULES** **dp** **6/23/2015** **Nosse**

Requires State Fire Marshal, deputy or assistant of State Fire Marshal, or person acting for governmental subdivision who inspects structure and issues citation or order for nonconformity with federal, state or local fire safety standard, to include on citation or order: exact reference to law, regulation, rule or other source of authority that establishes the fire safety standard and plain statement of facts upon which citation or order is based. (Committee Vote: Aye, 9)

No Fiscal Impact
No Revenue Impact

SB 966 **HRULES** **dp** **6/23/2015** **Smith Warner**

Requires Oregon Department of Administrative Services (DAS) to develop and administer, or enter into contract with private entity to develop and administer, training program for members, administrators or directors of boards, commissions and small entities of executive department. Lists requirements of training program. Requires each new member and new administrator or director of board, commission or small entity of executive department to attend training within six months of start of member's service or administrator or director's employment. Declares emergency, effective on passage. (Committee Vote: Aye, 9)

Has minimal fiscal impact
No Revenue Impact

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