

## HOUSE OF REPRESENTATIVES

THIRD READING ALERT

PROJECTED THIRD READINGS FOR WEDNESDAY, JULY 1, 2015

House Convenes at 10:30 AM

BILL#	COMM	RECOMMENDATION	FILED	CARRIER
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Special Orders Of Business:

<u>SCR 18</u>	<u>HRULES</u>	A	6/29/2015	Kennemer
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Honors Judy Hall for her invaluable contributions to Oregon Legislative Assembly. (Committee Vote: Aye, 9)  
**No Fiscal Impact**  
**No Revenue Impact**

Propositions & Motions:*(Possible Reconsideration)*

<u>HB 3414 B-Eng.</u>	<u>HTED</u>	dpa PE	4/17/2015	Hoyle
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Creates offense of failure to keep a vehicle in the right lane on roads with posted speed greater than 45 miles per hour. Specifies offense does not occur when traffic is moving slower than the normal flow of traffic. Designates offense as Class B traffic violation punishable by maximum fine of \$1,000. Exempts drivers of vehicles governed by ORS 811.325. Outlines conditions under which driving in the far left lane is allowable. **House Amendment Limits applicability to roads with posted speeds greater than 45 miles per hour. Specifies measure does not apply when traffic is moving slower than the normal flow of traffic.** (Committee Vote: Aye, 6; Exc., 1 -- Gorsek)  
**Has minimal fiscal impact**  
**No Revenue Impact**

*(Possible Consideration Of Senate Amendments)*

<u>HB 2357 C-Eng.</u>	<u>HJUD</u>	Concur	6/30/2015	Barker
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Modifies certain law enforcement defenses applicable to certain firearms-related crimes. Authorizes certain off-duty law enforcement officers to possess firearms in public buildings. Provides honorably retired law enforcement officers with protections provided to Oregon concealed handgun license holders provided that officers do not have disqualifying convictions. Declares emergency, effective on passage. **Senate Amendment Clarifies language prohibiting use of affirmative defense by certain honorably retired law enforcement officers.** (Senate Vote: Ayes, 28; excused, 2--Olsen, Shields.)  
**Has minimal fiscal impact**  
**No Revenue Impact**

**LEGEND**

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HB 2465 B-Eng.      HTED      **Concur**      **6/30/2015**      **McKeown**

Authorizes Oregon Department of Transportation to establish, by rule, change of address requirements for driver licenses, driver permits and identification cards. Replaces requirement that applicants under 18 years of age provide proof of enrollment from school with requirement that parent or guardian certify that applicant is enrolled in school, except in cases where applicant's privileges have been suspended for withdrawal from school. Eliminates moped-restricted driver license. Removes requirement that out-of-state applicants for motorcycle endorsement take motorcycle knowledge test in Oregon if applicant already has such endorsement in another state. Makes issuance of fuel tax exemption emblems under Road Usage Charge Program optional. Deletes requirement that mileage of vehicles participating in Road Usage Charge Program be rounded up to the next whole mile. Removes exemption for specified vehicle with maximum speed of 35 miles per hour for off-road use and that are operated on public highways in any one calendar year number of miles that does not exceed 15 percent of total number of miles vehicle is operated for that calendar year. Exempts person operating motor vehicle with combined weight of 26,000 pounds or more from weight-mile tax if motor vehicle is for purpose of emissions research and development and United States Environmental Protection Agency has provided testing exemption from complying with federal emission requirements; applies to taxes imposed on or after January 1, 2015. Takes effect 91st day after adjournment. **Senate Amendment Makes issuance of fuel tax exemption emblems under Road Usage Charge Program optional. Deletes requirement that mileage of vehicles participating in Road Usage Charge Program be rounded up to next whole mile. Removes exemption for specified vehicle with maximum speed of 35 miles per hour for off-road use and that are operated on public highways in any one calendar year number of miles that does not exceed 15 percent of total number of miles vehicle is operated for that calendar year. Exempts person operating motor vehicle with combined weight of 26,000 pounds or more from weight-mile tax if motor vehicle is for purpose of emissions research and development and United States Environmental Protection Agency has provided testing exemption from complying with federal emission requirements, applies to taxes imposed on or after January 1, 2015. Takes effect 91st day after adjournment.** (Senate Vote: Ayes, 28; excused, 2--Olsen, Shields.)

Has minimal fiscal impact

Has minimal revenue impact

HB 3125 B-Eng.      HREV      **Not Concur**      **6/30/2015**      **Barnhart**

Expands existing property tax exemption for qualified machinery and equipment used in food processing to include machinery and equipment used to process grains, bakery products, dairy products and eggs. Exemption for grains, bakery products, dairy products and eggs effective for property tax years beginning on or after July 1, 2016. Modifies definition of "food processor" to include grains, bakery products, dairy products and eggs. Applicable beginning with tax years beginning on or after July 1, 2015, excludes a person engaged in the business of producing any product that contains marijuana or a marijuana extract. Modifies definition of qualified machinery and equipment to include grains, bakery products, dairy products and eggs. Requires qualified machinery and equipment used to process grains and bakery products to have real market value of at least \$100,000 when placed in service in order to qualify for exemption. Applicable beginning with tax years beginning on or after July 1, 2015, allows State Department of Agriculture to fix, assess and collect or cause to be collected fees on food processors in amount necessary to cover costs of certification. Requires State Department of Agriculture to submit a report, on impact of expanding exemption to include grain processing, to interim Legislative revenue committees not later than September 15, 2018. Applies to property tax years beginning on or after July 1, 2015. **Senate Amendment Includes bakery products, dairy products and eggs to list of food processors qualifying for existing food processing machinery and equipment five year property tax exemption. Exemption for grains, bakery products, dairy products and eggs**

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effective for property tax years beginning on or after July 1, 2016. Defines terms. Requires qualifying bakeries to have been issued a wholesale license by State Department of Agriculture. Prohibits exemption from applying to machinery and equipment used to process bakery products if proceeds from retail sales made at the processing site constitute more than ten percent of all proceeds from sales made at processing site. Requires qualifying machinery and equipment used to process bakery products to have real market value of at least \$100,000 when placed in service. (Senate Vote: Ayes, 28; excused, 2--Olsen, Shields.)

Fiscal impact issued  
Revenue impact issued

### Third Reading Of House Bills:

**HB 2828 A-Eng.**                      **JWM**                      **dpa PE**                      **6/30/2015**                      **Smith Warner**

Agency: Oregon Health Authority House Bill 2828 extends the sunset date of provisions requiring OHA to contract with a third party to conduct a study to examine options for financing health care delivery in Oregon. OHA is expected to report on the progress of the study during the 2016 legislative session and to submit the final report by November 1, 2016. The bill appropriates \$300,000 General Fund to OHA's Health Policy Programs for the 2015-17 biennium to carry out the provisions of this bill. (Committee Vote: Aye, 14; Nay, 10 --McLane, Huffman, Smith, Whisnant, Whitsett, Girod, Hansell, Johnson, Thomsen, Whitsett)

**Budget Report Issued**  
**No Revenue Impact**

**HB 2838 B-Eng.**                      **JWM**                      **dpa PE**                      **6/30/2015**                      **Evans**

Agency: Department of Veterans' Affairs House Bill 2838 creates a Task Force on incarcerated veterans to be staffed by the Oregon Department of Veterans' Affairs (ODVA). The task force will consist of eight members: two Senators appointed by the President of the Senate; two Representatives appointed by the Speaker of the House; a representative from the ODVA who has expertise in services and benefits for incarcerated veterans (appointed by the Director of ODVA); a representative from the Oregon Department of Corrections, experienced working with incarcerated veterans (appointed by the Director of the Department of Corrections); and two individuals who have been incarcerated veterans or have experience with incarcerated veterans (appointed by the Governor). The Task Force is directed to study and make recommendations on: outreach to veterans about benefits and other programs that provide resources to incarcerated veterans; assistance for incarcerated veterans to apply for and appeal the denial of federal and state benefits to which they may be entitled due to military service; informational materials that may be created for incarcerated veterans; the process for developing a comprehensive and coordinated statewide network of information and referral sources for incarcerated veterans; and how the ODVA may serve as a liaison for incarcerated veterans and incarcerated veterans issues with the DOC, reentry councils, the United States Department of Veterans Affairs and others. The task force is required to report to an appropriate interim legislative committee by September 15, 2016. (Committee Vote: Aye, 24)

**Budget Report Issued**  
**No Revenue Impact**

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<a href="#"><u>HB 2871 B-Eng.</u></a>	<a href="#"><u>JWM</u></a>	<b>dpa PE</b>	<b>6/30/2015</b>	<b>Read</b>
<p>Agency: Higher Education Coordinating Commission House Bill 2871 establishes the Open Educational Resources (OER) Grant Program within the Higher Education Coordinating Commission (HECC) to encourage the use of low or no-cost open educational resources as an alternative to increasingly high priced textbooks and other materials in post-secondary education. Open educational resources are defined as teaching, learning, and research materials that are either in the public domain or are otherwise free for use. By June 30, 2017, HECC, in coordination with public universities and community colleges, is directed to identify open educational resources that can be adopted as the primary instructional material for at least 15 courses meeting specific criteria outlined by the bill. The universities and colleges are also directed to prominently designate courses whose course materials exclusively consist of open or free textbooks or other low-cost or no-cost course materials. HECC is directed to report to interim legislative committees on higher education on the status of these efforts by December 1, 2015. (Committee Vote: Aye, 22; Nay, 2 -- Huffman, Whitsett)</p>				
<p><b>Budget Report Issued</b> <b>No Revenue Impact</b></p>				
<a href="#"><u>HB 2928 A-Eng.</u></a>	<a href="#"><u>JWM</u></a>	<b>dp</b>	<b>6/30/2015</b>	<b>McLain</b>
<p>Establishes Task Force on Class Sizes to determine appropriate class sizes of students, identify methods to reduce class sizes, and determine cost for methods to reduce class sizes. Declares emergency, effective on passage. (Committee Vote: Aye, 21; Nay, 3 --Whitsett, Thomsen, Whitsett)</p>				
<p><b>Has minimal fiscal impact</b> <b>No Revenue Impact</b></p>				
<a href="#"><u>HB 3059 B-Eng.</u></a>	<a href="#"><u>JWM</u></a>	<b>dpa PE</b>	<b>6/30/2015</b>	<b>Williamson</b>
<p>Agency: Bureau of Labor and Industries House Bill 3059 requires the Commissioner of BOLI to implement and maintain a toll-free line to receive inquires and complaints related to employment in the performance of live entertainment. The toll-free line is to be staffed by certified social workers or individuals who have a background in providing live entertainment as an independent contractor. The bill establishes one permanent position to meet the provisions of this bill. (Committee Vote: Aye, 22; Nay, 2 --Girod, Whitsett)</p>				
<p><b>Budget Report Issued</b> <b>No Revenue Impact</b></p>				
<a href="#"><u>HB 3063 A-Eng.</u></a>	<a href="#"><u>JWM</u></a>	<b>dpa PE</b>	<b>6/30/2015</b>	<b>Huffman</b>
<p>Agency: Higher Education Coordinating Commission House Bill 3063 appropriates \$3,000,000 General Fund to HECC for a grant program to community colleges to increase the number of underserved, low-income and first-generation college-bound students who enroll in college and make progress toward a degree or a certificate. House Bill 4116 (2014) included \$750,000 for these programs. (Committee Vote: Aye, 24)</p>				
<p><b>Budget Report Issued</b> <b>No Revenue Impact</b></p>				

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**HB 3225 B-Eng.**      **JWM**      **dpa PE**      **6/30/2015**      **Smith Warner**

Agency: Department of State Police House Bill 3225 directs the Oregon State Fire Marshal (OSFM) to adopt a plan to coordinate response to oil or hazardous materials spills or releases that occur during rail transport. The bill establishes the Oil and Hazardous Material Transportation by Rail Action Fund to receive and account for gifts, grants, donations, endowments, or bequests from any public or private source to carry out the provisions of this bill, and requires OSFM to submit a report by February 1 of each year to the Legislative Assembly as an appendix to the Office of Emergency Management's oil and hazardous material response emergency operations plan pursuant to ORS 401.092. (Committee Vote: Aye, 24)

**Budget Report Issued**

**No Revenue Impact**

**HB 3380 A-Eng.**      **JWM**      **dp**      **6/30/2015**      **Taylor**

HB 3380 directs the Early Learning Division of the Oregon Department of Education (ODE) to administer a program that expands preschool options available in the state. This "mixed delivery" preschool program is to be coordinated by the early learning hubs in their region; who are to apply for funding for the program and contract with preschool providers. The preschool programs eligible for financing through the program must meet a set of criteria including the following: Must be a new program or be expanding their program; provides at least the annual number of instructional hours as a full-day Kindergarten program does; considers the scheduling needs of families; serves children age 3 to age 5 (kindergarten eligible); serves families whose incomes are less than 200% of the federal poverty level; provides services from infant to early elementary grades; works with community programs and others to make sure families have knowledge of community supports available to families; meets certain quality measures including having lead teachers who have at least a bachelor's degree or have a plan to get the degree as well as having the lead teacher paid at least at the minimum amount set by the Early Learning Council; and provides additional supports for children and their families. (Committee Vote: Aye, 16; Nay, 8 -- Smith, Whisnant, Whitsett, Girod, Hansell, Johnson, Thomsen, Whitsett)

**Fiscal impact issued**

**No Revenue Impact**

**HB 3396 B-Eng.**      **JWM**      **dpa PE**      **6/30/2015**      **Nathanson**

Agency: Oregon Health Authority House Bill 3396 creates a health care provider incentive program to assist qualified health care providers committed to serving medical assistance recipients in rural or medically underserved areas in Oregon. It requires OHA to prescribe by rule the terms and conditions of the program. The bill establishes the Health Care Provider Incentive Fund to consolidate Oregon's health care provider incentive programs. Moneys in the fund are continuously appropriated to OHA to administer the Health Care Provider Incentive program. Priority for the distribution of funds must be based on guidance from the Health Care Workforce Committee. The bill permits OHA to contract with a third party to administer all or parts of the program. (Committee Vote: Aye, 24)

**Budget Report Issued**

**Revenue impact issued**

**HB 3549 B-Eng.**      **JWM**      **dpa PE**      **6/30/2015**      **Witt**

Agency: Department of Agriculture House Bill 3549 requires the Oregon Department of Agriculture to establish qualifications for obtaining and maintaining an aerial pesticide applicator

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certificate, increases certain civil penalties, requires the Pesticide Analytical Response Center to develop standards for response to pesticide related complaints, and requires a biennial report to the Legislative Assembly. Additionally, the bill requires ODA to operate a telephone line to receive and coordinate responses to pesticide related complaints by the public and report to the Legislative Assembly biennially. Beginning January 1, 2016, a 60-foot unsprayed strip along inhabited dwellings or schools for aerial herbicide applicators is established and is to be included as part of the Forest Practices Act. (Committee Vote: Aye, 23; Exc., 1 --Read)

**Budget Report Issued**

**No Revenue Impact**

### Third Reading Of Senate Bills:

*(Carried Over from Tuesday, June 30, 2015)*

**SB 128 B-Eng.**                      **JWM**                      **dp**    **6/29/2015**    **Krieger**

Agency: Department of State Police Senate Bill 128 defines “comparable” for the purpose of establishing base pay for OSP telecommunicators as the base pay for telecommunicators employed by the five Oregon public safety answering points with the most employees. The bill’s provisions apply to arbitration hearings commenced on or after the bill’s effective date. (Committee Vote: Aye, 20; Nay, 3 --Whitsett, Thomsen, Whitsett; Exc., 1 --Girod)

**Budget Report Issued**

**No Revenue Impact**

**SB 131 A-Eng.**                      **JWM**                      **dp**    **6/29/2015**    **Gomberg**

Establishes Task Force on Willamette Falls Navigation Canal and Locks to study issues relating to repair, reopening and operation of canal and locks. Requires Task Force to make quarterly reports to Legislative Assembly. Declares emergency, effective on passage. (Committee Vote: Aye, 23; Exc., 1 --Winters)

**Fiscal impact issued**

**No Revenue Impact**

**SB 215 B-Eng.**                      **HRULES**                      **dpa PE**    **6/29/2015**    **Barnhart**

Expires terms of office for members of Oregon Education Investment Board (OEIB) upon effective date of Act and dissolves OEIB board. Extends sunset of OEIB agency and Chief Education Officer (CEO) to June 30, 2019. Changes agency name to "Chief Education Office." Specifies that office is established for purpose of coordinating with education stakeholders to establish unified public education system. Specifies office duties and entities with whom collaboration should take place. Allows office to adopt rules necessary for administration of laws that office is charged with administering. Specifies CEO duties and positions with whom collaboration should take place. Establishes CEO has direction and control over specific positions for matters related to design and organization of multi-agency planning. Requires records and property in possession of CEO be transferred to specified positions as of June 30, 2019. Removes requirements related to achievement compacts. Declares emergency, effective on passage. **House Amendment Resolves conflicts.** (Committee Vote: Aye, 7; Nay, 2 --Gilliam, Wilson)

**Fiscal impact issued**

**No Revenue Impact**

**SB 218 A-Eng.**                      **JWM**                      **dp**    **6/29/2015**    **Smith Warner**

Requires out-of-state schools obtain approval from Higher Education Coordinating Commission

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(HECC) for educational credit or degree offered within Oregon unless party to interstate agreement. Authorizes HECC to charge \$7,000 biennial fee for review and oversight of out-of-state schools not party to interstate agreement and \$1,000 for each new program application. Authorizes HECC to charge out-of-state schools \$1,000 fee if offering practicums in Oregon, unless placements are part of an online program offered by a school. Defines "practicum" to include internships and other placements. Allows HECC to waive fee for one-time placements or residents returning for practicums or internships. Authorizes HECC to charge fee up to \$1,000 for new program applications of career schools. Applies to applications, approval requests and fees imposed on or after September 1, 2015. Declares emergency, effective on passage. (Committee Vote: Aye, 20; Nay, 3 --McLane, Whitsett, Whitsett; Exc., 1 --Smith)

**Fiscal impact issued**

**No Revenue Impact**

**SB 233**

**HRULES**

**dp**

**6/29/2015**

**Parrish**

Requires Department of Human Services (DHS) and Oregon Health Authority (OHA) suspend medical assistance provided persons expected to remain in Department of Corrections (DOC) custody more than a year. Requires reinstatement of medical assistance for persons in DOC custody during periods of external hospitalization. Declares emergency, effective on passage. (Committee Vote: Aye, 7; Exc., 2 --Barnhart, Smith Warner)

**Fiscal impact issued**

**No Revenue Impact**

**SB 266 A-Eng.**

**JWM**

**dp**

**6/29/2015**

**Gomberg**

The measure defines place-based integrated water resources for purposes of the Act and provides the statutory authority for the Water Resources Department to issue grants to facilitate preparation of place-based integrated water resources strategies consistent with state laws, water resource policy and WRD requirements. The measure authorizes the department to enter into contracts or agreements, provide technical assistance and information for development of strategies and requires those strategies be developed in collaboration with balanced representation of interests; balance current and future in and out of stream needs; include development of actions consistent with existing laws and policies; facilitate implementation of local solutions; be developed in open process; and be developed in consultation with Department. The bill also authorizes the Water Resources Commission to adopt rules. Sunsets Act July 1, 2019. (Committee Vote: Aye, 17; Nay, 6 --McLane, Whitsett, Girod, Johnson, Thomsen, Whitsett; Exc., 1 --Smith)

**Has minimal fiscal impact**

**No Revenue Impact**

**SB 307 B-Eng.**

**JWM**

**dp**

**6/29/2015**

**Boone**

Requires continuing care retirement communities to establish a procedure for residents to request gender of individual assigned to assist with activities of daily living. Requires facility honor request except in case of significant difficulty or cost. Requires written explanation and documentation of rationale for denial. Requires DHS establish complaint procedure for failures to comply. Requires DHS investigate each complaint and provide written report to resident and facility within seven days of completion. Adds residents of continuing care retirement communities to the client portfolio of the Long Term Care Ombudsman. (Committee Vote: Aye, 23; Exc., 1 --Winters)

**Fiscal impact issued**

**No Revenue Impact**

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**SB 608 A-Eng.**                      **JWM**                      **dp**    **6/29/2015**    **Keny-Guyer**

Defines "palliative care" as patient- and family-centered medical care that optimizes quality of life by anticipating, preventing and treating suffering caused by serious illness; addressing physical, social and spiritual needs; and facilitating autonomy, access, information and choices. Establishes nine-member Palliative Care and Quality of Life Interdisciplinary Advisory Council (Council) in Oregon Health Authority (OHA). Requires Council to advise on establishment, maintenance, operation and evaluation of palliative care initiatives. Specifies Council as individuals with collective expertise in interdisciplinary palliative care, expertise in nursing, social work and pharmacy, clergy or individuals with spiritual expertise, with at least two board-certified physicians or nurses having expertise in palliative care. Requires OHA to post information on website. Permits website information to include continuing education for health care providers, palliative care delivery in home and facilities, best practices for cultural competency, consumer education and referral information for culturally competent care. Requires health facilities to establish system for identifying patients or residents that could benefit from palliative care, provide information and facilitate access to palliative care. (Committee Vote: Aye, 23; Exc., 1 --Winters)

**Fiscal impact issued**  
**No Revenue Impact**

**SB 698 B-Eng.**                      **JWM**                      **dp**    **6/29/2015**    **Nathanson**

Agency: Oregon Health Authority Senate Bill 698 creates the position of State School Nursing Consultant in the Oregon Health Authority to coordinate and collaborate with the Oregon Department of Education's school nurse specialist in providing leadership and integration in the delivery of nursing services in schools. The bill also establishes the 14-member Task Force on School Nursing charged with examining and recommending sustainable funding sources for school health services. The task force is required to submit a report to an interim Legislative committee by September 15, 2016. The task force sunsets on December 31, 2016. The bill requires the Governor to consider diversity in relation to race, ethnicity, languages, and disability status in appointing members to the task force. (Committee Vote: Aye, 23; Exc., 1 --Winters)

**Budget Report Issued**  
**No Revenue Impact**

### **Third Reading Of Senate Bills:**

**SB 567 B-Eng.**                      **HREV**                      **dpa PE**    **6/30/2015**    **Read**

Directs Department of Revenue to retain un-receipted income tax revenue from capital gains income. Defines method of calculating excess capital gains revenue as the deference between the average revenue over the most recent two tax years compared to average revenue in the three previous years. If the most recent revenue exceeds the previous period, the excess is deposited in the Education Stability Fund. Deposit occurs prior to June 30 of odd numbered years. No deposits can be made prior to June of 2019. **House Amendment Sets base period for calculation at three years instead of two. Clarifies that estimate is based on tax liability, not collections. States that no deposit is be made under the bill prior to June of 2019.**

(Committee Vote: Aye, 9)

**Fiscal impact issued**  
**Revenue impact issued**

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