

OREGON STATE SENATE

THIRD READING ALERT

PROJECTED THIRD READINGS FOR MONDAY, JUNE 15, 2015

Senate Convenes at 10:30 AM

BILL#	COMM	RECOMMENDATION	FILED	CARRIER
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Propositions And Motions:

(Possible Consideration of House Amendments)

<u>SB 89 B-Eng.</u>	<u>SVEP</u>	Concur	6/9/2015	Boquist
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Permits counties and Oregon Department of Veterans' Affairs (ODVA) to appoint volunteers to provide support services and assistance to those ODVA serves. Describes duties and provides for oversight. Requires background check and protection of client confidentiality. Permits reimbursement for expenses and other incidentals. Permits ODVA to provide training. Declares emergency, effective on passage. **House Amendment Recognizes Jean Maxwell in preamble for extensive time and effort spent organizing volunteers to provide support and assistance to veterans, spouses, dependents of veterans, and survivors of veterans in the state.**

(House Vote: Ayes, 49; Excused, 4--Barton, Gallegos, Gorsek, Johnson; Excused for Business of the House, 7--Bentz, Davis, McKeown, Nearman, Vega Pederson, Witt, Speaker Kotek.)

Has minimal fiscal impact

No Revenue Impact

<u>SB 397 B-Eng.</u>	<u>SJUD</u>	Concur	6/4/2015	Prozanski
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Establishes that when defendant participating in driving under the influence of intoxicants (DUII) diversion, provider who installed ignition interlock device (IID) must notify court or court's designee and district attorney or city prosecutor of negative report within seven business days. Defines "negative report" and allows Department of Transportation to further define "test violations" by rule. Requires that negative report notification must be in format prescribed by Department of Transportation. Provides that people may not have IID device removed unless they demonstrate 90 days without negative report. Allows person participating in diversion to petition court for removal of IID after six consecutive months without negative report. Allows department to remove ignition interlock device requirement from person's driving record as soon as practicable after receiving certificate memorializing 90 days without negative report. **House Amendment Removes portions regarding court or agency charging defendant additional fee to pay cost incurred by agency or organization in carrying out their duties. Provides that Sections 2-4, 7 and 8 and the amendments to ORS 813.602 by Section 5 apply to offenses committed on or after the effective date of the act. Resolves conflicts with House Bill 2660 A without further substantive changes.** (House Vote: Ayes, 48; Nays, 1--Barton; Excused, 4--Buehler, Gorsek, Hack, Smith Warner; Excused for Business of the House, 7--Barnhart, Bentz, Davis, Heard, McKeown, Vega Pederson, Speaker Kotek.)

Has minimal fiscal impact

Has minimal revenue impact

LEGEND

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SENR=ENV & NAT RES	SED=ED
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SHC=HEA CARE	

SB 705 B-Eng. **SHC** **Concur** **6/9/2015** **Dembrow**

Directs Environmental Quality Commission (EQC) to adopt rules requiring accredited inspector to perform asbestos survey for purpose of determining whether a residence or residential building is insulated with asbestos prior to demolition of the residence or residential building. Directs the EQC to include an exemption for residences constructed by a date specified by the commission. **House Amendment Deletes the requirement that a contractor survey the premises, and directs the EQC to adopt rules to have an accredited inspector conduct the survey. Directs the EQC to include an exemption for residences constructed by a date specified by the commission.** (House Vote: Ayes, 47; Nays, 6--Esquivel, McLane, Post, Sprenger, Stark, Whitsett; Excused, 1--Barton; Excused for Business of the House, 6--Bentz, Buckley, Davis, Komp, McKeown, Vega Pederson.)

Fiscal impact issued
No Revenue Impact

SB 713 B-Eng. **SBT** **Concur** **6/9/2015** **Beyer**

Prohibits a manufacturer from requiring motor vehicle dealer to promote, offer, or sell extended service contracts, extended maintenance plans or similar products, with exceptions. Provides for fair and reasonable compensation to the dealer when the manufacturer terminates, cancels or fails to renew a franchise or terminates a product line. Prohibits a manufacturer from imposing separate charges or surcharges to recover the cost of compensation to the dealer for warranty parts or services. Prohibits manufacturer, distributor or importer from denying claim or charging back claim if dealer fails to comply with specific claim processing procedure if dealer resubmits claim in compliance with procedure within 45 days. **House Amendment Corrects drafting error.** (House Vote: Ayes, 51; Nays, 2--Post, Stark; Excused, 1--Barton; Excused for Business of the House, 6--Bentz, Buckley, Davis, Komp, McKeown, Vega Pederson.)

No Fiscal Impact
No Revenue Impact

SB 825 B-Eng. **SJUD** **Concur** **6/4/2015** **Prozanski**

Grants defendants right to appear and testify in grand jury proceedings when the defendant has been arraigned on a felony allegation and is represented by counsel. Requires defense attorney to notify district attorney to exercise right. Authorizes the defendant to request an extension of time to testify before grand jury by up to five days. Establishes that additional extension permissible with consent of both parties. **House Amendment Authorizes the defendant to request an extension of time to testify before grand jury by up to five days. Establishes that additional extension permissible with consent of both parties. Eliminates specific language regarding the manner in which the defendant provides testimony; the defendant would be questioned in the same manner as all other witnesses.** (House Vote: Ayes, 46; Nays, 3--McLane, Smith, Whisnant; Excused, 4--Buehler, Gorsek, Hack, Smith Warner; Excused for Business of the House, 7--Bentz, Davis, Gomberg, Heard, McKeown, Vega Pederson, Speaker Kotek.)

Has minimal fiscal impact
No Revenue Impact

SB 901 B-Eng. **SHC** **Concur** **6/9/2015** **Monnes Anderson**

Requires provider that bills insurer for covered medical, mental or substance use disorder health services to be reimbursed directly by insurer. Adds exemption for disability type of payor (AFLAC) (ORS 743.730). Applies to reimbursements on claims on or after January 1, 2017. **House**

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Amendment Adds exemption for disability type of payor (AFLAC) (ORS 743.730) and substance use disorder and mental health services as covered services by insurers. (House Vote: Ayes, 53; Excused, 1--Barton; Excused for Business of the House, 6--Bentz, Buckley, Davis, Komp, McKeown, Vega Pederson.)

No Fiscal Impact
No Revenue Impact

SB 958 A-Eng. **SENR** **Concur** **6/9/2015** **Edwards**

Allows organizer of fishing derby to secure State Fish and Wildlife Commission (Commission) fishing derby license to take northern pikeminnow to sell, for charitable fundraising purposes, during duration of derby. Stipulates fee may not be charged for license. Upon receipt of application, requires Commission to review application and issue fishing derby license if Commission determines that fishing derby complies with rules of Commission. Restricts duration of fishing derby to three days. Restricts number of fishing derby licenses that can be awarded by Commission to two per year. Authorizes Commission to adopt rules necessary to implement provisions of Act. Exempts fishing derby participants from requirement to obtain commercial fishing license to participate in derby. **House Amendment Replaces measure.** (House Vote: Ayes, 51; Excused, 3--Barton, Gallegos, Gorsek; Excused for Business of the House, 6--Bentz, Davis, Greenlick, McKeown, Vega Pederson, Speaker Kotek.)

Has minimal fiscal impact
No Revenue Impact

Third Reading Of House Measures:
(Carried Over from Thursday, June 11, 2015)

HB 3093 B-Eng. **SJUD** **do pass as amended, print** **6/9/2015** **Prozanski**
engrossed

Provides persons licensed to carry concealed handgun in another state the same protections afforded to persons with Oregon concealed handgun permit provided issuing state eligibility requirements are no less stringent than Oregon requirements. Directs Department of Justice to compile list of eligible states and make list available to law enforcement and public. Specifies that permit holder's home state must recognize Oregon concealed carry permit for law to apply. Exempts low velocity powder actuated tools from background check requirement. **Senate Amendment Adjusts language concerning eligibility requirements to encompass all of ORS 166.291 and ORS 166.292 rather than just handgun competency requirements contained in ORS 166.291(1)(f). Exempts low velocity powder actuated tools from background check requirement.** (Committee Vote: Aye, 3; Nay, 1 --Burdick; Exc., 1 --Kruse)

Has minimal fiscal impact
No Revenue Impact

HB 3315 B-Eng. **SENR** **do pass as amended, print** **6/9/2015** **Edwards**
engrossed

Requires Oregon Department of Fish and Wildlife (ODFW) beginning July 1, 2015, to track and prepare statements reporting hours spent by ODFW personnel, and applicable hourly rate, performing recompensable assistance for other state executive department agencies. Requires ODFW for fiscal years beginning July 1, 2019 to track and prepare statements and to invoice other agencies for services estimated to be provided in next biennium. Requires ODFW to reflect over- and under-payments in future estimates. Requires ODFW to report to Legislative Assembly on types of permit review work for which invoicing will be allowed, and list of statutes and rules

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applicable to permit review work carried out by ODFW on or before January 1, 2017. Declares emergency, effective upon passage. **Senate Amendment Requires Oregon Department of Fish and Wildlife (ODFW) for four fiscal years beginning July 1, 2015, to track and prepare statements reporting hours spent by ODFW personnel, and applicable hourly rate, performing recompensable assistance for other state executive department agencies. For fiscal years beginning July 1, 2019, requires ODFW to track and prepare statements and to invoice other agencies for services estimated to be provided in next biennium.** (Committee Vote: Aye, 4; Exc., 1 --Olsen)

Fiscal impact issued
No Revenue Impact

HB 3319 B-Eng. **SED** **do pass as amended, print** **6/9/2015** **Roblan**
engrossed

Requires Oregon Department of Education (ODE) produce report on best practices used by Oregon school districts to reduce dropout rates. Requires report include strategies or activities used to increase graduation rates or reduce absenteeism. Requires ODE make report available to public through website. Requires ODE request from school districts description of practices used to reduce drop rates and increase graduation rates. Provides that school districts' response to request is voluntary. Requires districts choosing to provide information submit responses by December 31, 2015. Requires ODE submit report to legislative committees and post to website by February 1, 2016. Declares emergency, effective on passage. **Senate Amendment Replaces the measure.** (Committee Vote: Aye, 6; Exc., 1 --Hass)

Has minimal fiscal impact
No Revenue Impact

HB 3348 A-Eng. **SRULES** **do pass** **6/10/2015** **Hansell**

Designates March 10 of each year as "Mighty Oregon" Day. (Committee Vote: Aye, 3; Exc., 2 --Burdick, Beyer)

No Fiscal Impact
No Revenue Impact

HB 3452 B-Eng. **SJUD** **do pass as amended, print** **6/9/2015** **Prozanski**
engrossed

Prohibits contracts allowing use of property or facilities by certain groups from requiring individual participant to indemnify property owner for damages not caused by individual participant. Declares emergency, effective on passage. **Senate Amendment Clarifies term "educational provider".** (Committee Vote: Aye, 4; Nay, 1 --Thatcher)

No Fiscal Impact
No Revenue Impact

HB 3469 A-Eng. **SJUD** **do pass as amended, print** **6/9/2015** **Prozanski**
engrossed

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**

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Amendment Makes technical fixes to animal welfare laws. (Committee Vote: Aye, 5)

Fiscal impact issued

No Revenue Impact

HB 3492 B-Eng.**SFR****do pass as amended, print
engrossed****6/9/2015****Edwards**

Allows county, or county and city if property is within city boundaries, upon request of owner of solar project, to enter into agreement, for period not to exceed 20 years, pursuant to which property constituting solar project is exempt from property taxation and owner pays fee in-lieu of taxes. Establishes fee equal to \$7,000 per megawatt of nameplate capacity of solar project. Requires fee revenue to be distributed proportionally to taxing districts within which solar project is located based upon each affected district's proportion of ad valorem property taxes excluding taxes imposed to pay bonded indebtedness. Requires county assessor to calculate and levy fee based upon information required to be provided by solar project owner. Establishes fee deadline and late payment criteria. Requires solar project failing to pay fee for more than one year during term of an agreement to be disqualified from exemption and pay penalty equal to one year of the fee. Requires in lieu fee penalty for disqualified solar property to be distributed to all taxing districts based upon share of each affected district's operating taxes. Prohibits solar project that has received an exemption for any property tax year under the Rural Renewable Energy Development Zone or Strategic Investment Zone from receiving exemption and paying in lieu fee. Repeals exemption and in lieu fee for property first qualifying for exemption on or after January 2, 2022. Applies to property tax years beginning on or after July 1, 2016. **Senate Amendment Allows county, and the owner or person in possession or control of a solar project located within county and outside of city district boundaries, to enter into an agreement exempting from property taxes the property constituting the solar project. Limits agreement to no more than 20 consecutive years. If any portion of solar project is located within city district boundaries, city is required to be party to agreement between county and owner or person in possession or control of a solar project. Requires in lieu fee penalty for disqualified solar property to be distributed to all taxing districts based upon share of each affected district's operating taxes.** (Committee Vote: Aye, 5)

Fiscal impact issued

Revenue impact issued

HB 3524 B-Eng.**SJUD****do pass as amended, print
engrossed****6/9/2015****Prozanski**

Directs state agencies to give priority notification to nonprofit organizations and Indian tribes of lands available for purchase for purposes of affordable housing development. **Senate Amendment Expands application to include Indian tribes as defined by statute and adds exemption for Department of State Lands. Resolves conflict with Senate Bill 224.**

(Committee Vote: Aye, 4; Nay, 1 --Thatcher)

Fiscal impact issued

No Revenue Impact

Third Reading Of House Measures:**HCR 21****SRULES****adopt****6/9/2015****Boquist**

Expresses support for and gratitude to citizens of Compact of Free Association nations residing in United States. (Committee Vote: Aye, 4; Exc., 1 --Beyer)

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HB 2463 B-Eng. SENR do pass as amended, print 6/9/2015 Prozanski
engrossed

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 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.** (Committee Vote: Aye, 3; Nay, 1 --Thomsen; Exc., 1 --Olsen)

Fiscal impact issued
No Revenue Impact

HB 3494 B-Eng. SHSEC do pass as amended, print 6/10/2015 Gelser
engrossed

Prohibits devocalizing animals except for medical necessity. Prohibits declawing animals with some exceptions: if medically necessary; if removing dog's dew claws; if clawing exacerbates severe medical condition suffered by person living in same household and is documented by person's physician; and if clawing poses risk to physical health of person and veterinarian verifies prior attempts to alter/stop clawing have failed and fully explains procedure. Requires veterinarians to provide written confirmation of compliance. Allows complaints to Oregon Veterinary Medical Association. Requires report to legislature by December 31, 2016. **Senate Amendment Removes reference to statutes governing real property transactions. Broadens applicability to more animals. Makes minor change to medical necessity to relieve physical illness, disease or injury. Prohibits debarking outright except for medical necessity. Modifies exceptions to prohibition against declawing: permits removal of dog's dew claws; accounts for risk/damage to person only (not property); requires cohabiting person to provide physician's documentation of severe medical condition made worse and requires veterinarians to verify previous failed attempts to stop/alter clawing. Permits complaints to Oregon Veterinary Medical Association. Requires report to legislature by December 31, 2016.** (Committee Vote: Aye, 4; Exc., 2 --Kruse, Olsen)

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No Revenue Impact

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