LAW AUTHORIZING THIS PUBLICATION

(ORS 171.236)

171.236. (1) The Legislative Counsel, under the direction of the Legislative Counsel Committee, shall publish and distribute the laws enacted by the Legislative Assembly.

(2) The Legislative Counsel Committee shall determine the form, number and distribution of and charges for, if any, the publications referred to in subsection (1) of this section and may perform other functions necessary for the publication and distribution thereof.

(3) The Legislative Counsel shall provide sufficient copies of the publications prepared under this section to the Legislative Administrator for distribution in accordance with ORS 171.206 (2).

(4) The Legislative Counsel Committee may order the disposition of any publications referred to in this section which in its judgment are no longer of value to the state.

EVIDENTIARY STATUS

(ORS 171.255)

171.255. The laws enacted by the Legislative Assembly and by the people, when published in accordance with the provisions of ORS 171.236, shall be received in all courts of this state as an authorized publication of the laws of Oregon published therein.

PUBLISHED BY
OREGON LEGISLATIVE ASSEMBLY

STATE OF OREGON
Legislative Counsel Committee
900 Court Street NE S101
Salem, Oregon 97301-4065
Voice: (503) 986-1243
Facsimile: (503) 373-1043
www.lc.state.or.us

Printed in the United States of America
INSTRUCTIONS FOR USING THIS PUBLICATION

Use this 2010 Special Session Law Publication with Oregon Revised Statutes (2009 Edition). Oregon Revised Statutes (2009 Edition) does not include new statutes or amendments to statutes enacted by the 2010 special session of the Seventy-fifth Legislative Assembly. Oregon Revised Statutes (2009 Edition) also does not reflect the repeal of existing statutes by the 2010 special session. Changes to statutes by the 2010 special session will be reflected in the next edition of Oregon Revised Statutes.

Because the Acts of the 2010 special session are not incorporated into Oregon Revised Statutes (2009 Edition), you will need to use both the 2009 Edition and this 2010 special session law publication to determine the current state of the law. The Table of “ORS Sections Amended, Repealed or ‘Added To’” on pages T1 to T3 of this publication shows you which statutes published in Oregon Revised Statutes (2009 Edition) are affected by Acts of the 2010 special session. When working with a statute, use this table to determine whether that statute is affected by Oregon Laws 2010. If the table indicates that the statute is affected, turn to the chapter of Oregon Laws 2010 that is cited and then find the section or sections listed as affecting that statute. Remember that a statute may be affected by one or more sections of a single session law chapter and that a statute also may be affected by one or more sections of other session law chapters.

Use this 2010 Special Session Law Publication with Uncodified Laws from Prior Legislative Sessions. The Table of “Sections in Uncodified Law Amended, Repealed or ‘Added To’” on page T5 of this publication shows you which sections of uncodified law from prior legislative sessions are affected by Acts of the 2010 special session. When working with a section of uncodified law, use this table to determine whether that section is affected by one or more sections of Oregon Laws 2010. Remember that a section of uncodified law may be affected by one or more sections of a single session law chapter and that a section of uncodified law also may be affected by one or more sections of other session law chapters.

Note that some uncodified laws from prior legislative sessions are printed as notes in Oregon Revised Statutes (2009 Edition). To determine whether a section of uncodified law is printed as a note in ORS, see the “Comparative Section Tables” printed in Volume 20 of Oregon Revised Statutes (2009 Edition).
FOREWORD

This edition of Oregon Laws, published in accordance with ORS 171.236, contains all the laws enacted by the Seventy-fifth Legislative Assembly at its special session held February 1 to 25, 2010. This publication also contains resolutions adopted by the special session of the Seventy-fifth Legislative Assembly that are considered to be of public significance and general interest. Resolutions that deal with matters of routine legislative business or matters of limited interest are not included.

OREGON LAWS 2010

Oregon Laws 2010 begins with a summary of the Governor’s vetoes of Acts of the 2010 special session and a description of the votes on statewide measures at the special election on January 26, 2010. Oregon Laws 2010 continues with 104 Acts of the 2010 special session of the Seventy-fifth Legislative Assembly that the Governor signed, one Act of the 2010 special session that the Governor allowed to become law without signature, and two legislative overrides of vetoed Acts of the 2009 regular session. Following the text of Oregon Laws 2010 are resolutions adopted by the special session. These include House Joint Resolution 101 (2010), Senate Joint Resolution 41 (2010) and Senate Joint Resolution 48 (2010), each of which proposes an amendment to the Oregon Constitution, and Senate Concurrent Resolution 19 (2010), which adjourned the special session.

TABLES AND INDEX

Immediately following the text of resolutions adopted by the 2010 special session is the table that shows ballot measures adopted at the statewide special election held on January 26, 2010, the tables that show session law chapter numbers assigned to Acts of the special session that were approved by the Governor or allowed to become law without signature, and the tables that show sections of Oregon Revised Statutes and uncodified Acts amended, repealed or “added to” by Acts of the Seventy-fifth Legislative Assembly at its special session. A subject index that incorporates topics from the special session follows the tables.

EFFECTIVE DATE

Pursuant to ORS 171.022, each Act passed by the Legislative Assembly takes effect on January 1 of the year after passage of the Act unless a different date is specified in the Act. The normal effective date for Acts passed by the Seventy-fifth Legislative Assembly during its special session is January 1, 2011.

Section 28, Article IV, Oregon Constitution, provides that an Act may not take effect sooner than 90 days from the end of a legislative session unless an emergency is declared in the Act. Unless otherwise specified in the Act, an Act in which an emergency is declared takes effect on the date it is approved by the Governor or, if neither approved nor disapproved by the Governor, on the date it is filed in the office of the Secretary of State.

REFERENDUM

An Act that takes effect sooner than 90 days after the end of the session in which it is passed is not subject to referendum by petition under section 1, Article IV, Oregon Constitution. Other Acts may be referred to the people for their approval or rejection by petition filed with the Secretary of State not more than 90 days after the end of the session (May 26, 2010).
Three bills passed by the Seventy-fifth Legislative Assembly at its 2010 special session (February 1 to 25, 2010) were vetoed by the Governor acting pursuant to section 15b, Article V, Oregon Constitution. During its 2010 special session, the Seventy-fifth Legislative Assembly overturned the vetoes of Senate Bill 545 (2009) and Senate Bill 897 (2009). These bills are assigned chapter numbers for Oregon Laws 2010. Senate Bill 897 (2009) is chapter 1, Oregon Laws 2010, and Senate Bill 545 (2009), is chapter 10, Oregon Laws 2010.

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Subject</th>
<th>Veto Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB 1014</td>
<td>Changes qualifications for appointment to State Board of Education to allow Governor to appoint no more than two school district employees to board. Expands membership of State Board of Pharmacy from seven to eight members and directs Governor to appoint licensed pharmacy technician as eighth member. Standardizes per diem compensation and mileage reimbursements paid by certain public bodies and clarifies members’ eligibility for these payments. Clarifies authority of certain public bodies to conduct meetings by telephone and other electronic means of communication. Abolishes extinct task forces and partnership.</td>
<td>4-8-10</td>
</tr>
<tr>
<td>SB 1046</td>
<td>Allows certain licensed psychologists to prescribe drugs. Directs Oregon Medical Board to establish educational and clinical training requirements for certifying and regulating prescribing psychologists. Requires prescribing psychologists to collaborate with other health care professionals.</td>
<td>4-8-10</td>
</tr>
<tr>
<td>HB 3704</td>
<td>Allows two or more beverage distributors or importers to form cooperative to facilitate collection and processing of empty beverage containers with refund value under Oregon’s “bottle bill.” Requires cooperative to service a majority of dealers in this state. Requires cooperative to refund to dealers amount dealers paid for refund value of beverage containers and to pay to consumers refund value of empty beverage containers that consumers redeem at cooperative’s redemption centers.</td>
<td>4-8-10</td>
</tr>
</tbody>
</table>
The following statewide measures, proposed by referendum petition, were voted on by the people at the special election held on January 26, 2010:

<table>
<thead>
<tr>
<th>Ballot Title</th>
<th>Proposed By</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 66 – Raises tax on household income at and above $250,000 (and $125,000 for individual filers). Reduces income taxes on unemployment benefits in 2009. Provides funds currently budgeted for education, health care, public safety, other services.</td>
<td>Referendum Petition on HB 2649 (chapter 746, Oregon Laws 2009)</td>
<td>Passed</td>
</tr>
<tr>
<td>No. 67 – Raises $10 corporate minimum tax, business minimum tax, corporate profits tax. Provides funds currently budgeted for education, health care, public safety, other services.</td>
<td>Referendum Petition on HB 3405 (chapter 745, Oregon Laws 2009)</td>
<td>Passed</td>
</tr>
</tbody>
</table>