Tuesday, April 23, 2019 – Morning Session

House convened at 10:00 a.m. Speaker in Chair.

Opening ceremony presented by Belise Nishimwe, sophomore at St. Mary’s Academy, Portland, reading the poem entitled “Worth” by Marilyn Nelson.

Upon verification of quorum: All present.

HB 2235; HB 5010, 5020, 5036, 5037 – Message from the Governor announcing she signed on April 22, 2019.

SCR 22 – Message from the Senate announcing President signed on April 22, 2019.

SB 726, 1039, 1041; SB 5522, 5534, 369, 823; HB 2504, 2090, 2092, 2426, 2603, 2334 - Message from the Senate announcing passage.

SCR 30; HCR 16, 21 - Message from the Senate announcing adoption.

SCR 30 – Introduced, read and passed to Speaker’s desk for referral.

Committee Report File No. 125 was distributed on April 22, 2019.

HB 2682 – Report by Committee on Transportation recommending passage with amendments and be printed A-Engrossed.

SB 38 – Report by Committee on Energy and Environment recommending passage.

SB 580 – Report by Committee on Natural Resources recommending passage.

SB 593 – Report by Committee on Natural Resources recommending passage.

Boshart Davis moved that, in compliance with Article IV, Section 19 of the Oregon Constitution, and notwithstanding any provision of the Rules of the House of Representatives of the Eightieth Legislative Assembly, the requirement that on its final passage each bill shall be read section by section be suspended for today’s third reading calendar and that they be read by title only. Motion carried on viva voce vote.

HB 2883 (A-Engrossed) – Pursuant to notice given Monday, April 22, 2019, Schouten moved House reconsider the vote by which bill failed to pass. Motion carried, the vote being: Yeas, 34; Nays, 26 - Barker, Barreto, Boles, Bonham, Boshart Davis, Bynum, Doherty, Drazan, Findley, Hayden, Helt, Leif, Lewis, Lively, McKeown, McLane, Meek, Nearman, Noble, Post, Reschke, Smith DB, Smith G, Sprenger, Stark, Wallan, Wilson, Zika. Bill passed.

Meek requested the following explanation of his vote be entered in the Journal:

“I voted no on House Bill 2883 A and wish to explain my vote.

“Each of us has a personal responsibility to do our part to keep our environment clean, and I have supported efforts in the past to meaningfully reduce the proliferation of litter and promote a clean and healthy environment for all Oregonians. I voted no on HB 2883 A because I am concerned that banning common consumer products made with polystyrene will simply lead to other single-use containers being used in their place, while increasing costs on small businesses who already operate on thin margins.

“As a small business owner, I also worry that HB 2883 A sends the wrong message to entrepreneurs in Oregon. New technology, pioneered by innovators right here in our state, has now made it possible to fully recycle polystyrene in an eco-friendly manner. Companies like Agilyx in Tigard, Oregon are helping us to reduce waste -on their own dime-while creating jobs and economic growth. We should be promoting this kind of innovation and job creation in "green" new technologies - not discouraging it.

“Finally, HB 2883 A fails to fully realize its policy objective of reducing polystyrene waste by lacking an enforcement mechanism to meaningfully penalize violators.”

HB 2127, 2682 – Read second time and passed to third reading.


HB 2886 (A-Engrossed) – Read third time. Evans moved bill be referred to Committee on Rules. Motion carried on viva voce vote. Bill referred.


By unanimous consent, on request of Speaker, Alonso Leon permitted use of audio visual aid during presentation of bill.

HB 2935 (A-Engrossed) – On passage of the bill the vote was: Yeas, 41; Nays, 19 – Barreto, Boles, Bonham, Boshart Davis, Drazan, Findley, Hayden, Leif, McLane, Nearman,

Smith DB requested the following explanation of his vote be entered in the Journal:

“I voted NO on HB 2935 for the following reasons and more... Rep Hayden and Rep Drazan, members of the Health Care Committee, explained the issues with this legislation and reasons to be opposed. Please see their floor speeches.”

HB 3099 (A-Engrossed) – Read third time. Carried by Bynum.

Speaker Pro Tempore in Chair.

HB 3099 (A-Engrossed) - On passage of the bill the vote was: Yeas, 38; Nays, 21 – Alonso Leon, Barker, Doherty, Evans, Gomberg, Gorsek, Holvey, Marsh, McKeown, Meek, Mitchell, Neron, Piluso, Power, Prusak, Rayfield, Salinas, Sanchez, Schouten, Sollman, Williams; Excused for Business of the House, 1 – Nathanson. Bill passed.

HB 3099 (A-Engrossed) - By unanimous consent, on request of Wilson, rules suspended to permit Reardon to change his vote from "yea" to "nay" on passage of bill.

House recessed until 1:00 p.m. on motion of Smith G.

Tuesday, April 23, 2019 – Afternoon Session

House reconvened at 1:00 p.m. Speaker Pro Tempore in Chair.

Upon verification of quorum: All present except: Absent, 2 - Findley, Nearman; Excused, 1 - Marsh; Excused for Business of the House, 2 - Witt, Speaker Kotek.

Having recessed under the order of business of Third Reading of House Bills, the House continued under that order of business.

HB 3272 (A-Engrossed) – Read third time. Carried by Meek. On passage of the bill the vote was: Yeas, 57; Excused, 1 – Marsh; Excused for Business of the House, 2 – Speaker Kotek, Witt. Bill passed.

HB 3389 (A-Engrossed) – Read third time. Carried by Barker. On passage of the bill the vote was: Yeas, 56; Nays, 1 – Zika; Excused, 1 – Marsh; Excused for Business of the House, 2 – Speaker Kotek, Witt. Bill passed.

HB 3401 (A-Engrossed) – Read third time. Carried by Boshart Davis. On passage of the bill the vote was: Yeas, 56; Nays, 1 – Holvey; Excused, 1 – Marsh; Excused for Business of the House, 2 – Speaker Kotek, Witt. Bill passed.

HB 5004 (A-Engrossed) – Read third time. Carried by Gomberg. On passage of the bill the vote was: Yeas, 57; Excused, 1 – Marsh; Excused for Business of the House, 2 – Speaker Kotek, Witt. Bill passed.


Boles requested the following explanation of her vote be entered in the Journal:

“I voted yes on House Bill 2013 because it simply provides a process for the collection of the weapons of someone who has received due process and has been prohibited by a court order to own them. This bill does not create a new restriction on the possession of firearms or any new reason to give up weapons.”

Noble requested the following explanation of his vote be entered in the Journal:

“House Bill 2013 provides a statewide process for the dispossession or removal of firearms and/or ammunition when a person is already prohibited from possessing them due to court issued restraining orders and for convictions of qualifying misdemeanors (domestic violence), after being afforded due process.

“Current law, including Federal US Code and Oregon Revised Statute, prohibit the possession of firearms and/or ammunition in these circumstances. House Bill 2013 does not create any new or additional circumstances where a person is prohibited or restricted from the possession of firearms. It does, however provide a process for the dispossession of these prohibited items.

“Currently, thirty-one of the thirty-six counties in the state of Oregon have no process for ensuring these items are removed from individuals who cannot possess them.

“Domestic violence is a serious problem in our state. This bill doesn't stop it, but it does provide a basic level of safety and assurance that a person guilty of domestic violence or subject to a restraining order no longer possesses a firearm.”

Smith DB requested the following explanation of his vote be entered in the Journal:

“I voted NO on HB 2013 for the following reasons and more.... Counties already have the ability to implement the provisions within the legislation. Government closest to the people is best.”

HB 2141 (A-Engrossed) – Read third time. Carried by Hernandez. On passage of the bill the vote was: Yeas, 57; Excused, 1 – Marsh; Excused for Business of the House, 2 – Speaker Kotek, Witt. Bill passed.

HB 2399 (A-Engrossed) – Read third time. Carried by Barker.

Evans in Chair.

HB 2399 (A-Engrossed) - On passage of the bill the vote was: Yeas, 57; Excused, 1 – Marsh; Excused for Business of the House, 2 – Speaker Kotek, Witt. Bill passed.

HB 2420 (A-Engrossed) – Read third time. Carried by Holvey. On passage of the bill the vote was: Yeas, 35; Nays, 23 – Barreto, Bonham, Boshart Davis, Clem, Drazan,

Smith DB requested the following explanation of his vote be entered in the Journal:

“I voted NO on HB 2420 for the following reasons and more.... This will negatively impact our small rural counties and cities.”

HB 2423 (A-Engrossed) – Read third time. Carried by Holvey. On passage of the bill the vote was: Yeas, 56; Nays, 2 – Boshart Davis, Wallan; Excused, 1 – Marsh; Excused for Business of the House, 1 – Speaker Kotek. Bill passed.


Speaker Pro Tempore in Chair.

HB 3077 (A-Engrossed) - On passage of the bill the vote was: Yeas, 59; Excused, 1 – Marsh. Bill passed.


Smith DB requested the following explanation of his vote be entered in the Journal:

“I voted NO on HB 3146 for the following reasons and more.... This will have huge fiscal costs associated with the changing of the language throughout the corrections system.”


Smith DB requested the following explanation of his vote be entered in the Journal:

“I voted NO on HB 3201 for the following reasons and more.... This legislation has the potential to hurt victims.”

HB 3216 (A-Engrossed) – Read third time. Carried by Bynum. On passage of the bill the vote was: Yeas, 57; Nays, 1 – Smith DB; Excused, 1 – Marsh; Excused for Business of the House, 1 – Nathanson. Bill passed.

HB 3289 (A-Engrossed) – Read third time. Carried by Williamson. On passage of the bill the vote was: Yeas, 55; Nays, 2 – Nearman, Wallan; Excused, 1 – Marsh; Excused for Business of the House, 2 – Nathanson, Speaker Kotek. Bill passed.

HB 2353 (A-Engrossed) – Read third time. Carried by Power. On passage of the bill the vote was: Yeas, 56; Excused, 1 – Marsh; Excused for Business of the House, 3 – Evans, Nathanson, Speaker Kotek. Bill passed.

HB 2684, 3224, 3249, 3261, 3293, 3415 – By unanimous consent, on request of Speaker Pro Tempore, rules suspended and bills remaining on today’s Third Reading of House Bills carried over and placed in their proper order on the Wednesday, April 24, 2019 Calendar.

SB 5522, 5534; SB 369, 726, 823, 1039, 1041 – Read first time and passed to Speaker’s desk for referral.

The following measures were referred from the desk of the Speaker and recorded on Committee Referral List No. 64 dated April 23, 2019.

SB 11   Judiciary
SB 370  Business and Labor
SB 581  Judiciary
SB 943  Agriculture and Land Use

SB 38, 580, 593 – Read second time and passed to third reading.

HB 3389 (A-Engrossed) - By unanimous consent, on request of Williamson, rules suspended to permit Bonham to change his vote from "yea" to "nay" on passage of bill.

HB 3216 (A-Engrossed) - By unanimous consent, on request of Williamson, rules suspended to permit Smith DB to change his vote from "nay" to "yea" on passage of bill.

HB 2090, 2092, 2334, 2426, 2504, 2603; HCR 16, 21 – Speaker signed on April 23, 2019.

House adjourned until 10:00 a.m. Wednesday, April 24, 2019 on motion of Smith G.