

**CITY OF
PORTLAND**

Legislative Report

2015 SESSION



City of Portland Council

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Commissioner Amanda Fritz
Commissioner Nick Fish
Commissioner Dan Saltzman
Commissioner Steve Novick
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Introduction

Introduction

The 2015 Legislative Session

The 2015 session of the 78th Oregon Legislative Assembly convened February 2nd and adjourned sine die on July 6th, five days short of the constitutional deadline.

On the final day of session, the Legislature the approved omnibus budget, bonding and program change bills (SB 5507, HB 5005, HB 5006 and HB 5030) that included several City of Portland funding priorities: \$62.5 million for affordable housing development, preservation and mental health housing; \$1.5 million in lottery bonding to Reconnect Forest Park; \$2.5 million to install median cable barriers along I-5 in Southern Oregon and I-205; and \$17 million in general fund bonding for improvements on outer SE Powell.

The City of Portland enjoyed a successful 2015 legislative session. All City initiatives, bills that the City requested and shepherded through the legislative process, were signed into law. Most City priorities advanced this session, with transportation funding and inclusionary zoning as notable exceptions.

See below for a snapshot of the City’s key legislative priorities:

City of Portland Priorities		
<i>Issue</i>	<i>Status</i>	<i>Success</i>
Mental Health Funding	<ul style="list-style-type: none"> • \$22 million increase for community mental health services (SB 5526) • \$1 million to cover operating costs for psychiatric emergency services (SB 5526) 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Transportation	<ul style="list-style-type: none"> • Comprehensive transportation funding package (HB 2281) • \$45 million for ConnectOregonVI (HB 5030) • \$17 million for safety improvements to Outer Powell (HB 5006) 	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Affordable Housing	<ul style="list-style-type: none"> • Inclusionary zoning (HB 2564) • \$6.46 million for Emergency Housing Account (SB 5513) • \$3.3 million for State Homeless Assistance Program (SB 5513) • \$40 million for affordable housing development (HB 5005) • \$20 million for mental health housing (HB 5030) • \$2.5 million to preserve affordable housing units (HB 5030) 	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

Earned Sick Leave	<ul style="list-style-type: none"> Statewide earned sick leave (SB 454) 	<input checked="" type="checkbox"/>
Brownfield Cleanup	<ul style="list-style-type: none"> \$7 million to recapitalize Brownfield Redevelopment Fund (HB 5030) Brownfield land banking authority (HB 2734) Tax incentives for brownfields (HB 2289 & HB 2734) 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
Gun Safety	<ul style="list-style-type: none"> Background checks for private sale of firearms (SB 941) Domestic violence firearm restrictions (SB 525) 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Marijuana Regulation and Taxation	<ul style="list-style-type: none"> Comprehensive regulation of medical and recreational marijuana (HB 3400) 	<input checked="" type="checkbox"/>
Support for Rural Communities	<ul style="list-style-type: none"> \$14 million in funding for OSU Statewides programming (HB 5024) Revitalize Main Street Act (SB 565) 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

City of Portland Initiatives		
<i>Issue</i>	<i>Status</i>	<i>Success</i>
Fixed Photo Radar (HB 2621)	Passed into law; effective July 20, 2015	<input checked="" type="checkbox"/>
MWBE Contracting Integrity (SB 584)	Passed into law; effective May 21, 2015	<input checked="" type="checkbox"/>
On-Body Cameras for Police Officers (HB 2571)	Passed into law; effective June 25, 2015	<input checked="" type="checkbox"/>
Reconnect Forest Park (HB 5005, HB 5030)	\$1.5 million in lottery bonds to finance site planning, design and engineering for an entrance to Forest Park.	<input checked="" type="checkbox"/>
Seismic Retrofit Financing (SB 85)	Passed into law; effective May 4, 2015	<input checked="" type="checkbox"/>
Fritz-Fairchild Act (SB 921, HB 5006)	Passed into law; effective January 1, 2015. Separately obtained \$2.5 million (HB 5006) for cable barriers on I-5 in Southern Oregon and I-205 as an extension of the Fritz-Fairchild Act	<input checked="" type="checkbox"/>

The 2015 Legislature included 18 new representatives and three new senators. Of the new members, four represent parts of the Portland area: Representative Rob Nosse (HD 42), Representative Kathleen Taylor (HD 41), Representative Ken Helm (HD 34) and

Representative Carla Piluso (HD 50). The Democratic majority grew in both chambers this year: from 16-14 to 18-12 in the Senate and from 34-28 to 35-25 in the House. The Democrats held a “super majority” of the vote in the Senate, which is the voting threshold for revenue raising measures; however no new taxes were created nor were existing taxes raised this session. Instead, strong majorities allowed Democrats to pass a wealth of progressive policies, including the majority of the City of Portland’s legislative agenda.

The beginning of the 2015 legislative session was marked by a change in executive office. In mid-February, Governor John Kitzhaber announced his decision to resign amidst allegations of ethical misconduct. Secretary of State Kate Brown was sworn in as Oregon’s 38th Governor on Wednesday, February 18th, 2015 and on March 11th, 2015, Jeanne Atkins was sworn in as Oregon’s new Secretary of State. Shortly after assuming office, Governor Brown introduced a package of ethics reforms designed to achieve greater executive accountability and transparency in response to allegations surrounding Governor Kitzhaber’s resignation.

Meanwhile, the Legislature wasted no time getting started, passing several major pieces of previously stalled legislation, including Clean Fuels (SB 324), funding for Legal Aid Services (HB 2700), and Motor Voter (HB 2177).

Keeping with the the push to move big issues early in session, the Legislature passed the earliest K-12 education budget (HB 5017) in a quarter century, approving a \$7.255 billion spending package – nearly \$1 billion over the funding provided in the 2013-15 biennium. This budget also contained a trigger earmarking 40 percent of projected increases in tax collections, resulting in an additional \$105 million to the state school fund. The 2015 Legislature’s K-12 education budget fully funds all-day kindergarten, boosts support for high-needs students and English Language Learners, and funds school lunches for low-income students.

Another major undertaking of the 2015 Legislature was implementing Measure 91, which voters approved in November 2014 to legalize recreational marijuana. Due to the scope of the issue, the Legislature formed the Joint Committee on Implementing Measure 91 to tackle complex, technical and highly political issues resulting from the legalization of recreational marijuana. Legislators worked across the aisle to pass a package of bills in late June creating a comprehensive regulatory system for the recreational marijuana program under the Oregon Liquor Control Commission and expanding regulation and enforcement of the medical marijuana program under the Oregon Health Authority. The package of legislation also changed the method for taxing marijuana, including permitting local governments to pass taxes, with some jurisdictions subject to a referral.

On April 30th, the Oregon Supreme Court invalidated a significant piece of the Legislature’s 2013 special session reforms to the Public Employees Retirement System (PERS). The court’s ruling upheld a portion of the 2013 legislation limiting tax benefits to out-of-state retirees, but struck down provisions that would have limited cost-of-living adjustments (COLA) to retirees. The court held that the Legislature could limit cost-of-living adjustments on benefits earned after the law took effect, but that such limits could

not be applied retroactively. This decision marked a victory for public employee unions who opposed PERS reforms and will likely result in significant budget challenges for state and local governments, the impacts of which will not be realized until the 2017-2019 biennium.

Meanwhile, the June and September Revenue forecasts brought mixed tidings to budget writers. Oregon's economy saw rapid growth this fiscal year. However, the pace of growth was unanticipated by state economists. As a result, the personal and corporate income tax kicker payments will be triggered at the end of the biennium. Revenues included in the personal income tax kicker base will exceed the two percent kicker threshold by \$111 million resulting in a kicker credit of \$402 million. Due to actions taken by the 2011 Legislature, this kicker payment will take the form of a credit on 2015 tax returns rather than being issued as a check at the end of the year. For a household with the average income of \$53,900, this translates to a kicker rebate of \$244.

State Economists still expect the corporate income tax kicker will be triggered. However, legislative changes in methodology related to Measure 67 (2010) rainy day fund transfers and Gain Share returns mean that State Economists have not certified the exact amount. Depending on how the corporate income tax kicker is calculated, it will be in the range of \$60 - \$80 million. As a result of Measure 85 (2012), the corporate kicker will go to K-12 education in the 2015-17 biennium.

Also in May, the Legislature approved City priority SB 941, closing the loophole on background checks for private sales of firearms. The passage of SB 941 is the result of several sessions of work on background check legislation which the City consistently supported along with other common sense gun safety measures.

Legislative leadership identified transportation funding as a top priority heading into session. Mayor Hales worked with colleagues across the state to build Mayors for Transportation, a diverse coalition of local government leaders supporting state transportation funding. After passage of the Clean Fuels bill (SB 324), House and Senate Republicans asked for its repeal as a condition of supporting a statewide transportation package. Towards the end of session, Governor Brown convened the "Gang of Eight," a bipartisan and bicameral group of legislators, to resume discussions on a transportation package. In late June, the Senate convened the Senate Special Committee on Sustainable Transportation on a bipartisan proposal. The Committee held a lengthy public hearing but ultimately did not move a transportation package forward.

Inclusionary zoning, another City of Portland priority, progressed through the House but ultimately stalled in the Senate. The City worked closely with a coalition of affordable housing advocates and other local government leaders to lift the state preemption of local inclusionary zoning ordinances, which has been in place since 1999. After a lengthy debate in the House Human Services and Housing Committee, the House sent an amended bill to the Senate for further consideration. In the Senate, the City introduced an amendment to expand the scope of local regulatory authority to include both new for-sale units and new rental units. Although the Committee declined to adopt the amendment, the underlying bill was sent to the Senate Rules Committee, where it

remained at the close of session.

At the conclusion of the session, a total of 2,799 measures were introduced. Of those, the City tracked 2,185 bills. Governor Brown signed a total of 846 bills into law and did not use her veto power. By comparison, the 2013 Legislature considered 2,679 measures, of which the Governor signed a total of 787 bills into law and vetoed one.

In closing, the Office of Government Relations is grateful to the Mayor, members of City Council, the City Auditor, Council staff, bureau directors, bureau legislative liaisons, and innumerable bureau staff for their support and hard work to bolster the City's legislative interests this past session. Thank you for your efforts – we are proud to represent the City of Portland.

Bill Summaries

Building Codes

SB 133 – Electronic Building Permits

SB 133 lifts the 2018 sunset on the permit fees surcharge supporting the state electronic building codes system and locks in the surcharge rate at four percent. The bill also expands the Department of Consumer and Business Services' authority to make its electronic building codes information system available to other public bodies for "construction-related services," in addition to building inspection programs. The City worked with partners to include language clarifying that cities or counties cannot be sanctioned or disciplined by the state for not using the state's electronic building permit system. The City submitted a [letter](#) emphasizing the importance of local control and supporting the inclusion of explicit language regarding the voluntary nature of the system. SB 133 received unanimous support from both chambers.

Effective: January 1, 2016
Chapter 170

SB 886 – Building Code & Fire Code

In its original form, SB 886 would have transferred certain authorities for structural plan review and inspections of health care facilities from the State Fire Marshal to the Department of Consumer and Business Services or municipal building inspection programs. In May, the Senate Rules Committee adopted amendments to SB 886 that completely replaced the original content. The amended version requires that when the State Fire Marshal issues an order for nonconformity, a citation to the source of authority and plain statement of facts must be included. The bill passed the Senate unanimously and passed the House with one "no" vote.

Effective: January 1, 2016
Chapter 678

HB 2634 – Multifamily Dwelling Accessibility

HB 2634 would have removed an exemption in the current building code that allows buildings constructed before 1990 to be renovated or repurposed without including Americans with Disabilities Act (ADA) accessibility requirements. The bill's public hearing in the House Committee on Human Services and Housing was cancelled and stakeholders agreed to work over the interim to refine the legislation.

Building Codes

HB 2843 – Construction Contractors Board (CCB) & Department of Consumer and Business Services (DCBS) Interagency Agreements

This bill authorizes DCBS to enter into interagency agreements with the CCB to perform duties on behalf of each other related to licenses and registrations; regulated contractor activities; and the construction, renovation, alteration and repair of structures. HB 2843 received unanimous support from both chambers.

Effective: May 20, 2015
Chapter 110

HB 3060 – Live Entertainment Facility Inspections

HB 3060 would have required the Department of Consumer and Business Services (DCBS) to inspect and enforce the fire and life safety code in live entertainment facilities. Under current law, the fire and life safety code are under the jurisdiction of State and Local Fire Safety Marshals. The bill received a public hearing in the House Committee on Business and Labor but did not advance further.

Civil Law

SB 629 – Right to Rest

This bill would have established the Oregon Right to Rest Act, which enumerates the rights of persons experiencing homelessness to use, rest in, and occupy public space and creates a private right of action enforceable by the Bureau of Labor and Industries. SB 629 received several hearings in the Senate Human Services and Early Childhood Committee but ultimately did not advance this session.

SB 821 – Oregon Tort Claims Act Notice Exemption

Under current law, the Oregon Tort Claims Act bars civil actions arising from any act or omission of a public body or an officer, employee or agent of a public body, unless proper notice of the claim is given. SB 821 would have created an exemption to the notice requirement for claims based on child abuse or knowingly allowing, permitting or encouraging child abuse. The bill would have applied to causes of action arising before, on or after its effective date. SB 821 did not advance beyond a public hearing in the Senate Judiciary Committee in March.

SB 904 – Privacy and Civil Liberties Oversight Committee

The House Judiciary Committee held a public hearing on SB 904 in March. The bill would have established the Joint Legislative Committee on Privacy and Civil Liberties Oversight to analyze annual reports from public bodies and prepare detailed findings and recommendations for legislation to ensure privacy and civil liberties protections. The bill would have also required public bodies that use surveillance equipment or services to develop written policies governing their use and report to the Committee. SB 904 did not advance beyond its public hearing.

HB 2354 – Unmanned Aircraft Systems

In 2013, the Legislature enacted HB 2710, which provided guidance and restrictions on the use of drones within Oregon. It allowed individuals a civil right of action against unwanted drones operating at an elevation of less than 400 feet over a person's property. The operator must have flown the drone over a property on at least one other occasion and been notified not to do so. HB 2354 removes the 400-foot restriction, thereby allowing an action to be commenced regardless of the height at which a drone is flown over property. The bill also changes the term "drone" to "unmanned aircraft system" throughout the statute to be consistent with federal law. HB 2354 passed both chambers with unanimous support.

Effective: January 1, 2016
Chapter 315

Civil Law

HB 2612 – Tort Claims Notice

HB 2612 would have doubled the statute of limitations within which a person must provide notice of a civil claim against a public body under the Oregon Tort Claims Act. The bill also would have prohibited a public body from requesting a jury trial in a small claims action under \$5,000. Finally, HB 2612 would have required mass transit districts to resolve disputes about fault involving district vehicles through binding arbitration. The bill received a public hearing in the House Judiciary Committee

HB 2700 – Legal Aid

Under current law, any unclaimed damages in a class action lawsuit are usually returned to the defendant. HB 2700 modifies Oregon’s class action law and gives judges the discretion to create a process that compensates damaged class members to the extent practicable. Under the bill, when class members cannot be located through practical efforts, any remaining unclaimed funds are split evenly between Legal Aid Services of Oregon and an entity that relates to the action or class members. This is known as the “cy pres” doctrine, which HB 2700 codifies. An identical bill failed 15-15 on the Senate floor in 2014 (see [HB 4143](#)). HB 2700 passed the Senate floor 17-13 in March after a lengthy debate. Governor Brown signed the bill the next day, making it the first bill signed into law this session.

Effective: March 4, 2015
Chapter 2

For other bills related to Civil Law, please see:

- SB 544 – Voluntary Restoration Liability, p. 30

Consumer Protection

SB 313 & SB 314 – Insurance Consumer Protections

SB 313 would have provided a private right of action for violations of the Insurance Trade Practices Act and allowed class actions against persons that commit unlawful insurance practices. SB 314 would have extended the Unlawful Trade Practices Act (UTPA) to include insurance companies. The UTPA is a robust consumer protection law that creates a private right of action against sellers for acts of misrepresentation and deception, among others. The City of Portland testified in support of both bills at a public hearing in the Senate Judiciary Committee in March but neither bill advanced this session.

HB 2580 – Cardholder Reimbursements

This bill would have prohibited merchants from requiring consumers to provide an account statement in order to obtain a refund from a credit, debit or gift card transaction. HB 2580 was referred to the House Consumer Protection and Government Effectiveness Committee but did not receive a hearing.

HB 3305 – Utility Billing

HB 3305 would have prohibited privately owned utility or service providers from billing residential tenants for amounts unpaid by a former tenant or landlord. The bill was referred to the House Consumer Protection and Government Effectiveness Committee, where it received a public hearing but did not advance further.

Economic Development

SB 45 – New Market Tax Credit

The Oregon New Markets Tax Credit (NMTC) was created in 2011. NMTC is a financing tool that provides incentives for qualifying business projects in low-income areas with the intent of stimulating investment. Taxpayers who make a Qualified Equity Investment (QEI) are eligible for a credit against personal or corporate income taxes equal to 39 percent of the amount of the investment. This program is tied to the federal NMTC program. SB 45 would have extended the sunset for the state NMTC program from 2016 to 2022. The Senate Business and Transportation Committee considered SB 45 in April and referred the bill to the Joint Tax Credits Committee without recommendation to passage. The bill did not receive another hearing and the program was not included in the tax credits package (HB 2171, p. 93) approved this session.

SB 482 – Pacific Northwest Manufacturing Partnership

SB 482 creates the Pacific Northwest Manufacturing Partnership Advisory Committee (PNMP) within Business Oregon. The PNMP's purpose will be to grow Oregon's manufacturing businesses through regional collaboration among manufacturing and public sector, as well as relevant education and research organizations. SB 482 received unanimous support from both chambers.

Effective: January 1, 2016
Chapter 22

SB 799 – Film and Video Tax Credit Sunset

This bill would have advanced the sunset on the Oregon Production and Investment Fund tax credit from 2018 to 2016. SB 799 was referred to the Senate Business and Transportation Committee but did not receive a hearing.

SB 807 – Job Creation Zones

SB 807 would have designated certain cities and counties as job creation zones if they met particular criteria related to median income, unemployment, or decline in population. The bill would have granted certain tax incentives for investments made in job creation zones and authorized local governments to waive state regulations inhibiting job growth. The Senate Business and Transportation Committee unanimously passed the bill to the Senate Finance and Revenue Committee, where it remained at the close of session.

Economic Development

SB 872 – Film and Video Incentives

SB 872 proposed to expand the Oregon Production and Investment Fund (OPIF) from \$10 million to \$14 million; limit the cap on reimbursement expenses for out-of-state filmmakers; and increase the cap on reimbursement expenses for local filmmakers or media production companies. The Senate Business and Transportation Committee moved the bill to the Joint Tax Credit Committee, where it did not receive another hearing. Ultimately, the Legislature approved a comprehensive tax credit package (HB 2171, p. 93) that included an extension of the OPIF sunset from 2018 to 2024.

SB 927 & SB 64 – Metro Convention Center

SB 927 clarifies the authority of Metro’s charter to issue revenue bonds related to the development of the Oregon Convention Center Hotel project. The legislation ends litigation questioning Metro’s authority to issue revenue bonds to finance the Convention Center Hotel and paves the way for construction of the project. SB 927 replaced an identical measure—SB 64—after Legislative Counsel determined a drafting error precluded SB 64 from carrying out the proponents’ policy goals. Mayor Hales submitted [letters](#) in support of the bill to the Senate Finance and Revenue Committee and the House Rules Committee.

Effective: May 5, 2015
Chapter 49

HB 2072 – Film and Video

HB 2072 would have doubled the Oregon Production and Investment Fund (OPIF) cap from \$10 million to \$20 million. The bill would have also dedicated five percent of OPIF funds to reimbursing film and media expenses outside of Portland Metro area and created a Task Force on Film and Media Production to study an Oregon investment bank for digital entertainment media financing and a cooperative distribution network for media content. HB 2072 received a public hearing in the House Revenue Committee in April and the City submitted a [letter](#) of support. While the bill did not advance further this session, the Legislature did include an extension of the Oregon Production and Investment Fund sunset from 2018 to 2024 in its comprehensive tax credit package (HB 2171, p. 93).

Economic Development

HB 2273 – Sports Event Bid Pool

This bill would have established the Oregon Sports Event Bid Pool Fund at Business Oregon to promote regional, national and international sporting events in state. HB 2273 did not receive a hearing this session.

HB 2289 – Brownfield Tax Credit

The bill would have created a tax credit incentive for the cleanup of brownfield properties. HB 2289 was unanimously approved by the House Transportation and Economic Development Committee in April and referred to the House Revenue Committee, where it remained at the time of adjournment. Brownfield redevelopment was a City of Portland legislative priority this session and the City submitted a [letter](#) in support of HB 2289.

HB 2734 – Land Bank Authority for Brownfield Redevelopment

In its original form, HB 2734 authorized local governments to both create brownfield land banks and abate property taxes imposed on brownfield properties, if certain conditions related to redevelopment were met. The bill was amended to define and limit the regular term of the land bank authority board, as well as to delete the property tax abatement portion of the measure. The bill passed both chambers in June after lengthy legislative review in the House Rural Communities, Land Use and Water Committee, House Transportation and Economic Development Committee, House Revenue Committee and Senate Finance and Revenue Committee. Brownfield redevelopment is a City of Portland legislative priority and the City testified and submitted [letters](#) in support.

Effective: January 1, 2016
Chapter 631

Economic Development

HB 2652 – Strategic Investment Program

The Strategic Investment Program (SIP) exempts traded sector business capital investments greater than \$100 million in urban areas, or greater than \$25 million in rural areas, from property taxation. Current law defines “rural area” as an area located entirely outside of the urban growth boundary of a city with a population of 30,000 or more, defined by the urban growth boundary on December 1, 2002. HB 2652 modifies the definition of “rural area” to be an area located entirely outside of the urban growth boundary of a city with a population of 40,000 or more on the date when an application is submitted. The bill also grandfathers in existing projects. Similar legislation was introduced in the 2014 session but did not advance (see [HB 4142](#)).

Effective: October 5, 2015
Chapter 518

HB 2898 – Local Filmmakers

HB 2898 would have doubled the reimbursement Business Oregon could make to local filmmakers or media production companies under the Oregon Production and Investment Fund (OPIF) from \$1 million to \$2 million. The House Transportation and Economic Development amended the bill in April to include an extension of the sunset date for OPIF from January 1, 2018 to 2024. The City submitted a [letter](#) of support. HB 2898 advanced to the House Revenue Committee, where it received a public hearing but did not advance further.

HB 3526 – Oregon Main Street Revitalization Grant Program

HB 3526 creates the Oregon Main Street Revitalization Grant Program within the State Parks and Recreation Department. The program awards grants to Oregon Main Street Network participants and members of the National Main Street Center in order to preserve and revitalize designated downtown areas. The Legislature appropriated \$2.5 million in lottery bond dollars (HB 5030) for initial grant funding. HB 3526 passed both chambers with overwhelming majorities.

Effective: August 12, 2015
Chapter 831

Education

SB 553 – School Suspensions

SB 553 imposes limits on instances when students under 12 years of age may be suspended or expelled from school. The bill was amended to ensure that student age and behavior patterns are considered prior to suspension or expulsion, and to require that school districts take steps to prevent recurrence of the behavior that led to the out-of-school suspension. Black Male Achievement submitted [letters](#) of support to both the Senate and House Education Committees.

Effective: July 1, 2015

Chapter 237

HB 5017 – K-12 Education Budget

The first half of the 2015 session was marked by contentious debates over the K-12 education budget in the House and Senate. Both chambers voted along party lines to approve the \$7.255 billion spending package, a 9 percent increase from the previous two-year budget but \$2.15 billion less than the Governor’s recommended budget. This was the earliest the Legislature approved a K-12 budget in a quarter century. The bill contained a trigger that earmarked 40 percent of any projected increase in tax collections reported in the June Economic and Revenue Forecast for the K-12 budget, resulting in an additional \$105 million to the state school fund.

Effective: July 1, 2015

Chapter 25

Elections

SB 198 – Signature Requirements

This bill would have prescribed signature requirements for local initiatives and referenda to match constitutional signature requirements for statewide initiatives and referenda. SB 198 was referred to the Senate Rules Committee, where it failed to receive a hearing this session.

SB 328 – Primary Dates

SB 328 proposed to change the date of primary elections from May to September in even-numbered years. The bill did not receive a hearing and remained in the Senate Rules Committee at the time of adjournment.

HB 2059 – Voter Registration Agencies

This bill would have directed qualified voter registration agencies to provide the Secretary of State with information for each person who meets qualifications to vote. HB 2059 further required the Secretary of State to register to vote each nonregistered qualified person. The bill was referred to the House Rules Committee and did not receive a hearing this session.

HB 2062 – Local Election Dates

HB 2062 would have required county, city and district measures to be considered on the next primary or general election date, except in the circumstance of a special election. The bill did not receive a hearing this session.

HB 2176 – Election Law Modernization

HB 2176 would have modernized and clarified election and filing procedures. The bill instituted electronic filing for the voters' pamphlet and made a candidate's statement for the voters' pamphlet subject to the prohibition on, and penalties for, false publication. The City helped develop an amendment to clarify that electronic filing requirements do not apply to local county and city elections. After passing the House in March, the bill was amended and passed out of the Senate Rules Committee in June. However, in the final week of session, HB 2176 was pulled from the Senate floor and re-referred to the Senate Rules Committee where it remained at adjournment.

Elections

HB 2177 – Motor Voter

HB 2177, also known as Motor Voter, was originally introduced at the request of then-Secretary of State Kate Brown. The bill allows Oregon Department of Transportation (ODOT) records to qualify as a completed voter registration card, and directs ODOT to provide the Secretary of State with electronic records for this purpose. State elections officials estimate the new law could register as many as 300,000 new voters. After lengthy debates in both chambers, the bill passed largely on party-lines in early March.

Effective: March 16, 2015

Chapter 8

HB 2792 – Inactive Voter Registration

This bill would have allowed voters with an inactive registration statuses to activate their registration by signing and providing a mailing address on an initiative or referendum petition. HB 2792 did not receive a hearing this session and remained in the House Rules Committee at the time of adjournment.

HB 2944 – Reapportionment

This bill would have required the Legislature or the Secretary of State to hold public hearings throughout the state prior to adopting a congressional or legislative reapportionment plan. HB 2944 did not advance beyond a public hearing in the House Rules Committee in March.

HB 2945 – Redistricting

This bill would have required the Legislature or the Secretary of State to provide any data purchased or used to create a congressional or legislative reapportionment plan. The bill received a public hearing in the House Rules Committee in March but did not advance further this session.

Elections

HB 2957 – Election Dates

The timeline for a local governing body to hold an election on an initiative or referenda may require a special election, even if a primary or general election is forthcoming. HB 2957 establishes specific dates in May and November for citizen initiatives and referenda measures on city, county and district election issues.

Effective: April 22, 2015
Chapter 44

Emergency Preparedness

SB 737 – Residential Seismic Inspection Notification

SB 737 would have required a home inspector to provide potential purchasers of single-family dwellings with information on seismic hazards and retrofitting if the structure was built before 1994 and was located in a high-risk location for seismic activity. The bill did not receive a hearing and remained in the Senate Business and Transportation Committee at the time of adjournment.

SB 775 – Pre-Disaster Measures

As introduced, SB 775 specified that measures to improve seismic resiliency undertaken before a natural disaster occurs cannot be used as evidence to prove negligence. The Senate Veterans and Emergency Preparedness Committee amended the bill in April to also exclude pre-disaster vulnerability assessments from evidence admissible to prove negligence. SB 775 unanimously passed both chambers.

Effective: June 23, 2015
Chapter 541

SB 808 – Seismic Resiliency Task Force

SB 808 would have required the Department of Human Services to coordinate and facilitate state and local community resilience planning. The Senate Veterans and Emergency Preparedness Committee amended the bill in April. The amended bill would have established a task force to review current state and local plans and make recommendations to prepare for, and respond to, potential mass displacement and other catastrophic consequences of seismic events. The Senate Veterans and Emergency Preparedness Committee passed the bill to the Joint Ways and Means Committee where it remained upon adjournment.

HB 2210 – Broadcaster Emergency Access

HB 2210 authorizes certified broadcasters, during a declared emergency, to access certain areas to maintain essential broadcast equipment. The bill requires the Office of Emergency Management to authorize a private entity representing broadcasters to create a program for issuing credentials to authorized persons, and to include specific training for broadcasters seeking credentials. The bill passed both chambers unanimously.

Effective: January 1, 2016
Chapter 151

Emergency Preparedness

HB 2270 – State Resilience Officer

HB 2270 creates the Office of State Resilience Officer. The position is responsible for directing, coordinating and overseeing seismic safety and resilience planning and preparation by state agencies. HB 2270 passed both chambers with limited opposition.

Effective: July 27, 2015
Chapter 762

HB 2427 – Emergency Vehicle

HB 2427 would have expanded the definition of “emergency vehicle” in the Oregon Vehicle Code to include vehicles operated by certain government agencies providing emergency services. The City testified in support of the bill at a public hearing in the House Veterans and Emergency Preparedness Committee in March, but HB 2427 did not advance further this session.

HB 2633 – Local Guidance for Hazard Planning

HB 2633 would have required the Department of Land Conservation and Development, in coordination with the Office of Emergency Management, to establish a program providing guidance to special districts and local governments that would aid in the identification of potential natural hazards and best planning practices to mitigate impacts. However, local governments and special districts would not be required to follow those best practices. The bill also would have tasked the Land Conservation and Development Commission with adopting rules to address potential risks associated with current and future development in certain hazard zones. HB 2633 passed out of the House Rural Communities, Land Use and Water Committee in April and was referred to the Joint Ways and Means Committee, where it remained at the close of session.

HB 3048 – Disaster Resiliency Bonding

This bill would have created the Resiliency Investment Fund and required that two percent of gross proceeds from certain bonds be reserved to fund disaster resiliency projects. The bill received a public hearing in the House Veterans and Emergency Preparedness Committee in February but did not advance further this session.

Emergency Preparedness

HB 3225 – Oil Trains

HB 3225 requires new rules and response plans for the transport of hazardous materials through Oregon by rail and establishes the Oil and Hazardous Material Transportation by Rail Action Fund. Portland Fire and Rescue Chief Erin Janssens testified in support of the bill. The City worked with stakeholders to develop amendments which clarified coordination through the State Fire Marshal and established a funding sources for the coordination of response and filling gaps in rail incident response materials and training. HB 3225 received unanimous support in both chambers.

Effective: July 20, 2015
Chapter 739

HB 3412 – Landslide Assessment

This bill would have required the State Department of Geology and Mineral Industries to develop a comprehensive landslide hazard assessment program. The House Rural Communities, Land Use, and Water Committee passed the bill in April to the Joint Ways and Means Committee, where it remained at the close of session.

SB 5512 – Department of Geology and Mineral Industries (DOGAMI) Budget

DOGAMI provides the City with advanced data and expertise on seismic preparedness and other geohazard issues. SB 5512 is the operating budget for DOGAMI. The Legislature approved DOGAMI's budget in June, with a four percent increase from the 2013-2015 legislatively approved budget. The City submitted a [letter](#) of support to the Joint Ways and Means Subcommittee on Natural Resources.

Effective: July 6, 2015
Chapter 657

For other bills related to Emergency Preparedness, please see:

- SB 85 – Seismic Retrofit Financing, p. 58
- SB 93 – Prescription Drug Reimbursement, p. 39
- HB 2566 – Temporary Disaster Work, p. 95

Energy

SB 20 – Energy Efficiency Standards

This bill modifies the applicability of energy efficiency standards to include televisions and large battery charger systems manufactured on or after January 1, 2014. SB 20 passed the Senate and House with limited opposition.

Effective: January 1, 2016
Chapter 276

SB 324 – Clean Fuels

SB 324 lifts the sunset on the state Clean Fuels Program, which requires a 10 percent reduction from 2010 levels in greenhouse gas emissions from fuel energy over the next decade. The program will require approximately 90 companies that import motor vehicle fuel into the state to gradually reduce the carbon intensity of their fuel mix by producing or blending more lower-carbon fuels, or by purchasing credits from companies that provide those fuels. Perhaps the most contentious bill that passed this legislative session, SB 324 was the subject of lengthy debate in both chambers and survived various attempts to delay, halt, and repeal its passage. After the bill was signed into law in March, a bipartisan, bicameral workgroup convened to consider the passage of a transportation package contingent upon repeal of SB 324 and the enactment of alternative carbon reduction policies. However, this controversial proposal fell through as session drew to a close, leaving SB 324 intact.

Effective: March 12, 2015
Chapter 4

SB 477 – Coal to Clean

SB 477 would have required electric companies to reduce the allocation of electricity from coal-derived resources to zero on or before January 1, 2025. The City submitted [testimony](#) in support of SB 477 at a public hearing in the Senate Environment and Natural Resources Committee in March. The bill did not advance beyond its public hearing.

Energy

HB 2082 – Carbon Tax

This bill was one of several carbon taxing or capping proposals this session (see HB 2159, HB 3250, HB 3252, and HB 3470). HB 2082 would have taxed fuel suppliers based on the amount of carbon in carbon-based fuel sold to in-state consumers. Similarly, the bill would have also taxed utilities based on the amount of carbon in carbon-based fuel used to produce carbon-generated electricity supplied to in-state consumers. Tax revenues would have been appropriated for the continued reduction in carbon emissions and the use of carbon fuels. The bill was referred to the House Energy and Environment Committee but did not receive a hearing this session.

HB 2159 – Carbon Tax

HB 2159 would have taxed fuel suppliers based on the amount of carbon in carbon-based fuel sold to in-state consumers and utilities based on the amount of carbon in carbon-based fuel used to produce carbon-generated electricity supplied by the utility to in-state consumers. The bill would have limited the tax on oil and natural gas to six percent of the market value per certain constitutional limits. Finally, the bill would have established the Conservation Fund for energy conservation projects and energy costs subsidies for low-income individuals. The bill was referred to the House Energy and Environment committee but did not receive a hearing this session. The bill was one of several carbon taxing or capping proposals considered this session (see HB 2159, HB 3250, HB 3252, and HB 3470).

HB 2448 – Energy Conservation Tax Credit

As introduced, HB 2448 extended the sunset on the tax credit for energy conservation projects from 2018 to 2022. After amendments in the House Energy and Environment Committee and the House Revenue Committee, the sunset extension was removed. As amended, the bill modifies the energy conservation program by requiring owners of projects valued at \$1 million or more to enter into performance agreements with the Oregon Department of Energy (ODOE) and receive annual recertification. HB 2448 requires information to be included in the recertification application and allows ODOE to inspect such projects. HB 2448 passed both chambers with no opposition.

Effective: October 5, 2015
Chapter 545

Energy

HB 2449 – Bioenergy Tax Credits

Oregon offers tax credits for the production, collection, and transportation of biomass used for energy production. HB 2449 would have extended the Biomass Producer and Collector Tax Credit from 2018 to 2022 and established a pilot program for the generation of renewable energy from biomass feedstocks. The House Energy and Environment Committee amended and passed the bill to the House Revenue Committee in March. HB 2449 received a public hearing in the House Revenue Committee in April but did not advance further this session.

HB 2450 – Clean Fuels Sunset

This bill would have repealed the sunset on provisions related to low carbon fuel standards and was a companion bill to SB 324 (p. 24). HB 2450 was referred to the House Energy and Environment Committee but did not receive a hearing this session because the Legislature addressed low carbon fuel standards through SB 324.

HB 2745 – Feed-in-Tariff

HB 2745 would have extended the Oregon solar payment pilot program created by the 2013 Legislature. Also known as the feed-in-tariff (FIT) or volumetric incentive rate (VIR), the program would have authorized the Public Utility Commission to set tariff schedules for a public utility to recover the cost of assisting in financing the installation or implementation of renewable energy generation or energy conservation measures on a customer's property. The bill was referred to the House Energy and Environment Committee, where it received a public hearing but did not advance.

HB 2833 – Woody Biomass

Under current law, 1.5 percent of the total contract price of the construction, reconstruction or major renovation of a public building must be reserved for green energy technology. HB 2833 would have added woody biomass to the types of green energy technology that fulfill the requirement. The bill received a public hearing in the House Energy and Environment Committee but did not advance.

Energy

HB 2941 – Community Solar

In its original form, HB 2941 established qualifications for community solar gardens, directed the Public Utility Commission (PUC) to set parameters for procurement of electricity generated by these solar gardens, and directed electric companies to credit retail customers who have interest in electricity from solar gardens. The Bureau of Planning and Sustainability submitted a [letter](#) in support of the original bill.

In April, HB 2941 was amended and passed out of the House Energy and Environment Committee. Those amendments replaced the language of the original bill and instead require electric companies to provide a portfolio of rate options to residential consumers that include solar and other renewables, if the PUC determines demand is sufficient. The PUC is also directed to evaluate programs to incentivize development of solar energy systems. The bill was further amended in June by the Senate Business and Transportation Committee to also require the PUC to hold proceedings examining community solar programs and make recommendations on design or preferred attributes. HB 2941 passed both chambers with little opposition.

Effective: June 25, 2015
Chapter 556

HB 3246 – Energy Efficiency Improvement Tax Incentive

This bill would have exempted energy efficient improvements and greenhouse gas emission reduction measures to commercial and residential properties from ad valorem property taxation for ten years. HB 3246 required qualifying improvements to be constructed or installed on property built before 2008. The bill was amended in the House Revenue Committee to only make the exemption available to property improvements located within the City of Portland. HB 3246 passed the House by a narrow margin in June and failed to receive a hearing in the Senate.

HB 3250 – Cap and Dividend

In April, the House Energy and Environment Committee [heard the findings](#) of a [Carbon Tax Issue Paper](#) commissioned by the 2013 Legislature through SB 306. During that meeting, the Committee also took public testimony on three bills addressing carbon and other greenhouse gas reduction policies, including HB 3250 (see also HB 3252 and HB 3470, below). HB 3250 would have required the Environmental Quality Commission (EQC) to adopt a carbon cap-and-dividend program. The bill would have also established a Pollution Refund Credit Trust Fund, supported by proceeds from the cap-and-dividend program. HB 3250 did not advance beyond the House Energy and Environment Committee.

Energy

HB 3252 – Carbon Tax

HB 3252 would have imposed a carbon tax on fuel suppliers and utilities based on the amount of carbon in fuel sold in-state. The bill was considered with two other greenhouse gas bills, HB 3250 and HB 3470, in the House Energy and Environment Committee in April. HB 3252 did not advance further this session.

HB 3470 – Greenhouse Gas Emissions

The bill would have converted statewide greenhouse gas reduction goals into requirements. Specifically, HB 3470 would have required the Environmental Quality Commission (EQC) to work with the Department of Environmental Quality to adopt rules and programs to reduce greenhouse gas emissions limits by 2020. The bill also would have authorized the EQC to develop registration and reporting requirements for greenhouse gases. HB 3470 advanced out of the House Energy and Environment Committee and the House Rules Committee on party-line votes, but remained in the Joint Ways and Means Committee at the time of adjournment.

Environment

SB 24 – Task Force on Natural Resource Agency Consolidation

SB 24 would have established a Task Force on Natural Resource Agency Consolidation to study the impacts of abolishing and consolidating certain state agencies. The bill received a public hearing in the Senate Environment and Natural Resources Committee in February, but did not advance further.

SB 245 – Tipping Fees

Revenue for the materials management program administered by the Department of Environmental Quality comes from tipping and permit fees assessed on tons of solid waste disposed in Oregon. These fees were last updated in 1994. SB 245 adjusts these tipping fees assessed on solid waste disposal and authorizes the Environmental Quality Commission to establish fees for composting if certain thresholds are met. SB 263 (see below) was the companion to this bill and the Bureau of Planning and Sustainability submitted a [letter](#) in support of the package.

Effective: January 1, 2016
Chapter 662

SB 247 – Oregon Department of Fish and Wildlife (ODFW) Fees

Approximately one third of the ODFW budget comes from the sale of hunting and fishing licenses. In order to address declining revenues, SB 247 incrementally increases certain hunting, angling and commercial fishing fees and modifies existing surcharges.

Effective: July 27, 2015
Chapter 779

SB 263 – Materials Management

SB 263 updates decades-old recycling and waste prevention statutes and goals, and expands program options that cities and counties can use to accomplish these goals. The bill also requires Portland and populous surrounding cities and counties to have additional recycling program elements. The Bureau of Planning and Sustainability submitted a [letter](#) in support of this bill and its companion, SB 245 (see above). Both bills were the result of extensive stakeholder input in which the City was actively involved.

Effective: January 1, 2016
Chapter 534

Environment

SB 318 – Endangered Species Predator Management

This bill would have required the Oregon Department of Fish and Wildlife to adopt a policy for coordinating the management of species that prey on endangered species and established the Predation of Endangered Species Fund. The bill was referred to the Senate Environment and Natural Resources Committee but did not receive a hearing.

SB 478 – Toxics Disclosure

SB 478 requires the Oregon Health Authority (OHA) to establish and maintain a list on its website of designated high priority chemicals of concern for children’s health that are used in children’s products. OHA is required to periodically review and revise the list. The bill was amended to remove kitchen merchandise from the definition of children’s products and stipulate that OHA may not add more than five chemicals to the list of high priority chemicals during each review period. With certain exceptions, manufacturers of children’s products offered for sale in Oregon that contain a chemical or chemicals on OHA’s list must provide notice to OHA or to the Interstate Chemicals Clearinghouse.

Effective: July 27, 2015
Chapter 786

SB 544 – Voluntary Restoration Liability

Current state law contains limits on liability to landowners who implement voluntary restoration of Oregon wetlands and waterways to improve habitat and water quality. SB 544 would have removed the limitation on liability. The bill received a public hearing in the Senate Environment and Natural Resources Committee but did not advance this session.

SB 658 – Forestland Tax Deferral

SB 658 would have allowed certain Portland landowners who were disqualified from the western Oregon forestland special assessment to bypass the City and request their land be designated for the wildlife habitat special assessment from the State Fish and Wildlife Commission. The bill received a public hearing in the Senate Finance and Revenue Committee but did not advance further.

Environment

SB 705 – Residential Demolitions

SB 705 directs the Environmental Quality Commission (EQC) to require accredited inspectors to perform asbestos surveys before conducting demolitions of residential buildings. The bill also directs the EQC to adopt rules allowing exemptions for newer buildings not likely to contain asbestos.

Effective: June 25, 2015
Chapter 583

HB 2402 – Oregon Department of Fish and Wildlife (ODFW) Task Force

ODFW has historically relied on license fee money to fund its services, and continues to rely on this funding source despite years of declining license sales. HB 2402 creates a task force to identify and recommend alternative funding sources and opportunities for ODFW. Portland’s Bureau of Environmental Services submitted [testimony](#) in support of the bill. HB 2402 unanimously passed the House and was approved 24-4 in the Senate.

Effective: July 20, 2015
Chapter 712

HB 2497 – Natural Resource Rulemaking

If natural resource agencies were considering regulations that would apply only to a particular geographic area of the state, HB 2497 would have required the agency to provide notice of any rulemaking action to members of the Legislature from that area. The House Agriculture and Natural Resources Committee held a public hearing on HB 2497 in March but did not advance the bill.

HB 2499 – Air and Water Quality Rulemaking

HB 2499 proposed to prohibit the Environmental Quality Commission from adopting any rule concerning air or water quality with requirements, standards or any other limitations exceeding the standards and regulations under federal law. HB 2499 did not receive a hearing this session.

HB 2503 – Local Hunting and Fishing Regulation

HB 2503 would have prohibited public bodies from regulating hunting ammunition, fishing gear and angling equipment unless authorized by state statute. The bill also proposed to vest sole authority in regulating hunting ammunition and fishing gear with

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the Legislative Assembly. The bill received a public hearing in the House Agriculture and Natural Resources Committee in February but did not advance further.

HB 2511 – Aquatic Invasive Species Permits

Current law requires operators of motorboats or manually propelled boats ten feet or longer to obtain an aquatic invasive species prevention permit from the State Marine Board. HB 2511 would have made the permit voluntary instead of mandatory and required the State Marine Board to educate the public about aquatic invasive species. The bill did not receive a hearing this session.

HB 3052 – Biolube

This bill would have required public improvement contracts to mandate that a contractor use biodegradable lubricant in all public improvement-related operations and subcontracts. The House Consumer Protection and Government Effectiveness Committee held a public hearing on HB 3052 in March but did not advance the bill.

HB 3310 & SB 824 – Clean Diesel

HB 3310 and SB 824 would have required the Environmental Quality Commission to adopt rules and programs to reduce diesel emissions from diesel engines by 2020. Both bills received a public hearing in April. HB 3310 did not advance further. SB 824 was amended and replaced in its entirety with language that would have created the Task Force to Investigate a Clean Diesel Program. The amended version of SB 824 was passed onto the Joint Ways and Means Committee, where it remained at adjournment.

HB 3478 – Microbeads

HB 3478 would have phased in a prohibition on synthetic plastic microbeads found in personal care products and over-the-counter drugs. After passing the House in mid-April, the bill received a public hearing in the Senate Environment and Natural Resources Committee but did not advance further.

HB 5018 – Department of Environmental Quality (DEQ) Budget

HB 5018 appropriates state moneys to fund DEQ for the next biennium. DEQ administers the state's laws regulating air, water, and land pollution. The bill appropriates state moneys to DEQ for the next biennium that are 3.2 percent higher than the 2013-2015

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legislatively approved budget. The Bureau of Planning and Sustainability submitted written [testimony](#) in support of a policy option package for improvements to materials management and recycling systems (see also SB 245 and SB 263, p. 27). HB 5018 passed the House 37-20 and the Senate 20-8.

Effective: July 1, 2015
Chapter 593

For other bills relating to Environment, please see:

- SB 580 – Landscape Contractors Board, p. 36
- HB 3304 – Landscape Contractors, p. 38

Ethics

HB 2019 – Oregon Government Ethics Commission

This bill is part of a package of ethics and public records legislation introduced by newly appointed Governor Kate Brown following the resignation of Governor Kitzhaber (see also SB 9, p. 77 and HB 2020, below). HB 2019 expands the membership of the Oregon Government Ethics Commission from seven to nine members, modifies their appointment process, and reduces the number of days allowed for preliminary review of an ethics investigation from 135 to 30 days. Governor Brown signed HB 2019 into law on July 1st.

Effective: July 1, 2015
Chapter 619

HB 2020 – First Partner

In the wake of Governor Kitzhaber’s resignation, newly appointed Governor Kate Brown introduced a package of ethics and public records legislation, including HB 2020 (see also SB 9, p 77 and HB 2019, above). This bill prohibits the Governor, First Partner, Secretary of State, State Treasurer, Attorney General and Commissioner of Bureau of Labor and Industries from receiving money or other consideration for a speaking engagement or presentation. The bill also requires the Deputy Secretary of State, First Partner, and all policy advisors and attorneys employed by the Governor’s Office to file statements of economic interest. HB 2020 passed the House with only one “no” vote and received unanimous support in the Senate.

Effective: July 1, 2015
Chapter 620

HB 2790 – Legislative Testimony

This bill proposed to require statements made to a committee of the Legislative Assembly be made under oath and therefore subject to the crime of false swearing. HB 2790 received a public hearing in the House Rules Committee in April but failed to advance further this session. A motion to withdraw the bill from the House Rules Committee failed on the House floor in June.

HB 3043 – Executive Office Ethics

HB 3043 would have required the Governor to file a declaration with the Oregon Government Ethics Commission (Commission) with the identity of the First Spouse and any official policy-making or agenda-setting duties of the First Spouse. The bill would

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have limited the First Spouse's private employment, if engaging in any official policy-making role, and required the First Spouse to file an annual statement of economic interest with the Commission. HB 3043 received a public hearing in the House Rules Committee in April but failed to advance further this session. A motion to withdraw the bill from the House Rules Committee narrowly failed on the House Floor in June.

General Government

SB 382 – Municipal Sidewalk Regulation

This bill would have removed the state preemption over a city's authority to control or regulate the use of sidewalks and capped any municipal penalties related to use of sidewalks at \$250. SB 382 did not receive a hearing this session.

SB 488 – Hand Dryers

SB 488 would have established uniform standards for hand dryers installed in public restrooms, including standards limiting the decibel level of operating hand dryers. After passing the Senate, the bill received a public hearing in the House Committee on Business and Labor but did not advance further this session.

SB 580 – Landscape Contractors Board

SB 580 is the result of a two-year work group to explore issues with the Landscape Contractors Board. Among many technical changes, the bill requires sixteen hours of continuing education every two years and moves additional continuing education changes to rulemaking. The bill was amended to require Spanish language translation of the landscape professional license examination. SB 580 passed both chambers unanimously.

Effective: January 1, 2016
Chapter 672

SB 711 – Personal Data Removal

This bill would have required public bodies to develop and implement policies for securely removing personal information from electronic data storage devices owned by a public body before selling, donating, recycling or disposing of the device. SB 711 was referred to the Senate Judiciary Committee but did not receive a hearing.

SB 772 – Closed-Captioning

This bill would have required the executive and legislative branches to provide closed-captioning for all video transmissions, except for two-way transmissions between individuals. In March, the Senate Human Services and Early Childhood Committee passed SB 772 to the Joint Ways and Means Committee. The bill was referred to the Subcommittee on General Government and received a public hearing in June but did not advance further.

General Government

HB 2528 – Citizen Review of Public Works Projects

HB 2528 would have created the Task Force on Citizen Review of Public Works Projects to study the feasibility of a review board that would oversee public works projects. The bill was unanimously approved by the House Consumer Protection and Government Effectiveness with an amendment that limited the review to contract projects over \$30 million that involve geologically sensitive conditions. HB 2528 was referred to the Joint Committee on Ways and Means, where it remained at the close of session.

HB 2794 – Ticket Sales

This bill would have provided protections for purchasers of third-party tickets to sporting and entertainment events. Specifically, the bill would have prohibited unauthorized third-party sellers from selling admission tickets to entertainment events if the operator of the event had not released admission tickets for sale. Portland's Office of Management and Finance submitted a [letter](#) in support of the bill. HB 2794 received a public hearing in the House Consumer Protection and Government Effectiveness Committee but did not advance further.

HB 3099 – State Technology Services Transfer

HB 3099 transfers information technology (IT) services and functions from the Oregon Department of Administrative Services (DAS) to the State Chief Information Officer (CIO). In particular, the bill retains DAS authority and responsibility for statewide IT and telecommunications operations and services but requires those operations and services be provided according to rules, policies and standards set by the State CIO. The bill also provides authority for the State CIO to approve, modify or stop IT projects and approve, suspend, or cancel IT contracts over \$1 million. The bill passed both chambers with unanimous support.

Effective: August 12, 2015
Chapter 807

HB 3185 – Mortgage Loan Originator Licensing

This bill would have exempted certain parties who did not offer or negotiate terms for more than three residential mortgage loans in a one year period from the requirement to obtain a mortgage loan originator's license. The House Business and Labor Committee considered HB 3135 at a public hearing in March but did not advance the bill.

General Government

HB 3304 – Landscape Contractors

The bill permits an applicant for a landscape construction professional license to satisfy examination requirements through written or skills tests and fulfillment of a business practices class. HB 3304 also requires the Landscape Contractors Board to offer practical skills testing three weeks each year and the written examination to be translated to Spanish by January 1, 2016. This bill was separate from policies discussed by a two-year Landscape Contractors Board work group (see SB 580, p. 36). HB 3304 passed the House with one “no” vote and received unanimous support in the Senate.

Effective: January 1, 2016
Chapter 652

For other bills relating to General Government, please see:

- SB 140 – Oregon Broadband Advisory Council, p. 58

Health Care & Public Health

SB 93 – Prescription Drug Reimbursement

In the event of a major disaster, Oregonians may be prevented from accessing medications for chronic conditions. A recent study aimed at medical relief teams during extreme weather and natural disasters found that medication refills were a common need and a considerable number of patients mislaid or lost medications during evacuation and faced challenges when attempting to refill prescriptions. Current insurance programs and health benefit plans often allow for up to a 90-day supply of medications for chronic conditions; however, acquiring a 90-day supply can be cost prohibitive for the patient. SB 93 requires health insurance providers to reimburse patients for 90-day supplies of medications for certain chronic conditions.

Effective: January 1, 2016
Chapter 661

SB 841 – Prescription Drugs Synchronization Policy

Medication synchronization policies allow certain medications to be refilled on the same date each month or cycle to help patients manage their refills. This prevents multiple trips to the pharmacy and boosts medication adherence by enhancing engagement for the practitioner, pharmacist and patient. In 2014, the Legislature passed SB 1579, which requires health benefit plans, self-insured health plans and coordinated care organizations (CCOs) to adopt policies for a synchronization program by January 2015. SB 841 requires health benefit plans to reimburse for prescription drugs in accordance with the plan's synchronization policy. The bill also requires the Oregon Health Authority (OHA) to implement a synchronization policy for patients not enrolled in a CCO. The Legislature approved \$850,000 in funding for the Public Employees Benefit Board and the Oregon Educators Benefit Board within OHA to cover the cost of carrying out the provisions of SB 841.

Effective: January 1, 2016
Chapter 800

Health Care & Public Health

HB 2546 – E-Cigarettes

HB 2546 prohibits minors from buying or possessing inhalant delivery systems, commonly known as e-cigarettes, and updates Oregon’s Indoor Clean Air Act to prohibit the use of e-cigarettes in public places. The bill was amended to permit healthcare facilities to allow inhalant delivery systems on-site for the purpose of administering medical marijuana and to delay implementation of the Clean Indoor Air Act for inhalant delivery systems until January 1, 2016. The City submitted [testimony](#) in support of the bill to the Senate Health Care Committee.

Effective: May 26, 2015
Chapter 158

HB 2671 – Sobering Centers

HB 2671 would have established a Sobering Center Support Fund, to be capitalized by increased fees for off-premises liquor licenses. The bill would have continuously appropriated money to the Oregon Liquor Control Commission for distribution to counties to fund local sobering centers. The bill received a public hearing in the House Committee on Business and Labor early in session but did not advance further.

HB 3021 – Insurance Claims

As introduced, HB 3021 required insurers or third-party administrators to reimburse health care providers for credit card processing fees charged to the provider. The House Health Care Committee amended the bill in April to instead require that an insurer offer health care providers a method of reimbursement that does not impose fees or other charges on the provider. HB 3021 passed both chambers with no opposition.

Effective: January 1, 2016
Chapter 218

HB 3343 – Insurance Coverage of Contraceptives

This bill requires health insurers that cover prescription contraceptives to reimburse health care providers or dispensing entities for up to a 12-month supply of contraceptives. HB 3343 passed the House with only two “no” votes and received unanimous support from the Senate.

Effective: January 1, 2016
Chapter 412

Housing

SB 592 – Inclusionary Zoning

SB 592 would have repealed current prohibitions on inclusionary zoning, a City priority. Inclusionary zoning policies allow local governments to impose conditions that regulate the price of for-sale housing. SB 592 was introduced as an identical bill to HB 2564 (p. 43), which became the primary vehicle for inclusionary zoning legislation. The Senate Human Services and Early Childhood Committee held two hearings on SB 592 and considered amendments to replace the bill and establish a Task Force on Affordable Manufactured Park Living. Ultimately, the amendments were not adopted and SB 592 remained in committee at adjournment.

SB 50 – Individual Development Account (IDA) Donations

IDAs are matched savings accounts that build the financial management skills of qualifying Oregonians with lower incomes while they save toward a defined goal. The Joint Tax Credits Committee considered three bills relating to the IDA Program: SB 50, SB 51, and HB 2011. SB 50 would have extended the sunset from 2016 to 2022 on the tax credit for donations to individual development accounts. In lieu of moving forward with separate tax credit bills, the Legislature adopted a comprehensive tax credit package that incorporates many of these elements. In the housing context, the comprehensive tax credit bill (HB 2171, p. 93) expands the list of permissible purposes for creating an IDA; removes the limitation on taxpayer contributions; and extends the sunset on IDA tax credits for withdrawals from, and donations to, IDAs.

SB 51 – Individual Development Account (IDA) Withdrawals

SB 51 would have extended the sunset from 2016 to 2022 for the tax credit applicable to withdrawals from individual development accounts. In lieu of moving forward with separate tax credit bills, the Legislature adopted a comprehensive tax credit package that incorporates many of these elements. In the housing context, the comprehensive tax credit bill (HB 2171, p. 93) expands the list of permissible purposes for creating an IDA; removes the limitation on taxpayer contributions; and extends the sunset on IDA tax credits for withdrawals from, and donations to, individual development accounts.

HB 2011 – Individual Development Account (IDA) Expansion

This bill proposed to expand the list of permissible purposes for creating an IDA and allowed money from an IDA to be rolled over into a college savings network account or individual retirement account. HB 2011 also included sunset extensions for the tax credits in SB 50 and SB 51. In lieu of moving forward with separate tax credit bills, the Legislature adopted a comprehensive tax credit package that incorporates many of these

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elements. In the housing context, the comprehensive tax credit bill (HB 2171, p. 93) expands the list of permissible purposes for creating an IDA; removes the limitation on taxpayer contributions; and extends the sunset on IDA tax credits for withdrawals from, and donations to, individual development accounts.

HB 2126 – Vertical Housing

Current law provides a partial tax exemption for properties qualifying under the vertical housing development zones exemption. Vertical housing development zones are requested by either a city or county and approved by the Oregon Housing and Community Services Department. Under current law, the Housing and Community Services Department may not issue a zone certification on or after January 1, 2016. HB 2126 clarifies the definition of “nonresidential use” to include anything that is not exclusively residential, allowing “live-work” space to qualify as eligible ground floor uses in the program. The bill also extends the sunset date for new vertical housing zone designation and application for exemption to 2026.

Effective: October 5, 2015
Chapter 507

HB 2130 – Exemptions for Low Income Housing

Currently, local governments can adopt programs that provide tax exemptions for low income rental housing or other low income housing development. HB 2130 allows local governments to create local criteria for a project to qualify for a property tax abatement in addition to the state’s standards. The bill passed both chambers by strong margins.

Effective: October 5, 2015
Chapter 507

HB 2376 – State Housing Commission

HB 2376 would have renamed the State Housing Council to the State Housing Commission (Commission) and increased its membership. The bill directed the Commission to set housing policy for the state and to review the budget, financial plan and comprehensive state plan of the Oregon Housing and Community Services Department. Additionally, the bill would have required the Commission to submit a biennial report to the Governor regarding the Commission’s exercise of its powers and performance of its duties. HB 2376 did not receive a hearing this session.

Housing

HB 2564 – Inclusionary Zoning

This City priority would have repealed current prohibitions on inclusionary zoning and allowed local governments to impose conditions that regulate the price of for-sale housing. Commissioner Saltzman testified in support of the bill before the House Committee on Human Services and Housing. HB 2564 was amended in Committee to allow local governments to implement inclusionary zoning policies, so long as local ordinances contained certain incentives and would not require more than 30 percent of housing units within a residential development to be sold below market rate. In May, Commissioner Saltzman testified again in support of the bill at a public hearing before the Senate Human Services and Early Childhood Committee and argued for a separate amendment to expand the scope of inclusionary zoning to include local regulation of inclusionary zoning in new rental units. Portland City Council also submitted a [letter](#) of support. HB 2564 passed the House floor on a party-line vote but failed to advance in the Senate.

HB 2629 – Rural Rental Housing Loans

In Oregon, there are approximately 200 buildings, built with financing from the United States Department of Agriculture’s (USDA) Rural Development or Farm Services Agency loans. These buildings provide approximately 6,300 rental units in rural areas. In exchange for subsidies through USDA Rural Development programs, property owners must comply with terms that maintain affordability for tenants. These conditions end when the mortgage is paid off and many units are thereafter priced at or near market rates. Landlords are not required to provide notice to tenants of the possible increase in rent that results when a loan matures. House Bill 2629 requires owners of rental properties who have received Rural Development loans or Farm Service Agency loans to notify tenants and housing entities of the loan’s maturity date at least a year in advance. The bill also allows tenants to continue to live at the rental properties without rent increases for a one-year period if the property owner fails to provide the required notice.

Effective: January 1, 2016
Chapter 182

Housing

HB 2690 – Habitat for Humanity Tax Exemption

HB 2690, brought forward by Habitat for Humanity, provides a property tax exemption for land acquired and held by a nonprofit corporation for the purpose of building homes to be sold to low-income individuals. The bill requires that within ten years of the nonprofit acquiring the property, it must be transferred to a qualifying low income individual. If this condition is not met, the legislation imposes back taxes, penalties, and fees. The Portland Housing Bureau submitted a [letter](#) in support of the bill.

Effective: October 5, 2015
Chapter 520

HB 3082 – Non-profit Low Income Housing

Currently, non-profit corporations in Oregon receive property tax abatements for housing they own that is rented to individuals or families with incomes at, or below, 60 percent of the area median income. HB 3082 ensures non-profit owned housing can continue to receive property tax exemptions until tenants' incomes reach 80 percent of the area median income. The City's Housing Bureau submitted [letters](#) of support.

Effective: October 5, 2015
Chapter 141

SB 5513 – Emergency Housing Account (EHA) and State Homeless Assistance Program (SHAP) Funding

SB 5513 is the budget for the Oregon Housing and Community Services Department (OHCS). The budget includes increased General Fund support to EHA and SHAP. EHA is a flexible tool used to prevent homelessness through short-term rent assistance. SHAP funds emergency shelters and related auxiliary services. During the 2014 session, the Legislature made a one-time investment in these programs to restore funding to pre-recession levels, adjusted for inflation. SB 5513 maintains the current service level funding approved in the 2013-2015 budget and makes permanent the one-time investment in the 2014 session of \$1.5 million (EHA) and \$500,000 (SHAP). The total investment for the 2015-2017 biennium is \$6.46 million (EHA) and \$3.3 million (SHAP). The City submitted a [letter](#) supporting increased EHA and SHAP funding. The OHCS budget also includes a \$1.4 million appropriation to continue contracted foreclosure counseling and legal aid services through February 2016.

Effective: July 20, 2015
Chapter 747

Human Resources

SB 87 – Veteran’s Preference

HB 3207 was passed in 2011 with the intent of increasing the number of interviews obtained by veterans from public employers. Since its enactment, public entities in Oregon have had difficulty applying the statute, which has led to considerable litigation. During the 2014 interim, the City participated in a workgroup with other public employers that resulted in SB 87 and an effort to clarify the Veterans’ Preference Statute. SB 87 passed the Senate Veterans and Emergency Preparedness Committee unanimously and the full Senate approved the bill 19-11. The City testified at a public hearing in the House Veterans and Emergency Preparedness Committee and submitted a [letter](#) supporting the bill. SB 87 did not advance further this session.

SB 130, SB 332 & HB 2004 – Minimum Wage Preemption

These bills would have repealed the state preemption of local governments to set minimum wage requirements. In April, the Senate Workforce Committee and the House Business and Labor Committee met jointly to consider these bills, as well as several others proposing to raise the minimum wage in Oregon (see also SB 327 & HB 2008, SB 597 & HB 2012, SB 610 & HB 2009, SB 682, below). SB 130 did not receive any further consideration after the public hearing in April. SB 332 and HB 2004 advanced to the Senate and House Rules Committees, respectively, on party-line votes and remained in Committee at the close of session.

SB 327 & HB 2008 – Graduated Minimum Wage Increase

In April, the Senate Workforce Committee and the House Business and Labor Committee met jointly to consider several bills (see also SB 130, SB 332 & HB 2004, above) proposing to raise the minimum wage in Oregon. The City submitted [letters](#) supporting a general increase to the state minimum wage rate. SB 327 and HB 2008 would have increased Oregon’s minimum wage rate in graduated steps through 2017, and in relation to certain federal guidelines after 2016. These bills advanced to the Senate and House Rules Committees but did not receive further consideration this session.

SB 454 & HB 2005 – Earned Sick Leave

SB 454 and HB 2005 are City priorities. In their original form, the bills were identical versions of legislation requiring Oregon employers to provide earned sick time for employees. HB 2005 passed out of the House Committee on Business and Labor and was referred to the House Committee on Rules, where it remained for the duration of session. SB 454 underwent a rigorous amendment process in the Senate Workforce Committee and Joint Ways and Means Human Services Subcommittee. Commissioner

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Amanda Fritz testified in favor of both bills, and shared Portland’s experience drafting and implementing its earned sick leave ordinance. City Council also submitted [testimony](#) supporting the bills. The full Ways and Means Committee ultimately adopted the [-39 amendments](#), requiring employers with ten or more employees to offer paid sick time and employers with fewer than ten employees to provide protected unpaid sick time. The bill grandfathers in Portland’s six-employee threshold and preempts local governments from implementing their own sick leave ordinances. SB 454 passed the Senate on party-lines after lengthy debate and passed the House 33-24 shortly thereafter.

Effective January 1, 2016
Chapter 537

SB 597 & HB 2012 – \$13.50 Minimum Wage Increase

SB 597 and HB 2012 would have increased the minimum wage rate in graduated steps to \$13.50 per hour by 2017. Both bills were considered at a joint hearing of the Senate Workforce Committee and the House Business and Labor Committee in April. The City submitted [letters](#) supporting a general increase to the state minimum wage rate. Both bills advanced to the Senate and House Rules Committees. SB 597 did not receive further consideration. Near the end of session, Speaker Kotek introduced an [amendment](#) to HB 2012 proposing to raise the minimum wage to \$13 by 2018. The amendment also allowed local governments to set a higher minimum wage. The amendment received a hearing in the House Rules Committee in June, but did not advance further.

SB 610 & HB 2009 – \$15 Minimum Wage Increase

This pair of bills proposed to raise the minimum wage rate in graduated steps to \$15 by 2018. Both bills were considered at a joint hearing of the Senate Workforce Committee and the House Business and Labor Committee in April. The City submitted [letters](#) supporting a general increase to the state minimum wage rate. SB 610 and HB 2009 advanced to the Senate and House Rules Committees but did not receive further consideration this session.

SB 649 – Workers’ Compensation Definitions

This bill would have modified the definitions of “compensable injury” and “preexisting condition” for purposes of workers’ compensation claims. The bill also would have limited the good cause exception for an employee’s failure to provide notice of an accident. SB 649 was referred to the Senate Workforce Committee but did not receive a hearing.

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SB 654 – Paid Family Leave Employer Tax Credit

SB 654 would have created an income tax credit for certain employers that provided paid family leave to their employees. The bill did not receive a hearing this session. A motion to withdraw SB 654 from the Senate Workforce Committee failed on the Senate floor in June.

SB 682 – Inflation Minimum Wage Increase

SB 682 would have adjusted the minimum wage rate for inflation, an increase of \$10.75, on January 1, 2016. The bill received a hearing during a joint meeting of the Senate Workforce Committee and the House Business and Labor Committee in April. The City submitted [letters](#) supporting a general increase to the state minimum wage rate. SB 682 advanced to the Senate Rules Committee where it remained at the close of session.

SB 701 – Independent Medical Examinations

The Oregon workers' compensation system provides benefits to workers who are injured or acquire an illness on the job. Under certain circumstances, claimants may undergo an independent medical examination (IME) by a physician. Under Oregon law, any provider performing a workers' compensation IME must be preapproved by the Director of the Department of Consumer and Business Services (DCBS). A workers' compensation insurer has the discretion to select any pre-approved provider to perform an IME. SB 701 would have established a process for the random selection of an IME physician from a list of qualified physicians maintained by DCBS. The Senate Workforce Committee held two public hearings on the bill in April, adopted an amendment that directed DCBS to establish a process for out-of-state independent medical examinations, and passed SB 701 to the Joint Ways and Means Committee without recommendation. SB 701 failed to receive another hearing.

SB 814 – Super Preemption

SB 814 would have preempted all charter and statutory authority of local governments to establish any employment benefit requirements for private employers within the boundaries of the local governments' own jurisdiction. As drafted, the bill jeopardized Portland's earned sick leave ordinance and local civil rights protections in private employment. Commissioner Steve Novick testified against SB 814 at a public hearing in the Senate Workforce Committee in April and City Council submitted [testimony](#) opposing the bill. After the initial public hearing, the bill was passed without recommendation to the Senate Rules Committee, where it remained at the close of session.

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SB 947 – Sick Leave & Benefits Preemption

This bill would have required all employers to implement paid sick time and established a state preemption of the charter and statutory authority of any political subdivision to regulate employment benefit requirements. SB 947 did not receive a hearing this session.

SB 968 – Work Schedule Preemption

SB 968 establishes a two-year state preemption of local government authority to mandate work schedule requirements. The bill creates an exemption that allows local governments to set such work schedule requirements for public employers and public contractors and subcontractors. SB 968 became politically connected to legislation requiring employers in Oregon to offer earned sick leave and both bills received their final chamber vote on the same day.

Effective: June 25, 2015
Chapter 591

HB 2006 – Equal Pay

HB 2006 would have prohibited employers from paying employees of the opposite sex, who hold equivalent jobs, at different wage rates. Oregon has prohibited discriminatory wage rates on the basis of sex since 1955. HB 2006 would have expanded on the definition of what is “comparable” and/or “equivalent” and added enforcement of the existing law to Oregon’s civil rights laws. The bill received a public hearing in the House Business and Labor Committee in February but did not advance further this session.

HB 2007 – Wage Transparency

HB 2007 prohibits employers from disciplining an employee who inquires about, discloses or discusses wage information. The bill also protects an employee who makes a charge, files a complaint, or institutes any proceeding based on the disclosure of the wage information by the employee. The bill passed both chambers largely on party lines.

Effective: January 1, 2016
Chapter 307

Human Resources

HB 2010 – Fair Scheduling

This bill would have authorized employees to request flexible, predictable or stable work schedules and required employers to provide alternate works schedules and compensation for certain shift changes and on-call requirements. HB 2010 did not advance beyond a public hearing in the House Business and Labor Committee in April.

HB 2214 – Nonprofit Public Employee Transfers

Oregon law gives public employees certain rights when their job duties are acquired by another public employer. HB 2214 includes Oregon nonprofit corporations as public employers for the purposes of transferring certain public employees. The bill was amended by the Senate Workforce Committee to retain the right of employers to negotiate sources of funding for an employee's salary and clarifies that "transfer" does not include the transfer of an employee from a nonprofit corporation to a nonprofit corporation.

Effective: January 1, 2016
Chapter 314

HB 2215 – Public Employee Collective Bargaining

HB 2215 would have changed the definition of "public employee" for the purposes of collective bargaining. The bill specified that the only appropriate bargaining unit for supervisory employees of a public employer would be a unit consisting exclusively of supervisory employees and excluding managerial or confidential employees. The bill was referred to the House Business and Labor Committee but did not receive a hearing this session.

HB 2387 – Bureau of Labor and Industries (BOLI) Bond Authority

This bill would have given the BOLI Commissioner the administrative authority to require employers to post a bond for wage claims if they fail to pay employees on time or maintain a regular payday. The House Business and Labor Committee did not advance HB 2387 following a public hearing in February.

HB 2542 – Wage Claims

HB 2542 proposed to include accrued paid vacation and personal business leave in the definition of "compensation" for the purposes of wage claims. The bill received a public

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hearing in the House Business and Labor Committee in March but did not advance further this session.

HB 2544 – Binding Arbitration

This bill would have required unresolved issues subject to mid-term collective bargaining to be resolved through binding interest arbitration. Under current law, a bargaining unit can request to bargain over mandatory subjects of bargaining that arise mid-term. Current law provides for a 90-day bargaining period and if no resolution is reached, allows the public employer to implement its proposed changes with no further obligation to bargain. HB 2544 would have allowed bargaining units to request binding interest arbitration following the 90-day bargaining period if no resolution is reached. In binding interest arbitration, the union and the public employer submit their final contract package to an independent arbitrator and the arbitrator must choose one package or the other. HB 2544 passed the House and was heard in the Senate Workforce Committee before being referred to the Senate Rules Committee, where it remained at the close of session. City of Portland Human Resources Director Anna Kanwit testified and submitted [letters](#) in opposition to the bill.

HB 2644 – Wrongful Death Claims

In 2014, [HB 4048](#) proposed to expand third-party tort liability for public bodies in wrongful death actions of persons covered by workers' compensation. HB 2644 is a more narrowly tailored and allows a claim against the state for wrongful death when the death occurred within the course and scope of a decedent's employment, the person responsible for the death is convicted of murder or found guilty except for insanity, and the decedent was not employed by a public body at the time of death. Finally, the scope of the bill is limited to claims based on crimes committed on or after May 1, 2012, is repealed on January 2, 2017, and does not include claims against local governments.

Effective: June 16, 2015
Chapter 419

HB 2646 – Unpaid Parental Leave

This bill would have made it an unlawful employment practice for an employer to refuse to grant an employee unpaid parental leave to attend certain school-related activities. HB 2646 received a public hearing in the House Business and Labor Committee in February but did not advance further this session.

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HB 2763 – Paid Military Leave

HB 2763 permits public employers to establish a program that allows employees to receive pay while on military leave, supplementing and exceeding compensation received for performing military duty. The bill passed both chambers with unanimous support.

Effective: April 22, 2015
Chapter 42

HB 2764 – Workers’ Compensation Attorney Fees

Claimant attorneys are private attorneys hired by injured workers to represent them through the workers’ compensation claims process. These attorneys cannot be paid directly by the injured worker but instead are paid out of the compensation awarded to the injured worker or awarded as an assessed fee paid by the insurer or self-insurer based on the adjudicator’s judgment. HB 2764 modifies the circumstances under which attorney fees may be awarded and the amount of attorney fees in workers’ compensation claims. The bill also requires any attorney fees awarded to be equitable to fees earned by attorneys representing insurers or self-insurers and directs the Workers Compensation Board to review attorney fees biennially. Finally, the bill requires attorney fees be proportionate to the benefit of the injured worker if an insurer unreasonably delays or refuses to pay attorney fees or costs and raises the attorney fees cap from \$3,000 to \$4,000 in such cases.

Effective: January 1, 2016
Chapter 521

HB 2797 – Timeliness of First Time Loss Payments

HB 2797 clarifies the timeliness of an injured worker’s first payment of temporary disability benefits. In particular, the bill requires an employer to pay the first installment of temporary disability compensation in a workers’ compensation claim within 14 days after the employer has notice or knowledge of the claim, as well as the workers’ disability if the medical provider authorizes the temporary disability compensation. The City submitted [testimony](#) in support of the bill to the Senate Workforce Committee. HB 2797 unanimously passed both chambers.

Effective: January 1, 2016
Chapter 211

Human Resources

HB 2978 – Police Supervisory Classification

In April 2014, the state Employment Relations Board (ERB) ruled that Portland police commanders and captains who serve as division managers should not be considered part of the commanding officers union. HB 2978 was introduced in response to this ruling and proposed changing the definition of “supervisory employee” under the Public Employee Collective Bargaining Act for jurisdictions with more than 325,000 people (Portland only). This would have made nearly all employees of the Portland Police Bureau union eligible, effectively reversing the ERB ruling from 2014. In March, the House Business and Labor Committee held a public hearing on the bill, where the City testified in opposition. The bill did not advance further this session.

HB 3025 & 3079 – Ban the Box

HB 3025 and HB 3079 make inquiring about job applicants’ criminal conviction history an unlawful employment practice, under certain conditions. Both bills received a public hearing in the House Business and Labor Committee in March. HB 3079 did not receive further consideration. HB 3025 was amended to create exceptions for employers subject to federal, state or local laws requiring consideration of an applicant’s criminal history; law enforcement agencies; employers in the criminal justice system; and employers seeking nonemployee volunteers. The bill grants enforcement authority to the Bureau of Labor and Industries. HB 3025 passed the House 33-27 and Senate 34-25.

Effective: January 1, 2016
Chapter 559

HB 3114 – Payment of Claims Made by Injured Worker

In most circumstances, employees have 90 days after a work-related accident to provide notice to their employer. The employer is then required, within five days, to file the claim with their workers’ compensation insurer. As introduced, HB 3114 would have given an injured worker one year from the date a health benefit plan rejects a claim for benefits to file a workers’ compensation claim. The bill was amended in the House from one year to 90 days. HB 3114 passed both chambers with unanimous support.

Effective: January 1, 2015
Chapter 259

Human Resources

HB 3519 – Paid Time Off & Benefits Preemption

HB 3519 would have required employers to implement paid time off for employees and preempted local government jurisdiction over employment benefits. This bill did not receive a hearing this session. HB 3519 was part of a suite of legislation introduced this session that preempts local authority to implement employee benefits: SB 968 (p. 48), SB 947 (p. 48) and SB 814 (p. 47). These bills were brought largely in response to efforts to pass statewide earned sick leave. Ultimately, SB 968 became law as part of the compromise to pass earned sick leave legislation (SB 454, p. 44).

Effective: January 1, 2014
Chapter 384

SB 5509 – Employment Relations Board Budget

SB 5509 is the budget bill for the Employment Relations Board. The Board’s mission is to resolve disputes concerning labor relations. The Board provides four main services to help employers, employees, and labor organizations resolve their disputes: labor mediation and training, contested case hearings, union representation elections, and labor appeal cases. The Joint Ways and Means General Government Subcommittee recommended a total budget of \$4.4 million. This amount includes a 5.2 percent increase from the 2013-15 legislatively approved budget. The full Ways and Means Committee approved the recommended budget unanimously and the bill passed both chambers with limited opposition.

Effective: July 1, 2015
Chapter 406

Implementing Measure 91

SB 460 – Soft Start

In its original form, SB 460 directed the Oregon Health Authority (OHA) to regulate the siting of medical marijuana facilities. As amended, the bill enables a “soft start” for the sale of recreational marijuana from existing medical marijuana dispensaries beginning October 1st, 2015. The bill also provides local governments with the ability to opt out of the soft start and directs OHA to adopt rules that protect public health and safety and ensure dispensaries comply with the requirements of the bill.

Effective: July 27, 2015

Chapter 784

SB 605 – Program Changes

SB 605 makes necessary program changes in statutes and session laws to support the 2013-2015 legislatively approved budget, clarifies application of statutes for the budget, and modifies provisions relating to use of funds. The bill includes authorization for the Oregon Liquor Control Commission to use liquor funds for Measure 91 Implementation, which are to be repaid with interest by June 30, 2017. The bill passed the Senate 20-9 and the House 50-4.

Effective: March 30, 2015

Chapter 20

SB 464 – Cannabis Concentrate Production

SB 464 would have prohibited Oregon medical marijuana patients from processing cannabinoid extracts unless the patient is certified by the Oregon Health Authority. The legislation was introduced in response to public safety concerns over the potentially volatile production process associated with cannabinoid extracts. Although Measure 91 banned people from producing cannabinoid extracts at home, it left open the availability for production of extracts at home for medical marijuana patients. Significant concern was expressed in testimony from patients that regulation could impact low-income patient’s access to medicine. The bill received a public hearing but did not advance further.

Implementing Measure 91

SB 542 – Local Government Marijuana Regulation

This bill would have repealed sections of Ballot Measure 91 to allow local governments to regulate, restrict, prohibit or impose taxes on the production, processing, wholesale sale or retail sale of marijuana. The City testified in support of certain aspects of the bill. HB 542 did not advance beyond a public hearing in March in the Joint Committee on Implementing Measure 91, however modified concepts from the bill were incorporated into HB 3400 (p. 55).

SB 844 – Technical Fixes

SB 844 was originally introduced to implement technical fixes to Measure 91 requested by the Oregon Liquor Control Commission (OLCC) and later became the vehicle for early debates on implementing Measure 91 and further regulating the Oregon Medical Marijuana Program (OMMP). Many of the OLCC's technical fixes were later amended into HB 3400 (p. 56), which became the final omnibus bill for implementing Measure 91 and regulating OMMP. In the end, SB 844 was used to address a few outstanding issues that were not included in HB 3400. As amended, SB 844 establishes the Task Force on Researching the Medical and Public Health Properties of Cannabis. The bill also addresses: when a criminal conviction related to marijuana may be eligible for expunction, modifies limitations for medical marijuana cardholders who are in palliative or hospice care, and specifies that transplant hospitals may not deny a transplant to someone on the basis that the person is a medical marijuana registry identification cardholder.

Effective: August 12, 2015
Chapter 844

SB 964 – Oregon Medical Marijuana Program (OMMP)

The Joint Committee on Implementing Measure 91 reached an impasse in May after negotiations among committee members regarding a local opt-out provision broke down. As a result, the Senate formed the Senate Committee on Implementing Measure 91 that held only one hearing for the purpose of approving SB 964. The bill incorporated OMMP regulatory framework and included a local opt-out provision previously rejected by the Joint Committee. SB 964 passed the Senate with only one vote opposed. Ultimately, SB 964 did not advance. The Joint Committee reconvened and passed a package of bills that included both the OMMP regulatory framework and a local opt-out provision (see SB 460 and SB 844 above and SJM 12, HB 2041 and HB 3400 below).

Implementing Measure 91

SJM 12 – Access to Banking for Marijuana Industry

Growing, processing and distributing marijuana for permitted purposes is no longer a crime under Oregon law. However, it remains a federal crime under the Controlled Substances Act. This creates problems for marijuana businesses seeking financial services because most federally chartered financial institutions will not accept deposits derived from business activities that remain illegal under federal law. As a result, marijuana businesses operate in a cash heavy environment, which increases local public safety concerns. SJM 12 urges Congress to address financial issues arising from the marijuana industry and to declassify marijuana as a Schedule I drug under the federal Controlled Substances Act.

Filed with Secretary of State: July 21, 2015

HB 2041 – Taxation of Recreational Marijuana

This bill addresses systematic changes to the tax structure under Measure 91 and imposes a 17 percent tax on recreational marijuana products at the point of sale, which is a departure from the grower tax under Measure 91. Further, the bill requires medical marijuana dispensaries selling to non-medical marijuana cardholders (SB 460, p. 54) to collect a 25 percent tax on all sales starting on or after January 4, 2016 and repeals that tax on December 31, 2016. Although the bill changes the tax collection mechanism, the effective tax rate to the consumer under Measure 91 remains the same.

Effective: October 5, 2015
Chapter 699

HB 3400 – Medical & Recreational Marijuana Omnibus

HB 3400 establishes a comprehensive regulatory system for the recreational marijuana program under the Oregon Liquor Control Commission (OLCC) and expands regulation and enforcement of the medical marijuana program under the Oregon Health Authority (OHA). The bill allows local governments to impose reasonable time, place and manner restrictions and use nuisance law to ensure marijuana businesses are good neighbors. The bill also lifts the preemption on local taxing authority under Measure 91, but caps the tax at three percent while requiring local governments to refer the tax to voters for approval.

The bill also allows local communities to prohibit recreational and medical marijuana businesses. Communities where more than 55 percent of voters opposed Measure 91 may choose to prohibit marijuana businesses through local ordinance. Communities that opposed Measure 91 by less than 55 percent or communities that approved Measure 91 must refer the question of prohibiting recreational or medical marijuana businesses

Implementing Measure 91

to their voters. Local governments that prohibit recreational and medical marijuana businesses are not eligible to receive state shared revenue or impose local taxes. Finally, HB 3400 requires that marijuana businesses comply with applicable land use laws and provide a Land Use Compatibility Statement with an application for an OLCC license. The City advocated for a number of issues related to local enforcement, regulation and taxation including local option tax authority, broad time, place and manner regulatory authority, and compliance with local land use, building and fire code laws as a condition of licensing.

Effective: June 30, 2015

Chapter 614

Infrastructure

SB 85 – Seismic Retrofit Financing

SB 85 is a City of Portland Initiative. The bill authorizes local governments to make loans and facilitate financing for seismic rehabilitation of multifamily residential buildings, and commercial and industrial buildings. The bill passed the Senate unanimously and the House with just two legislators voting in opposition.

Effective: May 4, 2015
Chapter 48

SB 140 – Oregon Broadband Advisory Council

The Legislature created the Oregon Broadband Advisory Council in 2009 to aid the implementation of statewide broadband strategies. Council members are appointed by the Governor, the Speaker of the House and the President of the Senate. SB 140 extends the sunset on the Oregon Broadband Advisory Council to 2020. The bill passed both chambers unanimously.

Effective: January 1, 2016
Chapter 483

SB 306 – Levee Financing

SB 306 authorizes the Oregon Infrastructure Finance Authority at Business Oregon to provide loans and grants for levee and flood control projects to drainage districts and other entities responsible for levee maintenance. The bill was amended to add “corporations or companies for drainage or flood control” to the list of organizations that may receive financial assistance in the form of loan or grants for a levee project. The bill passed both chambers unanimously.

Effective: July 6, 2015
Chapter 667

Infrastructure

HB 2277 – Levees

HB 2277 provides the Multnomah County Drainage District (MCDD) with the authority needed to fulfill Army Corps of Engineers obligations and help maintain access to the Federal Emergency Management Agency’s National Flood Insurance Program. The City worked with stakeholders to ensure the City’s authority was protected while expanding MCDD’s delegated power. The Mayor submitted [letters](#) in support of HB 2277 and ensuring safe, certified and accredited levees.

Effective: June 25, 2015

Chapter 544

HB 2748 – Public Infrastructure Commission

As introduced, HB 2748 was a placeholder. The House Transportation and Economic Development Committee amended the bill in April to extend the sunset on the Public Infrastructure Commission; add an engineer to the Commission; and transfer the program to the Department of Administrative Services. The City’s Chief Financial Officer Ken Rust testified in support of the amended bill. HB 2748 advanced to the Joint Ways and Means Committee but did not receive another hearing this session.

Land Use

SB 210 – Expedited Permits

This bill would have allowed an applicant to obtain expedited review of certain permits by the Department of State Lands and the Water Resources Department, or expedited review for a comprehensive plan amendment by a city or county, by filing a request and paying an additional fee. The bill received a public hearing in the Senate Environment and Natural Resources Committee in February but did not advance further.

SB 249 – Removal-Fill Mitigation Fund

The Oregon Removal-Fill Mitigation Fund was established to allow removal-fill permittees to purchase mitigation credits from the Department of State Lands (DSL) to compensate for adverse effects from proposed projects on waterways and wetlands in Oregon. Under current law, payments to the mitigation fund are only allowed if there are no credits available from an established bank in the area. SB 249 allows DSL to sell mitigation credits until the state recovers its costs for a mitigation site. Changes under SB 249 only apply in areas without private-sector mitigation banks at the time credits were initially offered for sale. The bill passed both chambers unanimously.

Effective June 10, 2015

Chapter 343

SB 359 – Land Use Appeals Fees

This bill would have limited fees that a city or county may charge for quasi-judicial review of city or county decisions on land use applications to the lesser of \$1,000 or a “reasonable fee,” not to exceed ten percent of the original application fee. Local governments worked together to oppose these limits on local authority and land use fees. The bill received a public hearing in the Senate Judiciary Committee but did not advance further.

SB 497 – Metro Urban Growth Boundary

SB 497 would have required a city, or a city designated by Metro, to annex territory within an urban growth boundary upon receipt of an annexation petition from all landowners within the territory. SB 497 did not receive a hearing this session.

Land Use

SB 498 – Annexation Referrals

Current state law allows cities the option not to hold an election in the city or in any contiguous territory proposed to be annexed when all of the owners of land in that territory, and not less than half of the electors, consent in writing to the annexation of land in the territory. SB 498 would have prohibited a city from sending a proposed annexation to the voters when certain circumstances were met. The bill was referred to the Senate Environment and Natural Resources Committee but did not receive a hearing.

SB 506 – Buildable Land

SB 506 would have modified the process that determines the need for buildable land in order to meet estimated housing needs. The bill did not receive a hearing this session. A motion to withdraw SB 506 from committee failed on the House floor in June.

SB 716 – Industrial Reserves

The bill would have authorized Clackamas, Multnomah and Washington Counties to each designate one large-lot industrial reserve of 150 to 500 acres. The City’s Bureau of Planning and Sustainability submitted a [letter](#) in opposition. SB 716 received several hearings in the Senate Committee on Environment and Natural Resources but did not advance further this session.

SB 802 – Land Use Emergency Waiver

SB 802 would have allowed a local government to declare a “land use emergency,” thereby allowing the municipality to waive state land use goals in order to take land use action or limited land use action. The term “land use emergency” was not defined in the bill and SB 802 did not receive a public hearing. A motion to withdraw the bill from the Senate Environment and Natural Resources Committee to the Senate floor failed on party lines in June.

SJM 10 – Willamette Falls

SJM 10 urges Congress to designate Willamette Falls and the surrounding communities as a National Heritage Area, appropriate funds to restore and open Willamette Falls Locks, and facilitate revitalization of the proposed area. This memorial passed the Senate unanimously and passed the House 50-9.

Filed with Secretary of State: May 11, 2015

Land Use

HB 2456 – Metro Urban Growth Boundary

This bill modifies the optional process for the evaluation of changes to the urban growth boundary of a city outside Metro with a population of 10,000 or more. HB 2456 passed both chambers with unanimous support.

Effective: January 1, 2016
Chapter 248

HB 2458 – Reserve Boundaries

HB 2458 would have made adjustments to reserve boundaries in comprehensive planning maps adopted by Metro and previously adjusted by the Legislative Assembly. HB 2458 did not receive a hearing this session.

HB 2653 – Residential Beekeeping

As introduced, HB 2653 would have created a state preemption on regulation of apiaries in residential zones and required the State Department of Agriculture to establish standards for residential beekeeping. The City worked with other stakeholders to craft an amendment preserving local government authority to regulate residential beekeeping. HB 2653 requires the Oregon State University (OSU) Extension Services, in consultation with the Department of Agriculture and beekeeping organizations, to establish a written policy on best practices for beekeeping within residential areas. OSU Extension Services must disseminate those best practices and make information available to governing bodies and the public. HB 2653 also requires local governments to review their existing ordinances and decide whether to adopt new ordinances related to residential beekeeping within three years.

Effective: January 1, 2016
Chapter 823

HB 2720 – Island Annexation Elections

HB 2720 would have required a double majority for island annexations of a 100 acres or more when a city or territory holds a vote. The double majority would have required both a majority of voters within the annexation and a majority of the voters in the city or territory to approve the annexation in order for it to go forward. The House Rural Communities, Land Use and Water Committee held a public hearing on HB 2720 but did not advance the bill.

Land Use

HB 2727 – Urban & Rural Reserves

This bill would have required counties and metropolitan service districts that propose land for designation as an urban reserve or a rural reserve in a written agreement to actually designate that land, if specified factors are met. HB 2727 did not receive a hearing and remained in the House Rural Communities, Land Use and Water Committee at the time of adjournment.

HB 2741 – Industrial Lands

HB 2741 would have modified the definition of a “regionally significant industrial site” for the purposes of inventory to determine the availability of market-ready industrial sites. The bill was referred to the House Rural Communities, Land Use and Water Committee but did not receive a hearing.

HB 2742 – Industrial Site Readiness

This bill would have modified the definition of a “regionally significant industrial site” for purposes of inventory to determine the availability of the competitive supply of market-ready industrial sites. HB 2742 would allow the Economic Recovery Review Council to designate “regionally significant industrial sites” in lieu of Metro. HB 2742 did not receive a public hearing this session.

HB 2938 – Annexation

As amended, HB 2938 would have prohibited a city from requiring consent to annex a landowner’s property in exchange for the city providing county services as an agent of the county. The bill would have authorized the governing body of a city to annex a territory without submitting the proposal to the city’s voters for an election if: the territory was within a city’s urban growth boundary, but outside the city limits; the territory was subject to the city’s acknowledged comprehensive plan; the owners petitioned to annex that property into the city; and the owners complied with all requirements for annexation into the city. HB 2938 also would have created an exclusion from new provisions for territory within Metro. The bill passed the House with only one “no” vote in April. The Senate Business and Transportation Committee approved the bill in May and referred it to the Senate Rules Committee, where it remained at the close of session.

Land Use

HB 2984 & HB 2985 – Urban Forestry

HB 2985 would have authorized counties to establish programs that would allow trees grown on nonforest lands to be commercially produced and marketed through forestry product cooperatives. The bill received several hearings but was not voted out of the House Agriculture and Natural Resources Committee. Instead, HB 2984 establishes the same concept as HB 2985 as a pilot program in Clackamas County, and requires the State Forester to establish guidelines for the program and provide oversight. The bill passed both chambers by strong margins.

Effective: July 30, 2015
Chapter 733

HB 3165 – Urban Growth Boundaries

This bill would have eliminated the statutory assignment of priority to certain land for the purpose of inclusion within an urban growth boundary. HB 3165 did not receive a hearing this session.

HB 3221 – Buildable Land Inventory

HB 3221 would have modified the process used to determine the need for buildable land to meet the estimated housing need, including a review of covenants and deed restrictions. The bill received a public hearing in the House Rural Communities, Land Use, and Water Committee but did not advance further this session.

HB 3222 – Urban Growth Boundary Housing

HB 3222 places limits on the types and conditions of approval that can be placed on housing development permits and circumstances when local governments must allow amendments to applications. The bill also requires local governments to allow an amendment to building applications that are not consistent with comprehensive plans or other applicable regulations. HB 3222 passed both chambers unanimously.

Effective: January 1, 2016
Chapter 374

Land Use

HB 3379 – Land Use Appeal Fees

This bill would have required cities or counties to refund appeal fees and transcript fees when declining to review land use appeals. HB 3379 would have also prohibited cities or counties from charging a fee for the appeal of final city or county decisions to the Land Use Board of Appeals. The bill did not receive a hearing this session.

HB 3416 – Land Use Appeal Attorney Fees

HB 3416 would have required the prevailing party on a review of land use planning decisions be awarded attorney fees. The bill received a public hearing in the House Rural Communities, Land Use and Water Committee in April but did not advance further this session.

HB 3446 – Metro Land Use Planning

This bill would have eliminated Metro’s statutory authority to serve as the metropolitan planning organization. HB 3446 would have also removed Metro’s ability to adopt regional land use planning goals, regional framework plans, and land use regulations. This would have included provisions of plans or regulations that establish urban growth boundaries, urban reserves and rural reserves. HB 3446 did not receive a hearing this session.

HB 3520 – Industrial Lands Restrictions

HB 3520 would have prohibited local governments from restricting industrial use in a regionally significant industrial area without express written consent from the affected landowners. The bill received a public hearing in April in the House Rural Communities, Land Use and Water Committee but did not advance further this session.

For other bills relating to Land Use, please see:

- HB 3412 – Landslide Assessment, p. 23

Lottery

HB 3316 – Casinos

HB 3316 would have designated a lottery retailer as a casino when 50 percent or more of its net income was derived from the sale of tickets or shares in lottery games. The City of Portland submitted a [letter](#) supporting the bill. HB 3316 received a public hearing in the House Committee on Human Services and Housing but did not advance further this session.

HB 3317 – Social Impact

The bill would have directed the Oregon State Lottery Commission and the Oregon Liquor Control Commission to study the distribution and concentration of video lottery game retailers in relation to the socioeconomic status of neighborhoods or communities where video lottery retailers are located. After passing the House, HB 3317 received a public hearing in the Senate Business and Transportation Committee but did not advance further.

Memorials & Resolutions

HCR 10 – In Honor of Portland Police Officer Thomas Jeffries

HCR 10 recognizes and honors Portland Police Officer Thomas Jeffries (1962-1997) for his service to the State of Oregon. The City submitted [testimony](#) in support of the resolution at a public hearing and work session before the Senate Rules Committee. The bill passed both chambers unanimously.

Filed with Secretary of State: April 23, 2015

HCR 24 – In memoriam: Gretchen Kafoury

HCR 24 honors former Oregon State Representative, Multnomah County Commissioner and Portland City Council Commissioner Gretchen Kafoury for her service to the State of Oregon. Portland City Council submitted a Senate floor letter to highlight and celebrate her contributions to the City of Portland. The bill passed both chambers unanimously.

Filed with Secretary of State: June 26, 2015

For other Memorials & Resolutions, please see:

- SJM 10 – Willamette Falls, p. 61
- SJM 12 – Access to Banking for Marijuana Industry, p. 56
- SJR 16 – Motor Vehicle Revenue, p. 99
- HJR 12 & HJR 20 – Property Tax Reform, p. 92

Mental Health

SB 5526 – Oregon Health Authority (OHA) Funding

SB 5526 is the OHA budget, which includes the agency’s request for community mental health funding and crisis services. The budget contains a \$22 million increase for community mental health services and \$1 million to cover operating costs for psychiatric emergency services. The City submitted a [letter](#) supporting the OHA budget request for community mental health and psychiatric emergency services funding to the Joint Ways and Means Subcommittee on Human Services and to the Joint Committee on Ways and Means. The City supported increased funding for community mental health and acute psychiatric care services as part of its Legislative Agenda.

Effective: August 12, 2015
Chapter 838

HB 2825 – Mental Health Funding

As introduced, this bill would have expanded the Oregon Health Authority (OHA) budget to include residential care, including crisis intervention services, for individuals with mental illness, addictions or co-occurring disorders. The House Health Care Committee amended the bill in March and removed the crisis intervention services language. HB 2825 advanced to the Joint Ways and Means Subcommittee on Human Services where it received a public hearing in June but did not advance further. The Legislature included funding for crisis intervention services in SB 5526, the OHA budget bill (see below).

Parks

HB 3367 – Conditional Land Use for Trails

Current law does not explicitly require non-motorized recreational trails through exclusive farm use (EFU) zones to acquire a conditional land use permit. HB 3367 would have required permanent or temporary non-motorized recreational trails to go through the conditional land use permitting process if the facilities were on EFU lands. After passing the House 46-1, the bill did not advance beyond the Senate Environment and Natural Resources Committee.

HB 5005 & HB 5030 – Reconnect Forest Park

The City lobbied for, and was awarded, an appropriation to conduct site planning, design and engineer work for a new nature center, Americans with Disabilities Act (ADA) accessible trailhead and parking lot that will be the entrance to Forest Park. Forest Park is the largest forested natural area within city limits in the country and yet does not have a defined entrance. Portland Parks and Recreation Director Mike Abbaté presented the City's Forest Park funding request to the Joint Ways and Means Subcommittee on Capital Construction in May. HB 5030, the lottery bond bill, authorizes the issuance of \$1.5 million in lottery bonds to this end and HB 5005 authorizes bond allocations.

HB 5005

Effective: July 15, 2015

Chapter 685

HB 5030

Effective: August 12, 2015

Chapter 812

PERS & FPDR

SB 370 – Alternative Payee for Public Retirement Benefits

SB 370 expands surviving spouse benefits under certain narrow circumstances. The City provided neutral testimony outlining the impact of SB 370 at a public hearing in front of the Senate Judiciary Committee in February and then worked with stakeholders on an amendment to the bill. The amended version passed the Senate in April and House in early June.

Effective: June 19, 2015
Chapter 506

SB 436 – Retirement Benefits

This bill proposed that if a public body agreed to pay or provide a benefit to retired employees, other than payments required or provided for in statutes, the public body must create separate accounts for funding of those benefits and make annual contributions to the accounts in amounts necessary to amortize liability for benefits in 25 years or less. SB 436 did not receive a hearing this session.

SB 782 – Public Employees Retirement System Employer Contribution Rates Recalculation

This bill would have directed the Public Employees Retirement Board to recalculate employer contribution rates. SB 782 was referred to the Senate Workforce Committee but did not to receive a hearing this session.

SB 783 – Public Employees Retirement System (PERS) Recalculation for Legislative Assembly Members

SB 783 would have modified the calculation of the final average salary for purposes of calculating retirement benefits of certain members of PERS who were members of Legislative Assembly and earned larger salaries in public employment after service in Legislative Assembly. The bill was referred to the Senate Workforce Committee but did not receive a hearing.

PERS & FPDR

SB 784 – Public Employees Retirement System Final Average Salary Cap

This bill would have directed the Public Employees Retirement Board to exclude amounts exceeding \$100,000 of salary paid or earned in any year in computing the final average salary for purposes of retirement benefits. SB 784 was referred to the Senate Workforce Committee, where it failed to receive a hearing. In April, a Republican motion to withdraw the bill from committee failed along party-lines on the Senate floor. SB 784 did not receive further consideration this session.

HB 2807 – Public Employees Retirement System (PERS) Access for Correctional Instructors

HB 2807 would have expanded the definition of a “police officer” under the PERS to include full-time community college faculty who teach incarcerated persons within a correctional institution. The bill received a public hearing in February in the House Business and Labor Committee but did not advance further this session.

HB 3110 – Public Employees Retirement System (PERS) Benefits

This bill would have prohibited employers from providing additional retirement benefits to employee members of the PERS other than those in statute. The bill was referred to the House Business and Labor Committee but did not receive a hearing.

HB 3495 – Oregon Public Service Retirement Plan Timing

HB 3495 clarifies in statute how to calculate the start date for contributions to the Oregon Public Service Retirement Plan. The bill passed the House unanimously and passed the Senate with just one member voting against.

Effective: January 1, 2016
Chapter 326

Public Contracting

SB 137 – Prevailing Wage

Under Oregon law, the hourly wage for workers of any contractor performing a “public works” contract must be equal to or greater than the prevailing wage rate. The Bureau of Labor and Industries sets the prevailing wage rate based upon the specific trade and region where the workers labor. Currently, prevailing wage requirements may not apply to work on publicly owned roads, highways, buildings, structures or improvements. SB 137 changes the definition of “public works” to include both projects on privately and publically owned roads, highways, buildings, structures or improvements, as long as \$750,000 or more of public funds are used. The bill passed both chambers by strong margins.

Effective: June 18, 2015
Chapter 482

SB 414 & HB 2914 – Judicial Review of Contracting Out

SB 414 and HB 2914 would have allowed state and local government employees or their bargaining unit to seek judicial review of a contracting agency’s cost analysis or feasibility determination. Under current law, public agencies must conduct a cost analysis when considering whether to enter into a contract for services with an outside vendor. The agency must demonstrate that the cost of doing business with the vendor is less than using internal personnel and resources or that using internal personnel and resources is not feasible. Similar legislation was introduced in the 2013 legislative session ([SB 805](#)) and narrowly failed. HB 2914 did not receive a hearing this session. The City worked with other local governments to oppose SB 414, which did not advance beyond a public hearing in the Senate Workforce Committee.

SB 584 & HB 2916 – Minority and Women Owned Business Enterprise (MWBE) Contracting

SB 584, a City of Portland initiative, provides enforcement authority to local governments to ensure integrity and equity in procurements involving MWBE contractors. HB 2916 was introduced as an identical bill to SB 584. HB 2916 did not receive a hearing this session. SB 584 gives local governments the authority to enforce state law to prevent fraud and abuse in procurements involving MWBE contractors. Ombudsman Margie Sollinger and Chief Procurement Officer Christine Moody [testified](#) in support of the bill in the Senate Workforce Committee and House Committee on Consumer Protection and Government Effectiveness. SB 584 was passed unanimously by both chambers.

Effective: May 21, 2015
Chapter 148

Public Contracting

SB 675 – Responsibility Determinations in Public Contracting

The 2014 Legislature passed [HB 4122](#), which required any bidder or proposer on a procurement under the Public Contracting Code to submit an affidavit attesting the bidder or proposer complied with state and local tax laws. SB 675 revises the requirement by instead allowing compliance with state and local tax laws to be provided through an attestation. The bill received unanimous support in the Senate and passed the House with five “no” votes.

Effective: June 22, 2015
Chapter 539

SB 809 – Apprenticeship

SB 809 would have required public contract bidders, for contracts \$3 million or more, to employ apprentices for at least 10 percent of their contract hours. In the alternative, bidders could have met the requirement by belonging to a local joint committee whose training agents employ apprentices for at least 10 percent of their contract hours. The City participated in an interim workgroup on apprenticeship in public contracting, but the workgroup did not produce consensus legislation. The Senate Workforce Committee held two public hearings on the bill in March and amended and passed SB 809 to the Joint Ways and Means Committee in April. The bill remained in committee at adjournment.

HB 2716 – Disadvantaged Business Enterprises

HB 2716 mandates that public contracting agencies require contractors to remain certified as a disadvantaged, minority, women or emerging small business enterprises during the entire term of the public contract if the contracting agency awarded the public contract, in whole or in part, on the basis of the contractor’s certification. The City worked with stakeholders to obtain conflict amendments to ensure changes to statute made by SB 584, the City’s MWBE Contracting initiative (p. 72) remained in place after passage.

Effective: June 10, 2015
Chapter 325

Public Contracting

HB 2987 – Green Building Reporting

Under current law, public agencies contracting to construct, reconstruct or perform a major renovation of a public building must reserve at least 1.5 percent of the total contract price for the appropriate inclusion of green energy technology. HB 2987 removes the requirement for contracting agencies to hold or otherwise reserve moneys for green energy technology if including the technology is not appropriate. The bill also requires public contracting entities to report to the Oregon Department of Energy when green energy technology is not deemed appropriate. The bill passed the House 54-4 and passed the Senate unanimously in early June.

Effective: June 16, 2015
Chapter 424

HB 3303 – Minority and Women Owned Business Enterprise (MWBE) for Veterans

HB 3303 permits the Certification Office for Business Inclusion and Diversity to certify a business owned by a service-disabled veteran as a business enterprise eligible for certain preferences in public contracting as a certified Minority, Women and Emerging Small Business Enterprise. The City worked with stakeholders to obtain conflict amendments to ensure changes to statute made by SB 584, the City's MWBE Contracting initiative (p. 72), remained in place after passage.

Effective: June 25, 2015
Chapter 565

HB 3309 – Public Health Impact Assessment

This bill would have required a public contracting agency, before advertising or soliciting a procurement, to request the Oregon Health Authority conduct a public health impact assessment on the proposed procurement. The bill was referred to the House Health Care Committee but did not receive a hearing this session.

Public Contracting

HB 3321 – Transparency

HB 3321 would have required contracting agencies to report certain information to the Oregon Department of Administrative Services (DAS), and required DAS to post that information on the Oregon transparency website. The bill also would have made meetings between a contractor and the head of the contracting agency or local review board be considered public meetings and subject to Oregon’s public meetings laws. It further would have required that before awarding a public contract, a contracting agency would have had to determine that it had the personnel and expertise necessary to administer, oversee and monitor the contract and the performance of the contractor. After the initial public hearing, the City participated in a work group to resolve issues on this bill and its companion bill (HB 3322, see below). The work group did not achieve a resolution and the City opposed the bill through the remainder of session. The House Consumer Protection and Government Effectiveness Committee eventually voted to move HB 3321 without recommendation to the House Rules Committee in April, where it remained at the time of adjournment.

Prior to Measure 68, all general obligation bond proceeds had to be used for “capital construction” or “capital improvements” as defined in Article XI, Section 11(13) of the Oregon Constitution. Governor John Kitzhaber exercised his line-item veto power to remove the emergency clause originally in SB 547, and as such the law becomes effective January 1, 2014 instead of upon the date of the Governor’s signature.

Effective: January 1, 2014
Chapter 491

HB 3322 – Cost Justification

HB 3322 would have created several new requirements for contracting agencies. First, to conduct a study on how any public procurement would affect a local area and to post results of that study to the contracting agency’s website and to the Oregon transparency website. Second, to provide a cost analysis to agency employees or employees’ certified representative so they may provide an alternative cost analysis for the contracting agency to consider. Further, HB 3322 would have required contracting agencies to demonstrate that a procurement will result in at least a 10 percent cost savings compared to using the agency’s own personnel and resources. Finally, the bill would have also mandated contractors working on public contracts to pay employees equivalent wages and benefits to employees of the contracting agency. After the initial public hearing, the City participated in a work group on this bill and its companion bill (HB 3321, see above). The work group did not achieve consensus and the City opposed the bill through the remainder of session. HB 3322 received a 4-3 party-line vote in the House Consumer Protection and Government Effectiveness Committee and was referred

Public Contracting

without recommendation to the House Rules Committee, where it remained at the close of session.

HB 3346 – Disadvantaged Business Enterprises Task Force

This bill would have created the Task Force on Public Contracting with Disadvantaged Business Enterprises to study methods for providing preferences in public contracting for certified Minority and Women Owned Business Enterprise (MWBE) businesses. The bill was referred to the House Consumer Protection and Government Effectiveness Committee but did not receive a hearing.

Public Records

SB 9 – State Agency Public Records Retention Audit

Oregon law does not currently impose deadlines for responding to public records requests. This bill directs the Secretary of State Audits Division to conduct a performance audit of state agency public records retention and disclosure practices, including analysis and recommendations for best practices and procedures for receiving and managing public records requests. SB 9 is part of a package of ethics and public records legislation introduced by newly appointed Governor Kate Brown following the resignation of Governor Kitzhaber (see also HB 2019 and HB 2020, p. 34). The bill unanimously passed the Senate in May. The House passed the bill 43-6 in June.

Effective: June 15, 2015
Chapter 413

HB 3037 – Public Employee Personal Information

This bill removed the “clear and convincing public interest” standard for release of public employees’ and volunteers’ personal information pursuant to public records requests. Instead, HB 3037 provides an outright exemption and expands the exemption to include personal cell phone numbers, personal email addresses, driver license numbers, employer-issued identification card numbers, and emergency contact information. HB 3037 passed both chambers by strong margins. Later in the session the Legislature passed HB 3557 (see below), which restored the “clear and convincing public interest” standard.

Effective: April 9, 2015
Chapter 26

HB 3505 – Public Records

HB 3505 would have required public bodies to establish public records retention schedules that mandate a minimum three-year retention of public records. The bill also would have required public bodies to respond to public records requests within seven days of a request and at seven-day intervals thereafter until complete disposition of the request. HB 3505 would have waived the fees a public body would have received if complete disposition of request had not been made within three weeks of the request and treated the request as denied if a complete disposition had not been made within six weeks of the request. HB 3505 received a public hearing in the House Rules Committee in April but did not advance. A motion to withdraw the bill from the Rules Committee failed by a narrow margin on the House floor in June.

Public Records

HB 3557 – Public Employee Personal Information Notification

Early in the session, the Legislature passed HB 3037 (see above), which removed the “clear and convincing public interest” standard for release of public employees’ and volunteers’ personal information pursuant to public records requests. Later in session, the Legislature passed HB 3557, which restores the “clear and convincing public interest” standard. In addition to restoring the that standard, HB 3557 makes a number of other changes to the process when such information is requested, including: requiring the requestor to provide the names of individuals seeking the information; requiring the public body to forward it to the affected individual and requiring the public body to delay responding to the request for seven days. The bill also provides immunity for public bodies from civil and criminal liability for harm caused by release of personal information based on a determination that the standard was met. HB 3557 passed both chambers unanimously.

Effective: July 28, 2015
Chapter 805

Public Safety

SB 239 – Reserve Officer Training

There are an estimated 1,300 reserve peace officers working in Oregon, many of whom serve on a volunteer basis and may serve in rural areas. Current law includes reference to “certified reserve officers,” but not “reserve officers” and there is no formal certification process at this time. SB 239 adds “reserve officer” to the definition of “public safety personnel” and “public safety officer” so that statutory language includes references to both “certified reserve officers” and “reserve officers.” The bill also adds reserve officers to the definition of “commissioned,” sets a minimum employment age requirement of twenty-one years of age, and removes the statutory exemption for minimum standards and training for reserve officers. SB 239 passed both chambers without opposition.

Effective: May 20, 2015
Chapter 117

SB 315 – Background Checks Technical Fixes

SB 315 was introduced to allow firearm transfer records to be kept in electronic form. After passing the Senate in April, the bill was amended several times in the House. One amendment of note would have repealed the requirement for firearm dealers to document certain information during firearm transactions. This change would have prevented local law enforcement from monitoring used firearm transactions and comparing the transactions with firearms reported as stolen. The City opposed this amendment and it was not adopted.

In July, the House Rules Committee voted to amend the bill and replace its content with technical fixes to the Background Checks bill (SB 941, p. 83) that passed in May. As amended, SB 315 would have created a temporary transfer exception to the in-person background check requirement under SB 941 by permitting approval through a telephonic background check if the transferee was known personally to the transferor, no payment or other thing of value was exchanged for the firearm, and the transfer was for no more than seven days. SB 315 passed the House in July but failed to receive a vote on the Senate floor for concurrence and therefore did not advance this session.

Public Safety

SB 316 – Pre-employment Polygraph Examinations

In its original form, SB 316 would have prohibited service providers of electronic and remote computing services—such as cell phone service providers, internet service providers, and cable service providers—from disclosing contents of communications to law enforcement and prohibited law enforcement from obtaining those contents without a search warrant. The Senate Judiciary Committee passed an amendment to SB 316 replacing the underlying bill. The amended bill would have authorized pre-employment polygraph examinations for applicants to law enforcement positions. The bill also prohibited post-employment polygraph examinations and exempted pre-employment polygraph examinations and related materials from public records disclosure. After passing the Senate, SB 316 received a public hearing in the House Judiciary Committee in May, but did not advance further this session.

SB 334 – False Reporting

This bill would have established that a person who falsely reports a hazardous substance, fire, explosion, catastrophe or other emergency in a court facility commits the crime of disorderly conduct in the first degree. The bill received a public hearing in the Senate Judiciary Committee in February, but did not advance this session.

SB 432 – Protecting 9-1-1 Funds

The City submitted a [letter](#) supporting this bill specifying that 9-1-1 funds should be collected and used exclusively for emergency communications services. SB 432 received a public hearing in the Senate Veterans and Emergency Preparedness Committee and was referred to the Joint Ways and Means Committee, where it remained at the close of session.

SB 525 – Domestic Violence Firearm Restrictions

This City of Portland priority prohibits the transportation, shipment, receipt, or possession of any firearm or ammunition by individuals subject to a restraining order or who have been convicted of crimes involving domestic violence. The bill was amended to specify that the prohibition may only apply to a respondent who has received both notice and a hearing before the court. Commissioner Dan Saltzman submitted [testimony](#) in support of the bill to the House and Senate Judiciary Committees.

Effective: January 1, 2016
Chapter 497

Public Safety

SB 563 – Sexual Assault Forensic Evidence (SAFE) Kits Testing

SB 563 would have required law enforcement agencies to report to the Attorney General the number of untested SAFE kits in their possession and the date on which evidence was collected. The Attorney General would then submit a statewide report to the Legislature. The bill received a public hearing in the Senate Judiciary Committee but did not advance. However, the Legislature included funding in the Department of State Police budget ([SB 5531](#)) for two new forensic science positions. The new positions will enable the Department to reduce the state backlog of untested SAFE Kits.

SB 575 – Consent Searches

The bill would have required a police officer to inform a person, similar to Miranda warnings, that they have the right to refuse an officer's request to search. The Senate Judiciary Committee held a public hearing on the bill in March but did not take any further action.

SB 639 – Automatic License Plate Readers

SB 639 was introduced as part of a package of legislation designed to regulate law enforcement's use of modern technology to protect individual privacy rights (see SB 640 and SB 641). This bill proposed to restrict the use of Automatic License Plate Reader (ALPR) technology by limiting the time that license plate data acquired through ALPR could be retained by law enforcement agencies. The City worked throughout session to oppose the underlying bill while participating in a workgroup that attempted to reach consensus on key policy issues. The Senate Judiciary Committee amended the bill to change the data retention time limit from 24 hours to 1 year and referred it to the Senate Rules Committee in order to enable the workgroup to continue negotiations. Ultimately the workgroup failed to reach consensus and the bill did not advance further this session.

SB 640 – Location Information Privacy

This bill would have restricted law enforcement from obtaining location information from electronic devices without a warrant and required agencies to provide notice when accessing location information. The bill also would have required law enforcement to report annually to the Legislature regarding any applicable content obtained. SB 640 was introduced as part of a package of legislation designed to regulate law enforcement's use of modern technology to protect individual privacy rights (see SB 639 and SB 641). The Senate Judiciary Committee held a public hearing on SB 640 in March, but did not take any further action on this bill.

Public Safety

SB 641 – Cell Phone Privacy

SB 641 was introduced as part of a package of legislation designed to regulate law enforcement's use of modern technology to protect individual privacy rights (see SB 639 and SB 640). In its original form, SB 641 would have prohibited public bodies from searching portable electronic devices unless there was a warrant or imminent threat to public safety. As amended, the bill prohibits law enforcement from duplicating or copying data from portable electronic devices without a warrant or consent. The amended bill also clarifies who has standing to challenge any evidence obtained in violation of the statute and authorizes the court to order law enforcement to purge duplicated data if a defendant files a motion for return of property. The bill passed both chambers with minimal opposition.

Effective: January 1, 2016
Chapter 613

SB 822 – Grand Jury

SB 822 proposed to require electronic recording of grand jury proceedings, except for deliberation and voting. The bill would have established procedures for recording and making disclosures to defendants and the public. The Senate Judiciary Committee amended and passed SB 822 to the Joint Ways and Means Committee in April, where it remained at the close of session.

SB 863 – Public Records Request Fees

SB 863 did not receive a hearing this session. The bill would have authorized law enforcement agencies to adopt additional public records request fees designed to recoup the costs of data storage, storage technology, indexing and retrieval of information obtained through law enforcement use of body-worn cameras to capture daily duties of police officers.

Public Safety

SB 941 – Background Checks

The City of Portland has supported policies to promote gun safety since the 2011 legislative session. Oregon currently mandates that all firearm transfers at both gun shows and gun dealers be completed with a criminal background check, but does not require such checks for firearm transfers between private individuals. SB 941, a City priority, closes the loophole in criminal background checks for the private transfer of firearms. Mayor Hales testified in support of the bill before the Senate Judiciary Committee and the City submitted a [letter of support](#). SB 941 was amended in the Senate to address circumstances when a buyer and seller live over 40 miles apart and are unable to appear together in person before a licensed gun dealer to complete a background check. The bill passed the Senate 17-13 and the House 32-28.

Effective: May 11, 2015
Chapter 50

SB 945 – Child Firearm Access Law

This bill would have created the crime of endangering a minor by allowing access to a firearm. Under SB 945, a person would have committed the crime if: the person possessed an operable firearm within premises under their control; the firearm was in a location where the person knew or reasonably should have known that a minor could gain access to it; and a minor obtained the firearm without the consent of the person or the minor's parent or legal guardian. SB 945 received a public hearing in the Senate Judiciary Committee in April but did not advance further.

HB 2002 – Profiling

HB 2002 incorporates policies from several other bills introduced this session. It defines profiling and prohibits its use in law enforcement practices. The bill also provides a non-local option for citizens to file complaints of profiling at the Law Enforcement Contacts and Policy Data Review Committee at Portland State University. Additionally, the bill establishes a state workgroup to collect and analyze data on profiling occurrences and to determine best practices for enforcing the profiling ban. Finally, the bill appropriates \$250,431 to the Higher Education Coordinating Commission for distribution to the Law Enforcement Contacts and Policy Data Review Committee to fund their work as a repository for profiling complaints. HB 2002 passed both chambers with limited opposition.

Effective: July 13, 2015
Chapter 681

Public Safety

HB 2205 – Sex Trafficking

HB 2205 establishes the Fund to End Commercial Sexual Exploitation of Children. The new Fund finances services and treatment for minor victims of sex trafficking. Portland Police Chief Larry O’Dea submitted a [letter](#) in support of the bill. HB 2205 received unanimous support from both chambers.

Effective: January 1, 2016
Chapter 703

HB 2426 – 9-1-1 Technological Enhancements

The current 9-1-1 answering system is over 40 years old and current law limits 9-1-1 contact to voice only telephone calls. HB 2426 updates the statutory authority and language to allow updates to the 9-1-1 emergency communications system consistent with modern communications technology. The bill passed unanimously in both chambers.

Effective: June 4, 2015
Chapter 247

HB 2480 – Oregon Liquor Control Commission (OLCC) License Fees

The OLCC issues licenses to businesses that are engaged in the manufacturing, distribution and retail sale of alcoholic beverages. With limited exceptions, licenses are good for one year and require an annual fee. OLCC does not charge a fee to process applications and collects the annual license fee only after the application process is complete and the agency is ready to issue the license. In 2014, about six percent of all applicants submitted applications that were never completed. OLCC expends staff resources to process these applications, which results in a longer wait time for all other applicants. HB 2480 establishes an application fee up to \$150 for OLCC processing of new license applications or changes of ownership, but does not charge a fee on annual renewals. The fee is refundable if the application is complete and the OLCC does not either grant or refuse the application within 75 days. The bill passed both chambers with minor opposition.

Effective: January 1, 2016
Chapter 60

Public Safety

HB 2571 & SB 181 – On-Body Cameras

This City of Portland initiative allows law enforcement agencies to implement on-body cameras legally and effectively by removing barriers in state law. HB 2571 and SB 181 were identical companion bills. The City worked closely with other stakeholders in a body camera workgroup to refine HB 2571 in the House Judiciary Committee. Mayor Charlie Hales testified in support of HB 2571 in the House and Senate Judiciary Committees and the City submitted [letters](#) of support. As amended, the bill requires law enforcement agencies to establish policies and procedures for the use and retention of recordings from on-body cameras and exempts officers from notification requirements under ORS 165.540. HB 2571 also exempts footage from public records release unless public interest requires disclosure. The Senate Judiciary Committee adopted one technical amendment to the bill and it passed the Senate floor with unanimous support in June. The House concurred in the Senate amendments and repassed HB 2571 with only one vote opposed. SB 181 received a public hearing in the Senate Judiciary Committee in April but did not advance further.

Effective: June 25
Chapter 550

HB 2699 – Use of Deadly Physical Force Investigations

This bill was introduced as part of a package of legislation intended to address issues related to police use of deadly physical force (see also HB 2701, HB 2702, and HB 2705). HB 2699 proposed to require the Oregon Department of Justice to investigate incidents in which use of deadly physical force by a police officer resulted in the death or serious physical injury of person. The bill also would have increased requirements on when officers must undergo psychological evaluations. HB 2699 did not receive a hearing this session.

HB 2701 – Use of Deadly Physical Force Officer Testing

HB 2701 would have required testing an officer for controlled substances, including anabolic steroids, immediately following an incident in which use of deadly physical force caused death or serious physical injury. The bill also required oversight from the Board on Public Safety Standards and Training and the Department of Public Safety Standards and Training. HB 2701 was introduced as part of a package of legislation intended to address issues related to police use of deadly physical force (see also HB 2699, HB 2702, and HB 2705). HB 2701 did not receive a hearing this session.

Public Safety

HB 2702 – Use of Deadly Physical Force

Introduced as part of a package of legislation (see also HB 2699, HB 2701, and HB 2705), HB 2702 would have required the Attorney General to appoint an attorney, from outside a county in which a peace officer used deadly physical force, to investigate the use of deadly physical force. This bill did not receive a hearing this session.

HB 2703 – On-Body Cameras

This bill would have required on-duty law enforcement officers to operate body-mounted video cameras at all times when the officer is on duty, with some exceptions. Proponents of HB 2703 participated in the body camera workgroup that developed consensus amendments to HB 2571 (p. 85). HB 2703 did not receive a hearing this session.

HB 2704 – Citizen Recording

As introduced, HB 2704 clarified that a person who records audio or video of a police officer does not commit the crime of interfering with a police officer unless the recording actually prevents an officer from performing his or her lawful duties. The bill was amended in the House and Senate Judiciary Committees. The amended bill codifies existing case law which allows a person to openly, and in plain view of the participants in the conversation, record audio or video of a law enforcement officer while the officer is performing his or her official duties in a place where person recording is lawfully present. HB 2704 makes clear that the exemption does not authorize a person to engage in conduct constituting criminal trespass. The bill passed both chambers with minor opposition.

Effective: January 1, 2016
Chapter 553

HB 2705 – Use of Deadly Physical Force Standard

HB 2705 would have changed the standard for use of deadly force to a belief by a reasonable person in the officer's or person's circumstances would believe using deadly physical force is necessary to defend the officer or another person. HB 2705 did not receive a hearing this session. The bill was introduced as part of a package of legislation intended to address issues related to police use of deadly physical force (see also HB 2699, HB 2701, and HB 2702).

Public Safety

HB 2757 – On-Body Cameras

This bill would have required law enforcement agencies to establish a policy for using on-body cameras to record officer interactions with the public. The on-body camera policy in HB 2757 would have required the camera to record at all times the officer was on duty and engaged with members of the public, with some exceptions for privacy when inside a private home or if a witness did not consent to the recording. The bill also placed limits on data retention of camera footage and exempted an officer or a person recording an officer from certain notification requirements. Proponents of HB 2757 participated in a work group to develop consensus amendments to HB 2571 (p. 85), which incorporated elements of HB 2757. HB 2757 did not receive a hearing this session.

HB 2907 – Juvenile Recidivism

HB 2907 would have changed Oregon’s definition of juvenile recidivism to include non-adjudicated arrests. Black Male Achievement Portland submitted [testimony](#) opposing the bill citing concerns over the measure’s failure to address racial disparities in the criminal justice system. The bill received a public hearing in the House Judiciary Committee in April, but did not advance further.

HB 2919 – 9-1-1 Location Reporting

In 2014, the Legislature passed the Kelsey Smith Act requiring cellular providers to turn over cellular device location information to law enforcement for emergency response purposes in situations involving risk of death or serious physical harm. The measure required the Office of Emergency Management (OEM) to maintain a database of emergency contact information for cellular service providers; to coordinate with public safety answering points (PSAPs) and law enforcement; and to report to the legislature biennially. PSAPs reported excellent working relationships with wireless carriers and that carriers provided location information in a timely fashion. HB 2919 removes the requirement for OEM to coordinate data collection with PSAPs and law enforcement agencies.

Effective: January 1, 2016

Chapter 255

For other bills relating to Public Safety, please see:

- HB 2671 – Sobering Centers, p. 40

Support for Rural Communities

SB 565 – Revitalize Main Street Act

This City priority would have provided incentives to rehabilitate historic commercial buildings and included a designated carve-out for rural communities. The City submitted [testimony](#) in support of the bill. The Senate Finance and Revenue Committee amended and passed the bill to the Joint Tax Credits Committee in March. SB 565 did not receive another hearing this session.

SB 657 & HB 5024 – Oregon State University (OSU) Statewides Funding

SB 657 would have funded OSU’s statewide programs for agricultural experiment stations, extension services and forest research laboratory programs. The bill received a public hearing the Senate Education Committee and was voted out to the Joint Ways and Means Committee, where it remained at the end of session. Although SB 657 did not advance, the Legislature included the OSU statewides funding in the budget bill for the Higher Education Coordinating Commission (HB 5024).

HB 5024 provides a \$14 million funding increase to OSU’s statewide programs. Of the \$14 million in additional funding, about 31 percent is slated for extension services, 44 percent for the university’s agricultural experiment stations and 25 percent for its forest research laboratory. Total funding for the three programs is set at \$118.5 million. These programs address emerging issues important to communities, families, and industries in both rural and urban Oregon. HB 5024 won approval in the House and Senate by strong margins in June.

Effective: July 6, 2015
Chapter 642

For other bills relating to Support for Rural Communities, please see:

- HB 3526 – Oregon Main Street Revitalization Grant Program, p. 16
- SB 921 – Fritz-Fairchild Act, p. 101

Taxation & Finance

SB 14 – Cigarette Tax Preemption

SB 14 proposed to lift the state preemption on local government taxes on cigarettes and tobacco products. The City testified in support of the bill at a public hearing in the Senate Finance and Revenue Committee in March. SB 14 did not receive further consideration.

SB 129 – Gain Share

Gain Share is a tax-sharing program enacted by the Legislature in 2007 to create an incentive for counties to continue offering property tax breaks to companies through Strategic Investment Program (SIP) agreements. Under Gain Share, 50 percent of the state income taxes generated by new and retained jobs created under a SIP are returned to counties. The payments generated under Gain Share have far exceeded the original projections considered by the Legislature in 2007.

Several bills were introduced this session that aimed to reform Gain Share in various ways (see HB 2070, p. 93 and SB 848, p. 91). SB 129 was amended in the Senate to include a compromise between supporters and opponents of Gain Share. As amended, the bill makes formula adjustments to reduce the Gain Share returns to counties, caps the returns a county may receive at \$16 million per year, and extends the program sunset date from 2016 to 2024. SB 129 passed both chambers with minor opposition.

Effective: July 21, 2015
Chapter 757

SB 569 & HB 2088 – Communications Privilege Tax

Both SB 569 and HB 2088 would have broadened the types of communications services on which municipalities may impose a privilege tax and lowered the capped privilege tax rate from seven to five percent on gross revenues of communications service providers. These bills also would have preempted Public, Education and Government (PEG) and institutional network (INET) considerations, which direct over \$5 million annually for technology and connectivity in schools, libraries, local governments and more. Neither bill received a hearing this session.

SB 570 – Central Assessment

The Senate Finance and Revenue Committee took up the complex issue of central assessment reform in February. Central assessment is a method of property tax assessment that was developed to address the task of valuing property that spans

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multiple taxing jurisdictions and includes both tangible and intangible properties (e.g., intellectual property and goodwill). The Senate Committee on Finance and Revenue discussed SB 570 together with SB 571 (data centers, see below) and a variety of amendments. Eventually both bills were rolled into SB 611 (see below). SB 570 remained in the Senate Committee on Finance and Revenue at the time of adjournment.

SB 570 and its primary amendments proposed to cap taxes on centrally assessed properties at a rate above their “historical or original cost,” and would have allowed for the depreciation of real property and tangible personal property. The Senate Finance and Revenue Committee looked at the potential collection of deferred billing credits by the Oregon Department of Revenue as possible offsets for some tax reductions resulting from the proposed reforms.

SB 571 – Central Assessment Data Centers

SB 571 would have clarified that a company that owns or leases a data center will not be a centrally assessed property, as long as certain conditions are met. Those proposed conditions would have required that the original cost of construction and installation of real and tangible personal property used by the company in the “business of communication,” unrelated to the company’s data centers, not be greater than ten percent of the original cost of the real and tangible personal property of all data centers owned, leased or used by the company in Oregon. The bill received several hearings in the Senate Finance and Revenue Committee in February but did not advance.

SB 611 – Central Assessment

SB 611 is the omnibus central assessment legislation, after the Senate Finance and Revenue Committee combined the concepts from SB 570 and SB 571 (see above). Central assessment is a method of property tax assessment that aids in capturing and valuing properties that span multiple taxing jurisdictions and includes both tangible and intangible properties (e.g., intellectual property and goodwill). SB 611 clarifies which businesses are subject to central assessment and specifically exempts data centers. The bill also provides a tax incentive for businesses that offer high speed fiber optic services; as well as creates new exemptions for centrally assessed companies, including a cap on taxed intangible property and a new exemption for the franchises of cable and internet companies. The City worked with stakeholders on various amendments to SB 611 to ensure resulting legislation maintained crucial property tax revenues for cities.

Effective: October 5, 2015

Chapter: 23

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SB 630 – Intangible Property

Certain entities that span multiple taxing jurisdictions are subject to central assessment by the state. Centrally assessed properties are assessed on both their tangible and intangible properties (e.g., intellectual property), unlike locally assessed businesses that are not taxed on the value of their intangibles. SB 630 would have removed intangible property from the properties considered under central assessment. The bill did not receive a public hearing this session.

SB 848 – Gain Share Limitation

The 2007 Legislature created Gain Share as an incentive for counties to continue offering property tax breaks to companies through Strategic Investment Program (SIP) agreements. Under Gain Share, 50 percent of the state income taxes generated by new and retained jobs created under a SIP are returned to counties. Since its inception, Gain Share payments have far exceeded the original projections considered by the Legislature. SB 848 would have limited Gain Share payments to 30 percent of the state income taxes generated by new jobs and directed the savings to the State School Fund and a newly created State Economic Development Fund. The bill would have also extended the program sunset date from 2016 to 2024. SB 848 did not advance beyond a public hearing in the Senate Finance and Revenue Committee in March. Ultimately, the Legislature amended and passed SB 129 (see above) as a compromise between supporters and opponents of Gain Share.

SB 903 – Construction Excise Tax

Current law preempts local governments from imposing construction excise taxes until 2018, at which point the preemption sunsets. SB 903 would have removed the sunset to create a permanent preemption. The City testified in opposition and worked with other stakeholders to fight back this preemption of local authority. The bill passed the Senate 26-4 and received a hearing in the House Revenue Committee, but did not advance further.

SB 925 – Tax Credit Package

As introduced, SB 925 would have directed the Legislative Revenue Officer, in consultation with the Department of Revenue and Legislative Counsel, to prepare legislation designed to restructure the state and local tax system for consideration in the 2016 legislative session. After passing the Senate in June, the bill was amended by the House Revenue Committee.

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The House Revenue Committee amended SB 925 to include a package of tax credits and passed the amended bill 5-4 on party lines to the House floor. The House tax credit proposal would have raised revenue by adjusting the corporate minimum tax, enacting a 6-year freeze on the federal tax subtraction, eliminating the 50 cent cap on cigar taxes, and ending the tax credit for long-term care insurance. Ultimately, this tax credit package was abandoned and the Legislature approved a tax credit package passed by the Joint Tax Credit Committee (see HB 2171 below).

SB 5507 – Budget Reconciliation

SB 5507 is the budget reconciliation bill that implements the remaining pieces of the state budget for the 2015-17 biennium. The bill establishes appropriations for the Emergency Board, finalizes the General Fund components of the statewide budget, implements budgetary changes tied to other legislation, and makes technical adjustments to agency budgets previously approved.

Effective: August 12, 2015
Chapter 837

HJR 12 & HJR 20 – Property Tax Reform

HJR 12 would have reset the assessed value and maximum assessed value of property to its real market value at the time of sale. HJR 20 would have brought local option levies outside of Measure 5 compression and enacted a property tax relief program for senior and disabled property owners. The bills received a public hearing in the House Revenue Committee in May, where the City testified in support of comprehensive property tax reform. Neither bill advanced further this session.

HB 2067 – Transient Lodging Tax

HB 2067 would have clarified that the person facilitating the rental of a residential space is the party responsible for collecting the state transient lodging tax. The bill received a public hearing in the House Revenue Committee in March but did not advance further this session.

HB 2068 – Earned Income Tax Credit (EITC)

The EITC is a federal refundable tax credit program for people with low to moderate income who have dependent children who live with the taxpayer. Oregon has a state EITC that mirrors the federal credit, which is currently refundable at eight percent of the federal credit received. The credit primarily serves people with children, though

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there are criteria that may be met by taxpayers without a qualifying child. In a special session in October 2013, the Legislature increased the state EITC from 6 percent to 8 percent effective for tax years beginning on or after January 1 2014. HB 2068 would have increased the allowable EITC to 14 percent of the federal credit for taxpayers with children under age two. The House Human Services and Housing Committee held several hearings on the bill and passed it to the House Revenue Committee. HB 2068 did not advance further this session.

HB 2070 – Gain Share Termination

Several bills were introduced this session that aimed to reform Gain Share in various ways (see SB 129 and SB 848 above). HB 2070 would have limited Gain Share payments to only newly created jobs and ended the Gain Share program entirely. The House Revenue Committee amended the in April to extend the program sunset from 2016 to 2025 and cap payments, while still limiting payments to newly created jobs. HB 2070 did not advance further this session. Ultimately, the Legislature amended and passed SB 129 as a compromise between supporters and opponents of Gain Share.

HB 2074 – Electronic Cigarette Tax

HB 2074 would have changed the definition of tobacco products for the purpose of taxation to include vapor products, including electronic cigarettes. The bill received a public hearing in the House Revenue Committee in April but did not advance further this session.

HB 2091 – Working Family Child Care (WFCC) Tax Credit

The WFCC is a refundable tax credit for low-income working families. The credit is based on qualifying child care expenses, household size and adjusted gross income. HB 2091 would have increased the WFCC tax credit by doubling the applicable percentage of a taxpayer's child care expenses allowed as a credit. For example, the maximum tax credit would be increased from 40 percent of eligible expenses to 80 percent of eligible expenses. HB 2091 received several hearings in the House Human Services and Housing Committee but did not advance further this session.

HB 2171 – Tax Credit Package

As introduced, HB 2171 would have changed the connection point from federal taxable personal income to federal adjusted gross personal income by eliminating the allowance of itemized deductions or standard deduction; and modified the rates of personal

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income taxation. The Joint Tax Credits Committee amended the bill to include a tax credit package and then unanimously passed HB 2171 to the House floor. As amended, HB 2171 does not include any new tax measures to pay for the credits and directs the Legislative Revenue Office to conduct a study on restructuring Oregon's state and local revenue systems.

Three City of Portland legislative agenda items are included in the bill:

- Individual Development Account (IDA): IDAs are matched savings accounts that build the financial management skills of qualifying Oregonians with lower incomes while they save toward a defined goal. The bill expands the list of permissible purposes for creating an IDA; removes the limitation on taxpayer contributions; and extends the sunset on IDA tax credits for withdrawals from, and donations to, individual development accounts.
- Film and Video: The bill extends the sunset on the Oregon Production and Investment Fund tax credit from 2018 to 2024. The extension aides in the recruitment of another multi-season show.
- Residential Energy Tax Credit: The bill modifies the tax credit cap for certain Residential Energy Tax Credit projects and increases the incentive for solar thermal projects, without changing the 2018 sunset date.

HB 2171 passed the House floor 45-13 in July. The Senate approved the bill with only one vote opposed.

Effective: October 5, 2015
Chapter 701

HB 2172 – Privilege Tax Local Authority

HB 2172 would have expanded local authority to manage public rights of way and tax telecommunications carriers. The bill was referred to the House Revenue Committee, but did not receive a hearing this session.

HB 2395 – Provider Tax

In 2003, Legislative Assembly created the hospital assessment as a revenue source to fund the Oregon Health Plan. The statutory authority for this assessment is set to expire in 2015. HB 2395 extends the hospital assessment to 2019.

Effective: March 23, 2015
Chapter 16

Taxation & Finance

HB 2485 – Central Assessment Technical Fix

HB 2485 makes technical fixes to the tax code. In late March, the Senate Finance and Revenue Committee amended HB 2485 to add technical fixes to the central assessment reform legislation (SB 611, p. 90), addressing the qualification criteria for the communication capital investment exemption and the length of time the exemption is available. HB 2485 passed the House and Senate with unanimous support.

Effective: October 5, 2015
Chapter 31

HB 2486 – Property Tax Categorization

Measure 5 (1990) established two categories for property tax revenue—education and general government—each subject to different limits. In *Urhausen v. Eugene*, the Oregon Supreme Court recently struck down a statute that dictated how property taxes are categorized under Measure 5 limitations and found that it is the use, rather than the source, that dictates the category. HB 2486 removes the statutory provision struck down by the Oregon Supreme Court. The bill passed both chambers unanimously.

Effective: October 5, 2015
Chapter 368

HB 2566 – Temporary Disaster Work

In the event of a Cascadia subduction zone event, local businesses may be entirely unable to operate. Out-of-state companies often bring resources and personnel to affected areas on a temporary basis when responding to a disaster or emergency. HB 2566 is targeted at the first 60 days after a disaster and provides that temporary disaster or emergency-related work performed by out-of-state businesses or employees is not subject to Oregon income tax. The bill passed both chambers unanimously.

Chapter: 468
Effective: October 5, 2015

Taxation & Finance

HB 2591 – Urban Renewal

This bill would have required municipalities with an urban renewal agency to appoint a governing board. HB 2591 would have required the board to include one member representing each taxing district. The bill also would have required approval of an urban renewal plan by all municipalities and taxing districts with jurisdiction in urban renewal areas. The bill was referred to the House Revenue Committee but did not receive a hearing.

HB 2723 – Urban Agricultural Tax Deferral

HB 2723 proposed to authorize counties and cities to designate any urbanized area of a county or city as an urban agriculture incentive zone. After passing the House in April, the Senate Environment and Natural Resources Committee moved the bill to the Senate Finance and Revenue Committee, where it received a public hearing in June but did not advance.

HB 2859 – Benefit Corporations

A benefit company, also known as a B-Corp, is a relatively new corporate status that is intended to include positive impacts on society and the environment when executing the fiduciary obligation of earning a profit. This status includes corporations and limited liability corporations. Currently, the status of a benefit company only affects the requirements of corporate purpose, accountability, and transparency. HB 2859 would have reduced the tax rate applicable to income earned from a benefit company. The bill received a public hearing in the House Revenue Committee in March but did not advance further this session.

HB 2994 – Federal Communications Commission (FCC) Licenses

Under current law, licenses granted by the FCC are exempted from property taxation, and the value of the licenses may not be reflected in the value of real or tangible personal property. This bill would have repealed that exemption after July 1, 2020. HB 2994 was referred to the House Revenue Committee but did not receive a hearing.

Taxation & Finance

HB 5005 – Bond Limits

HB 5005 limits the maximum amount of bonds and third-party financing agreements that state agencies may issue and the amount of revenue state agencies may raise from such issuance. Proceeds from the issuance of bonds are included as revenues in agency budgets. This bill also allocates the federal tax-exempt private activity bond volume cap. HB 5005 passed both chambers on the final day of session

Effective: July 15, 2015
Chapter 685

HB 5006 – Capital Construction

HB 5006 is the budget bill for capital construction projects. The bill establishes authority for the planning, design, and construction of projects with costs over \$1 million. Each project must be authorized by the Legislature. Some of the projects are funded with bond proceeds provided in HB 5005. Project approvals and expenditure limitations expire six years after being authorized.

Projects approved in this bill will expire on June 30, 2021. HB 5006 includes:

- \$40 million for Oregon Housing and Community Services for affordable housing;
- \$17 million to fund safety improvements on outer Powell Boulevard including sidewalks, buffered bike lanes, and a center turn lane; and
- \$2.5 million to install cable median barriers on I-5 in Southern Oregon and I-205, as directed by SB 921 (p. 101).

Effective: August 12, 2015
Chapter 808

Taxation & Finance

HB 5030 – Lottery Bonds

HB 5030 authorizes \$180.2 million of lottery bond proceeds to be issued in the 2015-17 biennium. A total of \$201.8 million of lottery revenue bonds will be issued in the spring of 2017 to provide funds for thirty-three identified projects, including:

- \$45 million to the Department of Transportation for ConnectOregon VI grants for transportation projects;
- \$40 million in Article XI-Q bonds for affordable housing development;
- \$20 million for affordable housing for persons with mental illnesses, plus \$2.5 million to preserve affordable housing units;
- \$21 million to the Water Resources Department for water resource development projects and water resource planning;
- \$18 million for the Special Public Works Fund in the Oregon Business Development, including \$5 million dedicated for levee inspections and repairs;
- \$12 million of new lottery bonds, which will be combined with unused moneys from an earlier bond sale, to provide a total of \$13 million for Regional Solutions capital projects;
- \$7 million to Business Oregon to recapitalize the Brownfields Revolving Loan Fund; and
- \$1.5 million to City of Portland Parks and Recreation to Renew Forest Park.

Effective: August 12, 2015
Chapter 812

For other bills relating to Taxation & Finance, please see:

- SB 658 – Forestland Tax Deferral, p. 30
- SB 799 – Film and Video Tax Credit Sunset, p. 13
- SJR 16 – Motor Vehicle Revenue, p. 99
- HB 2072 – Film and Video, p. 14
- HB 2082 – Carbon Tax, p. 25
- HB 2159 – Carbon Tax, p. 25
- HB 2272 – Fuel Tax, p. 102
- HB 2273 – Brownfield Tax Credit, p. 15
- HB 2281 – Road Usage Charge and Transportation Package, p. 102
- HB 2448 – Energy Conservation Tax Credit, p. 25
- HB 2449 – Bioenergy Tax Credits, p. 26
- HB 2550 – Fuel and Vehicle Tax, p. 103
- HB 2898 – Local Filmmakers, p. 16
- HB 3246 – Energy Efficiency Improvement Tax Incentive, p. 27
- HB 3252 – Carbon Tax, p. 28
- HB 3302 – Motor vehicle Fuel Tax, p. 106

Transportation

SJR 16 – Motor Vehicle Revenue

SJR 16 would have referred a constitutional amendment to Oregon voters that would allow motor vehicle-related revenue to be used for infrastructure that reduces the traffic burden and pollution from motor vehicles, including transit services and bicycle, rail and pedestrian projects. The Senate Business and Transportation Committee held a public hearing on SJR 16 in March but did not advance the bill.

SB 142 – Transportation Network Companies

SB 142 deregulates for-hire carrier transportation services in order to aid public transportation entities, especially disconnected public transit districts in rural Oregon. The bill also makes public transit entities subject to additional safety oversight by the Oregon Department of Transportation. SB 142 passed both chamber unanimously.

Effective: January 1, 2016
Chapter 283

SB 167 – Taxicab Cell Phone Exemption

SB 167 would have allowed taxicabs to use mobile phones while driving without a hands-free accessory. After bill passed the Senate 18-12 in March, the City testified and submitted a [letter](#) in opposition at a public hearing in the House Transportation and Economic Development Committee. SB 167 did not receive further consideration this session.

SB 271 – Rail Safety Oversight

SB 271 updates the Rail Fixed Guideway System Safety Oversight Program to comply with federal standards under the Moving Ahead for Progress in the 21st Century Act (MAP-21). The bill passed both chambers unanimously.

Effective: June 18, 2015
Chapter 489

Transportation

SB 326 – Jurisdictional Transfer

This bill would have expanded the highway modernization program to include jurisdictional transfer projects of certain highways between state and local governments. The bill was referred to the Senate Business and Transportation Committee but did not receive a hearing this session.

SB 455 & SB 685 – Transportation Network Companies

These bills would have deregulated oversight of for-hire carriers of goods. The Senate Business and Transportation Committee held a public hearing in March on SB 455 and SB 685, as well as related bill SB 142 (see above). SB 455 and SB 685 did not advance beyond the public hearing.

SB 459– Highway Speeds

SB 459 would have raised the speed limit on interstate highways from 65 to 70 miles per hour. After being referred to the Senate Rules Committee from the Senate Business and Transportation Committee in April, the bill received no further action.

SB 533 – Bike Traffic Lights

SB 533 allows bicyclists and motorcyclists to proceed through a traffic signal on a red light if the signal does not activate and the cyclist waits through one light cycle. The bill passed both chambers unanimously.

Effective: January 1, 2016
Chapter 147

SB 694 – Lane Splitting

SB 694 would have allowed motorcycle and moped drivers to pass vehicles in the same or adjacent lanes during traffic jams and slowdowns, under certain circumstances. The bill passed the Senate 18-10 in April. The House Transportation and Economic Development Committee held a public hearing on the bill in May, where the Portland Police Traffic Division testified in opposition to the bill. SB 694 did not advance further this session.

Transportation

SB 921 – Fritz-Fairchild Act

The Fritz-Fairchild Act, a City of Portland initiative, honors the lives of Dr. Steven Fritz and Cary Fairchild. SB 921 urges the Oregon Department of Transportation (ODOT) to install median crash barriers along unprotected stretches of interstate highways with less than 100 feet separating oncoming lanes of traffic, which predominate in rural parts of the state. ODOT is directed to complete its work by December 31, 2021. Commissioner Fritz advocated on behalf of the bill in the House and Senate Committees. In HB 5006 (p. 97), \$2.5 million was appropriated toward the installation of these barriers along I-205 and I-5 in southern Oregon. The bill passed both chambers with overwhelming majorities.

Effective: January 1, 2016
Chapter: 275

HB 2237 & HB 2995 – Transportation Network Company (TNC) Insurance

HB 2237 and HB 2995 would have required a TNC to maintain insurance policies to cover private vehicles when the vehicles' registered owners or designated operators participate as drivers with TNCs. The bills received public hearings in the House Transportation and Economic Development Committee in April and were referred to the House Rules Committee without recommendation. The House Rules Committee amended HB 2995 in May to require TNCs to maintain primary insurance for each participating driver that would begin coverage with the first dollar of a claim. The amendment also would have directed the Governor to convene a work group to advise on the development and implementation of a statewide insurance standard for all commercial vehicles providing transportation services. The amended version of HB 2995 was voted out of committee and referred to the Joint Ways and Means Committee, where it remained at the end of session. Similarly, HB 2237 remained in the House Rules Committee upon adjournment.

HB 2253 – Predatory Towing

This bill would have required cities with populations larger than 15,000 to set maximum rates for towing and related services when towing occurs without the consent or authorization of a vehicle owner. HB 2253 was referred to the House Consumer Protection and Government Effectiveness Committee but did not receive a hearing this session.

Transportation

HB 2261 – Vehicle Registration

HB 2261 allows a person who has timely renewed a vehicle’s registration, but has not yet received the registration stickers from the Oregon Department of Motor Vehicles (DMV), to show proof of renewal to satisfy registration requirements. The DMV made explicit on the [record](#) that the bill does not grant a “grace period” for those who are late in their registration renewal. The bill passed both chambers unanimously.

Effective: January 1, 2016
Chapter: 154

HB 2272 – Fuel Tax

This bill would have increased the tax on motor vehicle fuels and dedicated the revenue to fund new highway improvement projects. The bill also would have allowed gas station customers to dispense their own gas if the gas station operator were in the immediate vicinity. In April, the House Transportation and Economic Development Committee moved HB 2272 to the House Rules Committee, but the bill did not receive further consideration.

HB 2274 – ConnectOregon Fixes

HB 2274 changes the name of the Multimodal Transportation Fund to the Connect Oregon Fund, makes the program exclusively grants, increases the local share of project funding from 20 to 30 percent, and defines “transportation projects” as excluding costs associated with operating expenses or purchasing bicycles. The City worked with other stakeholders on an amendment to correct an error that may have limited the ability of transit and streetcar to qualify for Connect grants. The bill unanimously passed both chambers.

Effective: July 20, 2015
Chapter 707

HB 2281 – Road Usage Charge and Transportation Package

SB 810 (2013) established a voluntary program through which up to 5,000 vehicles may pay a per-mile road usage charge (RUC) in lieu of paying the motor fuel tax. Moneys collected from the RUC are to be deposited in the State Highway Fund. The RUC program will go into operation in July 2015. As introduced, House Bill 2281 would have made two changes to the voluntary RUC program: the issuance of fuel tax exemption emblems would be made permissive, as opposed to mandatory; and the requirement

Transportation

that reported mileage be rounded up to the next whole mile would be eliminated. HB 2281 passed the House with little opposition in April and received hearings in the Senate Business and Transportation Committee and the Senate Rules Committee.

In late June, the Senate Special Committee on Sustainable Transportation took up the issue of a comprehensive transportation package and drafted it in the form of a “gut and stuff” amendment that would have replaced the contents of HB 2281. The package would have required the repeal of Clean Fuels (SB 324, p. 24), passed earlier in the session, and claimed initially to have equivalent or greater carbon offsets. Included in the Senate’s proposed transportation package was \$206 million per year for state and local roads, \$80 million for transit improvements, and \$400 million in bonding for specific Oregon Department of Transportation projects spread across the five regions. Funding sources would have included a four cent gas tax increase, a new vehicle title fee, increases to driver license and registration fees, an increase in the annual registration fee for electric vehicles, and a new employee wages tax in transit service districts. The day after the public hearing, the Governor and legislative leadership announced that they would not move forward with a comprehensive transportation package this session.

HB 2287 & HB 2464 – ConnectOregon Funding

HB 2287 would have authorized \$100 million in lottery bonds for ConnectOregon VI. The bill was moved from the House Transportation and Economic Development Committee to the House Rules Committee, but did not receive a public hearing. HB 2462 also would have authorized funding for ConnectOregon, but did not specify the amount. Additionally, HB 2462 would have moved Columbia County from Region 1 to Region 2. The House Transportation and Economic Development Committee passed the bill unanimously and then referred it to the Joint Ways and Means Committee, where it remained at the end of session. Ultimately, ConnectOregon VI received \$45 million in lottery dollars through HB 5030 (p. 98).

HB 2512 – Highway Shoulder Use

This bill proposed to allow motorcycles and mopeds to travel on the shoulder of a highway during traffic jams or slowdowns. The House Transportation and Economic Development Committee held a public hearing on HB 2512 in February but did not advance the bill.

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HB 2550 – Fuel and Vehicle Tax

This bill would have increased the fuel and motor carrier taxes five cents and scheduled future five cent fuel tax increases every five years. HB 2550 did not receive a hearing this session.

HB 2552 & HB 3102 – Studded Tires

HB 2552 would have required a permit for operating a motor vehicle with studded tires and HB 3102 would have prohibited studded tire use. The City testified in support of these bills before the House Transportation and Economic Development Committee in March. Commissioner Novick submitted a [letter](#) suggesting amendments to allow local governments to regulate or tax studded tires. Neither bill advanced this session.

HB 2621 – Fixed Photo Radar

This City of Portland initiative allows Portland to pilot fixed photo radar devices on designated high-crash corridors. HB 2621 requires that a “Traffic Laws Photo Enforced” sign be posted, along with a speed reader board. The City must report to the Legislature on the effectiveness, public acceptance, and process of administering the technology once each biennium. A police officer must review the photographic evidence collected before a citation may be issued. HB 2621 also appropriated \$1.5 million to the Oregon Judicial Department for additional court staff to accommodate an anticipated increase in traffic citations.

The bill received a public hearing in the House Transportation and Economic Development Committee in March. Portland Bureau of Transportation Director Leah Treat [testified](#) in support of the bill, along with [other community members and supporters](#). The bill was voted out of committee in mid-April, and moved without recommendation to the Joint Ways and Means Committee. In June, the Joint Ways and Means Subcommittee on Public Safety held a public hearing on the bill, and shortly after it was moved to the Subcommittee on Capitol Construction. The Subcommittee on Capitol Construction added a technical amendment for program implementation and recommended HB 2621 to the full Ways and Means Committee, which passed the bill 15-9. The House voted 31-24 and the Senate 17-12 to approve the HB 2621 in the final weeks of session.

Effective: July 20, 2015
Chapter 721

Transportation

HB 2736 – Vision Zero Task Force

As introduced, this bill would have directed the Oregon Department of Transportation to conduct a speed bump study. The House Transportation and Economic Development Committee passed HB 2736 to the House Rules Committee, where it was amended in May to create the Task Force on Vision Zero: Achieving Zero Traffic Crashes, Injuries and Fatalities. Portland Bureau of Transportation Director Leah Treat submitted a [letter](#) supporting the amended bill. After advancing to the Joint Ways and Means Committee in May, HB 2736 received no further action.

HB 2810 – Electric Vehicle Registration Plates

HB 2810 would have exempted certain electric vehicles from the requirement to have two registration plates. The House Transportation and Economic Development Committee heard testimony on HB 2810 in March but did not advance the bill.

HB 2858 – State School Fund Youth Pass

HB 2858 proposed to allow youth transit pass costs to be approved transportation costs under State School Fund distributions. The bill received a public hearing in the House Revenue Committee in March and Portland Bureau of Transportation Director Leah Treat submitted a [letter](#) in support of the measure. Although the bill did not advance further this session, it was included as part of a separate work group discussion on youth pass, along with HB 2979 (see below).

HB 2979 – Youth Pass Funding

HB 2979 would have appropriated \$20 million of General Fund dollars for free and reduced-fare transit passes for high school students, additional routes or increased service, and designing programs for more efficient and accessible transit service for high school students. The House Transportation and Economic Development Committee considered HB 2979 at a public hearing in March but did not advance the bill. HB 2979 was included in separate work group discussions on youth pass, along with HB 2858 (see above).

Transportation

HB 3035 – Flashing Lights in School Zones

This bill allows for increased use of flashing lights in school zones in specific circumstances where a school parking lot is located across the street from the school and that street has a posted speed limit of 45 miles per hour or greater. The City of Portland does not presently have any qualifying school zones. HB 3035 passed the House and Senate with unanimous support.

Effective: May 12, 2015
Chapter 139

HB 3302 – Motor Vehicle Fuel Tax

HB 3302 resulted from Oregon Transportation Forum discussions. The bill would have increased and indexed the gas tax; increased the road use assessment fee and motor carrier tax rate; and issued \$100 million in lottery bonds for ConnectOregon. HB 3302 would have also required the Oregon Department of Transportation (ODOT) to develop criteria for jurisdictional transfer and directed the Oregon Transportation Commission to conduct a multimodal transportation system assessment. The bill would have encouraged sharing of facilities and equipment between ODOT and local governments. HB 3302 did not advance beyond an initial referral to the House Transportation and Economic Development Committee.

HB 3402 – Rural Highway Speeds

HB 3402 raises the speed limit on specified portions of designated highways in rural Oregon and includes funding for new speed limit signs. The bill passed the House 52-5 and the Senate 22-6.

Effective: January 1, 2016
Chapter 746

Transportation

HB 3414 – Left Lane

HB 3414 would have required drivers on highways with two or more lanes of same-direction traffic, and posted speeds in excess of 45 miles per hour, to remain in the right lane unless passing another vehicle. The bill passed the House 33-26 in April. HB 3414 was amended on the Senate side to increase the posted speed to 55 miles per hour and reduce the consequences of violating the left passing lane requirement from a Class B to a Class D violation. The bill passed the Senate 23-6 and returned to the House for concurrence on its amendment. The concurrence vote failed on the House floor 28-30 and HB 3414 was not reconsidered.

HB 5040 – Oregon Department of Transportation (ODOT) Budget

HB 5040 establishes the budget for ODOT. Mayor Charlie Hales and Commissioner Steve Novick joined other local leaders in submitting [testimony](#) in support of funding for the Amtrak Cascades passenger rail program within the ODOT budget. The approved budget provides funding necessary to maintain the current service level of the Amtrak Cascades intercity passenger rail service between Portland and Eugene.

Also of note in ODOT's budget, the Legislature approved a \$30.4 expenditure limitation for the Department of Motor Vehicle's (DMV) Service Transformation Project to replace old IT systems. The DMV expects the project will cost approximately \$90 million to complete over the coming biennia. The DMV also received an Other Funds limitation increase to allow it accept debit and credit cards at field offices.

Effective: July 27, 2015
Chapter 761

Water

SB 712 – Municipal Water Rights

SB 712 was introduced in response to the *WaterWatch v. Cottage Grove* decision, which retroactively applied “fish persistence conditions” to municipal water right permits. SB 712 would have clarified Oregon Water Resources Department permitting practices and protected drinking water supplies for a number of Oregon communities, many of which are small and rural. After receiving a public hearing in the Senate Environment and Natural Resources Committee in March, the bill was referred to the Senate Rules Committee without recommendation, where it remained at the close of session.

SB 829 – Department of Environmental Quality (DEQ) Water Quality Standards

The federal Clean Water Act requires states to adopt water quality standards that designate beneficial uses of its waters and establish criteria to protect those designated uses. SB 829 requires the DEQ to solicit independent scientific and technical input when developing or selecting among methodologies to assess waters of the state. The bill also requires DEQ to provide public notice and opportunity to comment on its proposed methodologies and offer an overview of draft methodologies to the Environmental Quality Commission. The bill passed both chambers unanimously.

Effective: January 1, 2016
Chapter 587

HB 2207 – Ballast Water Management

Ocean going vessels acquire and discharge ballast water to provide better ship stability. Since 2007, the Department of Environmental Quality has dedicated resources for the implementation and enforcement of ballast water management regulations to reduce the risk of introducing new aquatic invasive species as a result of ballast water. HB 2207 authorizes the Environmental Quality Commission to adopt standards and procedures for implementing alternative ballast water management strategies for vessels with empty ballast tanks.

Effective: January 1, 2016
Chapter 704

Water

HB 3217 – Artificial Beaver Dams

HB 3217 would have created a pilot program to allow for the use of artificial beaver dams in the Malheur Lake Drainage Basin. The bill passed the House in April, and the Senate Environment and Natural Resources Committee in June. The bill was amended in the Senate Environment and Natural Resources Committee to limit the pilot to no more than 20 percent of qualifying streams in the Malheur Lake Drainage Basin. HB 3217 was then referred to the Senate Rules Committee, where it remained at the close of session.

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