



LOC Legislative Bulletin



Number 10

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PUC Rejects PGE Purchase

The Oregon Public Utility Commission (PUC) unanimously denied the application by the Texas Pacific Group (TPG) to buy Portland General Electric (PGE). The decision, released Thursday, began a day of activity that included a news conference by Governor Ted Kulongoski, a Senate Hearing on a bill providing for a state purchase of PGE, and a statement from Portland Mayor Tom Potter that the city will move forward in its efforts to buy the company.

“The potential harms or risks to PGE customers from the deal outweigh the potential benefits,” PUC Chair Lee Beyer said in announcing the decision. “Based on the evidence presented to us, we found that PGE customers would not be better off in terms of rates and service than they would with PGE as a separate, stand-alone company.”

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Hometown Action

Watch for registration material for the
April 13
City Hall Day at the Capitol –
and register

Annexation bills set for hearing Monday

The Senate Environment and Land Use Committee will hear six annexation bills on Monday, March 14, at 3:00 p.m. in Hearing Room B of the Capitol. Representatives of LOC will testify on impacts these bills would have on cities. Provisions of the bills include:

- the repeal of island annexations;
- double majority vote requirement for urban service provider annexations; and
- consent requirement for annexations of industrial land.

If passed, the bills could result in significant changes to Oregon’s annexation law. Here’s an overview:

- SB 886 – requires public hearing prior to proposed annexation of territory by city without election
- SB 887 – deletes authority of city to annex by ordinance or resolution territory not within city but surrounded by corporate boundaries of city and body of water (island annexations)

(Continued on page 7)



Collective Bargaining Heats Up

Last session, the three collective bargaining bills mirroring the current challenge of SB 319, 320 and 321 passed in the Senate early in the session and stalled in the House. In order to pass the bill to the House and have it referred to a more sympathetic committee, Senators “gut and stuffed,” a maneuver in which a bill further along in the process is

amended by striking all of the original contents and replacing it with another bill. The bill failed on the floor in a dramatic 15-15 vote. The House Rules Committee withstood tremendous pressure and killed another “gut and stuff” in the final hours of the session.

The public safety unions are engaged in a major push in the Senate this session and are hoping that the 18-12 Democratic advantage in the Senate bodes well for their efforts. The League is working with the counties, police and fire chiefs, special districts and sheriffs to kill these bills. A hearing was held in the Senate Commerce Committee on Thursday, February 24.

Senate Commerce Committee Chair Floyd Prozanski (R-Eugene) met with League President Helen Berg, Mayor of Corvallis, Ken Armstrong, Executive Director of the Fire Chiefs Association and League Legislative Director David Barenberg in an attempt to seek a compromise on the bills. The local government representatives instead suggested a workgroup over the interim to discuss these issues as well as others that management has in a focused and constructive manner. We expect the bills to come up for a vote in committee soon.

- SB 319 – eliminates the “interest and welfare of the public” as the first priority that an arbitrator considers in binding arbitration and instead makes it one of a laundry list of items all given equal weight. This bill removes any consideration of other government services and programs (such as libraries, parks, etc.) and makes their funds available for public safety wage increases.
- SB 320 – expands membership in police and fire bargaining units to include any supervisory employee that does not have the authority to impose economic discipline. Most public safety department supervisors make disciplinary recommendations but do not have the authority to impose economic discipline. This change would make it more difficult to manage the organization.
- SB 321 – makes staffing levels and equipment negotiable issues for police and firefighters if they have a “potential” impact on safety. These issues would be subject to binding arbitration. The current law allows bargaining only over issues that have a “direct and substantial” effect on safety. Ultimately an arbitrator could decide on city police and fire staffing and equipment levels

Action: Ask your legislators to oppose SB 319, 320 and 321

“City Hall Day” at the Capitol

During each legislative session, the League schedules a day for city officials to come to Salem to present a unified front. This session, the event is part of “Hometown Voices,” LOC’s grassroots advocacy program. It is an important opportunity for mayors, city councilors and other city officials to meet with legislators on current legislative priorities and issues that matter to Oregon communities. This event is a powerful illustration of how cities are strongest when they speak with a unified voice. Watch for registration information coming soon. Below is a tentative agenda.

Tentative Agenda

- 10:00 a.m. Issues briefing by LOC Staff
- 12:00 p.m. Lunch
- 1:00 p.m. Individual meetings with legislators
- 3:00 p.m. Meeting with legislative leadership
- 5:00 p.m. Reception

Hometown Calendar:

“City Hall Day” at the Capitol
April 13

Senate Committee Shut-Down
April 28

In-District Day for Legislators
March 25 (Good Friday)

In-District Day for Legislators
May 30 (Memorial Day)

For more information, visit the Hometown Voices web page: www.orcities.org/legislative/grassroots/index.cfm, or contact Andrea Fogue at LOC: (503) 588-6550 or afogue@orcities.org

PERS Decision Brings Stability and Reason to System

Effect on Employer Rates Unclear

The moment we've all been waiting for arrived March 8: the Oregon Supreme Court issued its ruling on 2003 reforms to the Public Employees Retirement System (PERS). Most importantly for employers, this decision unequivocally rejected the idea that the Legislature could not change the PERS system to affect future benefits of current PERS members. In fact, the court upheld many of the Legislature's changes which stabilized the PERS system by altering PERS members' future contribution methods.

Governor Kulongoski noted in his press conference on the case that "there is no need at this time to further increase employer rates," beyond what was adopted at the February PERS Board meeting for 2005-07. PERS Executive Director Paul Cleary added that because of good earnings in 2003 and 2004, PERS has reserves that may be used to address some portion of litigation expenses and judgments.

Additional analysis of the 90-page opinion is needed to determine what the decision means for employer contribution rates and earnings crediting. What follows below is not an exhaustive list of the legal decisions contained in the ruling, and more information will be available to members after the experts conduct a thorough analysis.

Among the more important points of the decision:

- Regarding the assumed earnings rate credit (which is the amount that the Legislature guarantees a PERS Tier One member will earn on his or her regular account), the court made two important decisions. First, that a PERS Tier One member has a statutory contract right to the assumed earnings rate of 8%. This amount must be calculated yearly and not on a career-long basis. Secondly, that a Tier One employee has no contract right to any amount *over* the assumed rate.
- The court also decided that members have no contractual right to the money match benefit specifically, but to the formula that yields the highest amount of money for that member. Additionally, the court said the elimination of the variable annuity option is also permissible. This suggests that the new legislation's redirection of contributions after January 1, 2004 into the new Individual Account Program, or "IAP," is

permissible. However, monies that have already been contributed must remain in the variable account.

- The court found that Cost of Living Adjustments (COLAs) for certain fixed service retirement allowances cannot be adjusted. These cost of living allowances, the court found, are contractual promises made by the employer to the PERS member and changing them would be a breach of contract. However, the court also stated that this promise does *not* extend to members who were overpaid erroneously (as in the city of Eugene case). The full implications of this part of the decision still need to be studied.
- The court rejected the petitioner's arguments to freeze the actuarial tables.
- The court summarily dismissed other state and federal constitutional claims (such as those based on age discrimination), stating that they either did not apply to the facts in this case or were voided by the court's decision.

The court has yet to rule on various aspects of the city of Eugene case (which has also been referred to as the Lipscomb decision). This case may have implications on how the court ruling is implemented. The League expects to have more complete information available for member cities as this issue develops.

Sen. Winters Hospitalized

Sen. Jackie Winters (R-Salem) underwent triple bypass surgery Wednesday at Salem Hospital. Winters is the deputy minority leader in the Senate and served two terms in the House before being elected to the Senate in 2002. Her recovery is reportedly progressing well. Please join the League in wishing her a speedy return.

All Urban Renewal, All the Time?

When it rains, it pours. Urban renewal was largely ignored by the Legislature in 2003, but there has been a resurgence of interest in this topic among legislators during the past couple of weeks. (If your city has contemplated an urban renewal agency, pay attention!)

School Urban Renewal Districts

On Tuesday, the House Revenue Committee considered a number of bills relating to school finance, including HB 2440. Introduced by Representative Jerry Krummel (R-Wilsonville), the bill would allow school districts to administer urban renewal agencies to construct or rehabilitate schools. Rep. Krummel testified that he introduced the bill to create quicker alternate financing for these facilities.

The Association of Oregon Redevelopment Agencies and the League shared concerns, including how the new districts would interface with existing urban renewal plans, and whether the construction of school facilities and no other infrastructure was enough to generate sufficient private investment to repay bonds and boost the tax rolls.

SB 412 Workgroup Meets

At its first meeting Wednesday, a workgroup on SB 412 discussed several changes to urban renewal. After examining research on the definition of blight in Oregon and how it compares with other states, the group agreed to maintain the current definition.

The group also considered allowing representatives of affected taxing districts to serve on urban renewal agency boards. Possible challenges from this action include how to determine which taxing districts are represented and whether charter amendments would be necessary.

The Portland Development Commission shared its experience with advisory boards and community involvement in project plans as a model, and pointed out the statutory consult and confer requirement. Other participants raised a concern that the “consult and confer” requirement was not occurring early or formally enough, and in some cases, not at all.

Workgroup chair Sen. Floyd Prozanski (D-Eugene) appeared to be moving toward adding clarity to the “consult and confer” requirement, and asked workgroup members to provide a definitive answer on what

recourse is available to those who feel that the “consult and confer” requirement was not being followed appropriately.

Appointed by Senate Revenue Chair Ryan Deckert (D-Beaverton), workgroup members include: Senator Floyd Prozanski (D-Eugene), chairman; Senator Charles Starr (R-Hillsboro); Chip Lazenby, Portland Development Commission; Hasina Squires, representing fire districts; and John Williams, the requestor of SB 412.

The workgroup will likely meet again next week, when additional issues may be added to the list of possible amendments.

Urban Renewal Housing Requirement

SB 425, which would require 20 percent of all urban renewal projects to be earmarked for affordable housing, was heard Thursday by the Senate General Government Committee, chaired by Senator Frank Shields (D-Portland). The League and the Association of Oregon Redevelopment Agencies testified in opposition to the bill. No one was present to testify in support of the bill.

In some areas, urban renewal is implemented to attract industry and create jobs. An urban renewal plan can also center on downtown and commercial district revitalization. Housing is not always an appropriate component of these plans, or in these areas. Such a requirement would lengthen the time it takes to complete an urban renewal plan, and delay the return of additional value created by urban renewal to the tax rolls.

Senator Joanne Verger (D-Coos Bay) observed that affordable housing was a pressing issue, but added that there were several urban renewal areas in her district geared toward industrial and economic development.

“None of them would be suitable for housing,” Rep. Verger said. “I agree that affordable housing is an issue. I’m just not sure this bill is the vehicle with which to address it.”

Stay tuned. We may not have heard the last of SB 425.

Amendments Coming for Workers' Comp Bills

The Senate Commerce Committee held a public hearing Tuesday on two bills relating to workers' compensation, SB 311 and SB 386. The original versions contained provisions that would have potentially added cost to employers and abridged the ability of insurers to conduct objective independent medical examinations.

Neither bill moved out of committee, but action is expected on them in the next 7-10 days.

At the hearing, extensive amendments to both bills were introduced which generally reflected the compromise language agreed to by members of the Workers Comp Management Labor Advisory Committee (MLAC). The co-chairs of MLAC, representing management and labor interests, plus John Shilts, the Workers Comp Division Administrator, told the committee they supported the amendments as currently written.

It was observed that there were more changes needed to SB 386, which involves changes to the definition of permanent total disability, but that there was agreement to move the bills out of the Senate to meet deadlines and to work on further changes in the House.

Speaking for management, J.L. Wilson of the National Federation of Independent Business (NFIB), acknowledged that there would likely be some slight increased cost to the overall worker's comp system; that the changes contained more benefits to injured workers than to management; and that the MLAC committee agreed that the changes were appropriate.

School Zones Revisions Discussed

The House Transportation Committee, chaired by Representative George Gilman (R-Medford), held its first of two scheduled "after-hours" public hearings on school zones Wednesday. Requested by Rep. Vicki Berger (R-Salem), the meeting drew approximately 25 concerned citizens and three lobbyists.

Concerns voiced in citizen testimony included whether the new "24/7" school zones are too stringent and impede traffic flow, to costs and child safety. Representatives Gilman and Berger said the committee would take these comments under advisement as considers how to ensure safe traffic flow through school zones.

"We're here to listen and we are glad you're here too," Rep. Gilman told the receptive audience.

In closing the hearing, Rep. Berger held up a thick file of email comments from her constituents.

"I've received over 40 emails on this subject ... I just want to thank the committee and the chair for holding this evening meeting to allow our citizens the opportunity to comment on the matter," she said.

Although not yet scheduled, committee staff have indicated another public hearing may be held in early April (likely on the 8th) in Bend.

The League will keep cities posted as more details become available. For more information on school zone legislation, contact LOC's Christy Monson.

Damascus Gets Access to Funds

SB 341 was passed Thursday by the House of Representatives by a 57-0 vote, ending a journey through the legislative process that brokored no opposition (an extremely rare occurrence that merits several celebratory rounds of beverages and a series of obligatory high-fives). The bill included an emergency clause, and will become effective within five days of receipt by the governor.

"Colleagues, we need to pass Senate Bill 341 today to provide this blossoming new city, or any other new city in the future, the authority to obtain short-term bridge financing that will get them up and running," said Representative Linda Flores (R-Boring) the bill's co-

sponsor. "The people of Damascus are willing to do the work and they're willing to pay their bills. Let's give them the tools."

SB 341 allows Oregon's newest city to issue tax anticipation notes prior to the beginning of its fiscal year. Last November, 91.75 percent of residents of the proposed city turned out to vote on the question of incorporation and a tax base, which was approved by 65 percent. Because of the timing of the vote, current law does not enable the city to issue tax anticipation notes until the beginning of their fiscal year.

House Committee Expands E-Commerce Zones

The House Trade and Economic Development Committee, chaired by Representative John Lim (R-Gresham), amended HB 2334 when it voted Thursday to expand the number of enterprise zones that can also be designated as e-commerce zones. The designation allows the state to offer an income tax credit to qualifying businesses located in zones that engage in e-commerce in addition to regular enterprise zone local property tax exemptions.

The bill, as introduced, would have increased the number of e-commerce zone designations from four to 10. Representative Donna Nelson (R-McMinnville) requested the amendment to extend the e-commerce designation to equal the number of statutorily authorized enterprise zones (currently 49).

The amendment was approved unanimously, and the bill will be referred to the House Revenue Committee (chaired by Representative Tom Butler, R-Ontario), which will consider the revenue impact to the state of the additional income tax credits.

(PGE Purchase *continued from page 1*)

The announcement took many at the Capitol and in the industry by surprise. Before the decision, it appeared the smart bet was that the commission would approve the purchase, but with stringent additional conditions.

Governor's alternatives

In his news conference, Governor Kulongoski said it would be unfortunate for the company to be broken up, and there are many alternatives, including the creation of a city, regional or state public entity that could own and operate the company.

Citing his past work as an attorney for the Emerald Public Utilities District, the governor said he is "okay" with public ownership. He also said he did not have an opinion on the different public ownership options, but hoped the interested parties could discuss the alternatives.

Portland wants to move

Later, Portland Mayor Tom Potter said the city and its regional partners would act quickly to buy Portland General Electric. Potter asked Commissioner Erik Sten to lead the city's efforts.

"It is important that everyone know we are going to move quickly, and that we are going to be successful," Potter

commented. "This new regional public utility would pay all taxes to local governments and the state as if it were private."

By the end of the day, a private group headed by former PacifiCorp CEO Fred Buckman announced they would make an offer for PGE under the name of the Oregon Mutual Utility Development, Inc.

The "best option"

Back at the Capitol, the Senate Business and Economic Development Committee held its first hearing on SB 1008, which would establish Oregon Community Power, a customer-owned electric utility to buy and operate Portland General Electric. The utility would be formed as a public corporation under the state.

The bill is sponsored by Sen. Ryan Deckert (D-Beaverton), Sen. David Nelson (R-Pendleton) and Rep. Vicki Berger (R-Salem). Committee Chair Rick Metsger (D-Welches) said the committee will hear additional testimony at a subsequent hearing and asked staff to prepare a section-by-section summary.

Sen. Deckert testified that "local control of the PGE is important," citing Oregon Health and Sciences University and the Port of Portland as examples of "successful public entities that fit more of a business model." Rep. Berger urged the Legislature to act deliberately and intelligently on the bill and said she is a co-sponsor because "it is the best option."

"We feel that folks back in New York or in Texas will not necessarily act in the best interest of Oregon rate-payers," added Sen. Nelson.

(The PUC decision, a Q & A sheet, fact sheet, audio from the news conference and other materials are available at the PUC's website: www.puc.state.or.us/)

(Annexation Bills continued from page 1)

- SB 888 – clarifies statutory provisions under which city within metropolitan service district may exercise jurisdiction in proceedings for annexation of territory to city and changes in city boundaries
- SB 380 – requires majority of voters in territory proposed to be annexed and majority of voters in city or district annexing territory to approve annexation plan under which city or district may annex territory within urban growth boundary (urban service provider annexations)
- SB 732 – modifies requirements for industrial property that city may not annex without written petition for annexation from owner of property (Nike + Tech)
- SB 699 – prohibits annexation or incorporation of specified industrial lands without written consent of landowner

For more information, contact LOC's Linda Ludwig: (503) 588-65550 or lludwig@orcities.org.

Get to Know Your Committee Chairs: House Land Use Chair Bill Garrard

Representative Bill Garrard brings local government experience to the Legislature. He was a Klamath County Commissioner prior to his election to the House in November, 2000. During the 2001 session, Garrard served on four key legislative committees: House Transportation, House Rules Redistricting and Public Affairs, House Health and Public Advocacy and House Smart Growth and Commerce. As a first timer, Rep. Garrard supported and sponsored legislation on renewable energy, Klamath Basin irrigation, community colleges, seniors and at-risk children.



In 2003, Garrard chaired the House Environment and Land Use Committee and was a member of the House Business, Labor and Consumer Affairs Committee. He is equally busy this session, serving on the Environment Committee, the Judiciary Committee, and the Judiciary Subcommittee on Civil Law.

Garrard's philosophy, that "life is all about people," serves him well in his role as a legislator and in his former role as an owner and manager of several radio stations, including KAGO in Klamath Falls, KUKI in Ukiah, California, and KFAX in San Francisco.

Rep. Garrard represents the citizens of House District 56 in southern Oregon, which includes Bonanza, Klamath Falls, Malin and Merrill.

New Faces

(the eighth installment in our series on legislators serving in their first session)

Representative Chuck Burley, District 54



As a certified Forester, Rep. Chuck Burley (R-Bend) spent 10 years with the U.S. Forest Service and 11 years in the forest products industry. Currently a small business owner in Bend, Rep. Burley was elected to the Bend Metro Parks and Recreation District Board of Directors in 1999 and 2003. He holds a bachelor's degree in

forest management from Colorado State University, a master's in resource management and policy from the State University of New York and an M.B.A from James Madison University.

This session Rep. Burley is serving as vice chair of the House Transportation Committee and on the House Agriculture and Natural Resource and Information Management and Technology Committees. District 54 is in Deschutes County and includes Bend.

(New Faces continued on next page)

Representative Paul Holvey, District 8

Rep. Paul Holvey (D-Eugene) is a community relations representative for Northwest Carpenters, part of the United Brotherhood of Carpenters. He began as a carpenter's apprentice before becoming a journeyman in the union, and has worked for contractors in Oregon, Washington, California and Alaska as a carpenter, foreman and project superintendent.



Rep. Holvey is vice chair of the House Elections and Rules Committee, serves on its Subcommittee on Campaign Finance Reform, and is a member of the House Business, Labor and Consumer Affairs Committee. His district covers a portion of Lane County, including Veneta and a southwestern section of Eugene.

Representative Scott Bruun, District 37

Rep. Scott Bruun (R-West Linn) is vice president and chief financial officer for Lorentz Bruun Co., Inc, a Portland-based commercial general contractor founded by his grandfather. Prior to joining the family business, Bruun spent over 10 years in commercial and corporate banking, most recently as vice president for Key Bank's Portland Corporate Banking & Finance Group.



Currently, Rep. Bruun serves on the board of the Clackamas County Economic Development Commission. He has been appointed vice chair of the House Trade and Economic Development Committee and is a member of the House Transportation and Veterans' Affairs Committees. District 37 covers portions of Clackamas and Washington Counties, a section of King City and the cities of Durham, Lake Oswego, Rivergrove, Tualatin and West Linn.

Selected Bill Summaries

The following are bills of city interest. Summaries are included weekly to outline the issues that may be discussed in hearings during the session.

The bills are categorized by city concern, using the League's standing and issue committee titles. The bill's number is followed by an identifying title and a summary of the salient features.

BUDGET BILLS

HB 2094 State agency extended licensing terms: Authorizes agencies to offer extended-term licenses with terms of two, three, four or five years. (By Office of Regulatory Streamlining)

SB 376 Meth penalties: Increases penalty for unlawful possession or distribution of methamphetamine precursors. (By Sen. Winters)

COURTS

SB 873 Unitary assessment increase for EMS: Directs Department of Revenue to distribute a yet to be determined percent of moneys in Criminal Fine and Assessment Account to General Fund, to Emergency Medical Services Enhancement Account for distribution to Emergency Medical Services and Trauma Systems Program, and to Criminal Fine and Assessment Public Safety Fund. (By Sen. Bates)

ECONOMIC DEVELOPMENT

HJR 13 Lottery for seniors and disabilities: Proposes amendment to Oregon Constitution to distribute portion of net proceeds of State Lottery for services to seniors and persons with disabilities. (By Rep. Nelson)

HB 2698 Emerging industries: Requires Economic and Community Development Department to study ways to assist emerging industries in Oregon. (By Rep. Greenlick)

SB 838 Oregon Innovation Council: Creates Oregon Innovation Council to provide advice and oversight on issues relating to commercialization of research. (By Sens. Deckert, Johnson, Morse)

SB 879 Strategic investment zones: Modifies strategic investment program to establish strategic investment zones. (By Reps. Minnis, Lim; Sen. Monnes Anderson)

EMERGENCY MANAGEMENT

- SJR 30** Double majority elimination for seismic rehab: Proposes amendment to Oregon Constitution to eliminate double majority voter participation requirement for measures authorizing property taxes to pay bonded indebtedness if taxes are not subject to limitation under constitutional property tax limits and if bonds are issued to fund seismic rehabilitation or tsunami preparedness. (By Committee on Rules)

ENVIRONMENTAL QUALITY

- HB 2699** PBT monitoring: States policy regarding release of persistent bioaccumulative toxins. (By Rep. Greenlick)
- SB 740** Electronic recycling: Establishes Electronic Product Stewardship Account. (By Committee on Environment and Land Use)

ETHICS

- SB 420** Public Servant Fee for GSPC: Directs the Oregon Government Standards and Practices Commission to charge public bodies, including both state and local governments, an amount (between 3 and 5 dollars) based on number of public officials serving public body for purposes of funding activities of commission. (By Committee on Rules)

FINANCE & TAX: LOCAL FINANCE

- HB 2732** Gross receipts tax preemption: Requires local government taxes imposed on or measured by income to be imposed on or measured by taxable income as determined for state personal income tax purposes or Oregon taxable income as determined for state corporate excise or income tax purposes. (By Revenue Committee)

FINANCE & TAX: PROPERTY TAX

- HB 2776** Historic Property: Eliminates sunset date on historic property special assessment program. (By Butler, et. al for Rebecca Sterup)

FINANCE & TAX: SDCs

- HB 2757** Parks SDC cap: Caps amount of system development charge per dwelling unit that may be imposed for parks and recreation capital improvements, to \$2,500 single family, and \$1,500 multi family. (By Rep. Morgan)
- HB 2964** School Construction through Tax Increment Financing: Allows school district taxes imposed on new development to be utilized for school construction in the area which the tax is imposed, beginning July 1, 2007. (By Reps. Whisnant, Burley)

HEALTH INSURANCE

- HB 2788** Provider requirements: Prohibits insurers and HMOs from denying providers who are willing to meet the terms and conditions for participation right to participate as a provider. (By Rep. Butler, others)

LAND USE

- HB 2704** Forest Park area of influence: Requires Land Conservation and Development Commission to review large urban parks for possible designation as area of state concern and to recommend management plan for each large urban park and related area of influence. (By Rep. Greenlick; Sen. Ringo)
- HB 2750** Primary dwelling as outright permitted use: Establishes primary dwelling as outright permitted use on lawfully created lot or parcel without regard to whether lot or parcel is employed for farm use. (By Rep. Garrard)
- HB 2755** Partitions/ utility easements: Modifies procedures relating to subdividing or partitioning land, including utility easements. (By Rep. Greenlick)

MISCELLANEOUS

- SB 989** Public corporation contempt: Establishes conditions under which public corporation and state agency are liable for contempt. (By Committee on Rules)

MUNICIPAL LIABILITY

- SB 837** Public insurance liability: Establishes requirements for public bodies self-insuring for tort liability or property damage. (By Rep. Brown; Sen. Shields)

OPEN MEETINGS/PUBLIC RECORDS

- HB 2599** Public records exemption for water services: Exempts from public disclosure personal information about the customers of public body which provides water, sewer or storm drain services. (By Rep. Barker)
- HB 2724** Officer public records exemption: Provides that home address, home telephone number and electronic mail address of public safety officer are exempt from disclosure. (By Rep. Galizio)

PERS

- HB 2735** Retiree reemployment restrictions: Provides that state agency may employ retired member of PERS to fill position only if that agency has made good faith efforts for at least 45 days to fill position and public employer has been unable to find suitable person who is not retired member to fill position.

Restricts pay to lowest step in classification. (By Rep. Whisnant, et. al.)

POLICE

HB 2723 BPSST mandated leave: Requires employer to grant leaves of absence to public safety officer who is on Board on Public Safety Standards and Training or on committee established by board to allow officer to attend meetings and perform duties of board or committee. (By Rep. Galizio)

PUBLIC CONTRACTING

HB 2710 Pay higher of fed or state prevailing wage: Requires contractor and subcontractors on public works project to pay state prevailing wage rates or federal prevailing wage rates, whichever are higher, when project is subject to state and federal prevailing wage rate laws. (By Rep. Holvey)

PUBLIC SAFETY

HB 2300 Sex offender reporting: Requires person with duty to report as sex offender to report every 10 days if person does not have fixed address. (By Joint Interim Judiciary Committee)

HB 2427 Civilian police review board mandate: This bill requires all counties and cities with a population of more than 15,000 to create civilian police review boards. (By Rep. Shields)

HB 2663 Requirements for emergency lights: Mandates the colors for police lights, tow vehicle warning lights and warning lights on vehicles involved with hazardous materials. (By Rep. Boquist)

HB 2703 Corrections meth notification: Requires State Board of Parole and Post-Prison Supervision, Department of Corrections or community corrections agency to notify residents when person under supervision after conviction for manufacturing methamphetamine lives within certain proximity to residents. (By Rep. Berger)

HB 2742 Safe Routes to Schools: Establishes Safe Routes to Schools Fund and allows a city who has participated in development of a Safe Routes to School plan to apply for grants. (By Committee on Transportation)

SB 375 Met mandatory minimums: Establishes mandatory minimum sentences for unlawful manufacture or delivery of methamphetamine and for unlawful possession of methamphetamine. (By Sen. Winters)

SB 378 Criminalization of underage meth distribution: Expands crime of unlawful distribution of methamphetamine precursors by prohibiting sale of methamphetamine precursors to persons under 18 years of age. (By Sen. Winters)

TRANSPORTATION

HB 2731 Title fee: Imposes fee for issuance of first Oregon certificate of title. (By Committee on Revenue)

HB 2770 Carlton - Pine Street: Requires Department of Transportation to transfer moneys from State Highway Fund to City of Carlton to resurface parts of Pine Street. (By Rep. Nelson)

WATER

HB 2812 Water law reform: Creates Task Force on Water Law Reform. (By Rep. Jenson)

SB 381 Transfers certification of persons inspecting water cross connections to Department of Consumer and Business Services: Transfers authority for certifying persons who inspect water system cross connections or who test backflow prevention devices from Department of Human Services to Department of Consumer and Business Services. (By Sen. Schrader)

WATER QUALITY

SB 681 Land application: Prohibits storage or disposal of hazardous materials and radioactive materials at solid waste disposal sites established in exclusive farm use zones. (By Sen. Schrader)

WORKERS COMP

HB 2406 Witness fees in WC claims: Authorizes payment of fees, expenses and costs for witnesses in the litigation of a workers' compensation claim if claimant prevails and attorneys' fees are awarded. (By Business, Labor and Consumer Affairs Committee)

HB 2588 WC chiropractic study: Directs Oregon Health and Science University to conduct research project, funded by the Workers Benefit Fund, to investigate the impact of allowing open access to chiropractic services in workers' compensation claims. (By Reps. Dalto, Kropf, Tomei for Chiropractic Assn.)

SB 339 Physical examination requirements: Requires that physical examination of person requested by defendant in action claiming damages for injuries arising out of use of motor vehicle be conducted through Independent Medical Examination Program. (By Committee on Judiciary)

Hearing Schedule

All hearings are held at the Capitol unless otherwise noted

Monday, March 14, 2005

Re: SB 153. Photo red light/radar sunset
Where: HR C - Senate Transportation Committee
Time: 3:10 P.M.

Re: SB 298. Chemical dependence/mental health parity
Where: HR B - Senate Health Policy Committee
Time: 1:00 P.M.

Re: SB 380. Urban service provider annexation
Where: HR B - Senate Environment and Land Use Committee
Time: 3:00 P.M.

Re: SB 470. State spending limit
Where: HR A - Senate Revenue Committee
Time: 8:30 A.M.

Re: SB 478. Homestead deferral interest rate
Where: HR A - Senate Revenue Committee
Time: 8:30 A.M.

Re: SB 492. Driver duties at crosswalks
Where: 343 - Senate Judiciary Committee
Time: 1:00 P.M.

Re: SB 493. Red light running for bicycles
Where: 343 - Senate Judiciary Committee
Time: 1:00 P.M.

Re: SB 591. Crosswalk lanes
Where: 343 - Senate Judiciary Committee
Time: 1:00 P.M.

Re: SB 698. EMT authorizations
Where: HR B - Senate Health Policy Committee
Time: 1:00 P.M.

Re: SB 699. Consent requirement for annexation of industrial land
Where: HR B - Senate Environment and Land Use Committee
Time: 3:00 P.M.

Re: SB 732. Prohibition of annexation without consent for 2 industrial sites
Where: HR B - Senate Environment and Land Use Committee
Time: 3:00 P.M.

Re: SB 886. Public hearing requirement for certain annexations
Where: HR B - Senate Environment and Land Use Committee
Time: 3:00 P.M.

Re: SB 888. Annexation authority in Metro
Where: HR B - Senate Environment and Land Use Committee
Time: 3:00 P.M.

Re: SB 938. Bicycle exclusions
Where: 343 - Senate Judiciary Committee
Time: 1:00 P.M.

Re: HB 2034. Public funds deposits
Where: HR B - House Business, Labor and Consumer Affairs Committee
Time: 8:30 A.M.

Re: HB 2091. Workers' comp decision review
Where: HR B - House Business, Labor and Consumer Affairs Committee
Time: 8:30 A.M.

Re: HB 2473. School groundwater
Where: HR 357 - House Water Committee
Time: 1:00 P.M.

Re: HB 2522. City watershed fines
Where: HR 357 - House Water Committee
Time: 1:00 P.M.

Re: HB 2599. Public records exemption for water services
Where: 357 - House Judiciary Subcommittee on Civil Law
Time: 8:30 A.M.

Re: HB 2676. Witness pay and reimbursement
Where: 357 - House Judiciary Subcommittee on Civil Law
Time: 8:30 A.M.

Re: HB 2741. Rental car registration
Where: HR C - House Transportation Committee
Time: 1:00 P.M.

Tuesday, March 15, 2005

Re: SB 67. Grants to museums
Where: HR B - Senate General Government Committee
Time: 3:10 P.M.

Re: SB 402. Domestic water assessment
Where: HR B - Senate General Government Committee
Time: 3:10 P.M.

Re: SB 563. Refusal to supply water
Where: HR B - Senate General Government Committee
Time: 3:10 P.M.

Re: SB 706. Housing anti-discrimination
Where: HR B - Senate General Government Committee
Time: 3:10 P.M.

Re: SB 899. Municipal budget submission
Where: HR A - Senate Revenue Committee
Time: 8:30 A.M.

Re: HB 2083. Water right notification
Where: HR 343 - Senate Environment and Land Use Committee
Time: 7:00 A.M.

Re: HB 2192. Active Guard Health Insurance
Where: HR C - House Veterans' Affairs Committee
Time: 8:30 A.M.

Re: HB 2614. Minor parties and primaries
Where: HR E - House Elections and Rules Committee
Time: 1:00 P.M.

Re: HB 2723. Board on Public Safety Standards and Training mandated leave
Where: 357 - House Judiciary Subcommittee on Criminal Law
Time: 8:30 A.M.

Re: HB 2724. Officer public records exemption
Where: 357 - House Judiciary Subcommittee on Criminal Law
Time: 8:30 A.M.

Wednesday, March 16, 2005

Re: SB 740. Electronic recycling
Where: HR B - Senate Environment and Land Use Committee
Time: 3:00 P.M.

Re: HB 2176. Brownfield redevelopment fund
Where: 343 - House Trade and Economic Development Committee
Time: 8:30 A.M.

Re: HB 2662. Work leave for victims
Where: 357 - House Judiciary Subcommittee on Civil Law
Time: 8:30 A.M.

Re: HB 2725. Construction design liability
Where: 357 - House Judiciary Subcommittee on Civil Law
Time: 8:30 A.M.

Thursday, March 17, 2005

Re: HB 2089. Camping and RV TLT
Where: HR A - House Revenue Committee
Time: 1:00 P.M.

Re: HB 2197. Transient Lodging Tax amendments
Where: HR A - House Revenue Committee
Time: 1:00 P.M.