

Senate Third Readings

MONDAY, JUNE 20, 2011

SENATE CONVENES AT 10:30 A.M.

REVISED

Jason	Atkinson	R		503-986-1702	sen.jasonatkinson@state.or.us
Alan	Bates	D		503-986-1703	sen.alanbates@state.or.us
Lee	Beyer	D		503-986-1706	sen.leebeyer@state.or.us
Suzanne	Bonamici	D		503-986-1717	sen.suzannebonamici@state.or.us
Brian	Boquist	R		503-986-1712	sen.brianboquist@state.or.us
Ginny	Burdick	D		503-986-1718	sen.ginnyburdick@state.or.us
Peter	Courtney	D		503-986-1600	sen.petercourtney@state.or.us
Richard	Devlin	D		503-986-1719	sen.richarddevlin@state.or.us
Jackie	Dingfelder	D		503-986-1723	sen.jackiedingfelder@state.or.us
Chris	Edwards	D		503-986-1707	sen.chrisedwards@state.or.us
Ted	Ferrioli	R		503-986-1950	sen.tedferrioli@state.or.us
Larry	George	R		503-986-1713	sen.larrygeorge@state.or.us
Fred	Girod	R		503-986-1709	sen.fredgirod@state.or.us
Mark	Hass	D		503-986-1714	sen.markhass@state.or.us
Betsy	Johnson	D		503-986-1716	sen.betsyjohnson@state.or.us
Jeff	Kruse	R		503-986-1701	sen.jeffkruse@state.or.us
Laurie	Monnes Anderson	D		503-986-1725	sen.lauriemonnesanderson@state.or.us
Rod	Monroe	D		503-986-1724	sen.rodmonroe@state.or.us
Frank	Morse	R		503-986-1708	sen.frankmorse@state.or.us

David	Nelson	R		503-986-1729	sen.davidnelson@state.or.us
Alan	Olsen	R		503-986-1720	sen.alanolsen@state.or.us
Floyd	Prozanski	D		503-986-1704	sen.floydprozanski@state.or.us
Diane	Rosenbaum	D		503-986-1700	sen.dianerosenbaum@state.or.us
Chip	Shields	D		503-986-1722	sen.chipshields@state.or.us
Bruce	Starr	R		503-986-1715	sen.brucestarr@state.or.us
Chris	Telfer	R		503-986-1727	sen.christelfer@state.or.us
Chuck	Thomsen	R		503-986-1726	sen.chuckthomsen@state.or.us
Joanne	Verger	D		503-986-1705	sen.joanneverger@state.or.us
Doug	Whitsett	R		503-986-1728	sen.dougwhitsett@state.or.us
Jackie	Winters	R		503-986-1710	sen.jackiewinters@state.or.us

Possible Consideration of House Amendments:

PROPOSITIONS AND MOTIONS:

SB 82 B-Eng. Dingfelder

+++++

Note:

Allows manufacturer program or state contractor program that collects, transports and recycles covered electronic devices beyond certain threshold to claim recycling credits. Once a certain threshold has been met for the recycling program then they can get recycling credits for the overage. Fair Arguments can be made either way for this bill, however I would lean toward the free market and not subsidizing industry.

+++++

SB 889 B-Eng. George

+++++

Note:

Specifies, for purposes of minimum tax imposed on agricultural cooperatives, that "Oregon sales" does not include sales that represent business done with or for members of agricultural cooperative. Bill would allow Oregon companies who sell certain products within our state that then get resold outside the state to not count those sales as part of their sales for purposes of paying taxes. This bill would be beneficial for many businesses, not just co-operatives dealing in agriculture products. Allows a company to bypass the corporate minimum tax. The bill summary states that the co-op would be more profitable with this measure and also could return more money to their shareholders. Too bad the legislature didn't look at this as a beneficial program for ALL businesses because all businesses would like to make a larger profit and return more money to their shareholders.

+++++

THIRD READING OF SENATE MEASURES:

HB 2939 B Nelson

+++++

Note:

From bill summary: Prohibits use of mechanical restraint, chemical restraint or prone restraint on student in public education program. Allows reasonable use of physical restraint or seclusion on student in public education program under specific circumstances. Describes procedures to be followed if physical restraint or seclusion is used. Requires preparation of annual report related to use of physical restraint or seclusion. Directs Department of Education (ODE) to approve training programs in physical restraint and seclusion that meet Department of Human Services standards. Sunset June 30, 2017.

+++++

CARRIED OVER FROM JUNE 17

HB 2020 B-Eng. Whitsett

+++++

Note:

Directs state agencies to report to Joint Committee on Ways and Means ratio of agency employees to supervisory employees, ratio of agency employees to managerial employees and number of positions for managerial employees who do not act in supervisory capacity.

+++++

THIRD READING OF HOUSE MEASURES:

HB 2152 B-Eng. Johnson

+++++

Note:

Eliminates five percent limit on funds in Oregon Housing Fund that can be used for administration of accounts.

From bill summary: Oregon Housing and Community Services has asked for the cap to be removed so that rising administrative costs can be paid out of the agencies own revenue generated through fees, charges, loan and bond earnings as opposed to requesting general Fund revenue to cover the higher administrative costs.

Removing this cap seems to allow the agency to spend more money on administration and allows them to build more bureaucracy. It also allows the legislature to increase their budget at any time it chooses. Regardless of whether there is democrat or republican control in salem; Limited government is good government. The fiscal impact statement says this would cost a little over a million dollars this year, but that money appears to be a transfer from another fund within this agency. Spending this year is projected to be 5.4%.

+++++

HB 2280 A-Eng. Whitsett

+++++

Note:

Authorizes Department of Education to initiate financial audit or performance audit of school district or education service district.

+++++

HB 2289 B-Eng. Monroe

+++++

Note:

Establishes Task Force on Accountable Schools for purpose of recommending for legislation methods of evaluating and improving student performance.

+++++

HB 2563 B-Eng. Hass

+++++

Note:

+++++

Note:

Creates and adjusts sunset dates for certain exemptions to property taxation.

Bill has had no activity for the last 5 months. Bill is long and complex and has many special provisions for taxation of certain things. From Bill: "Property equipped with solar, geothermal, wind, water, fuel cell or methane gas energy systems for the purpose of heating, cooling or generating electrical energy shall be exempt from ad valorem taxation in an amount that equals any positive amount obtained by subtracting the real market value of the property as if it were not equipped with such systems, from the real market value of the property so equipped."

+++++

HB 2600 A-Eng. Winters

+++++

Note:

Codifies Staley settlement agreement pertaining to provision of developmental disability services to eligible adults.

+++++

HB 2679 B-Eng. Burdick

+++++

Note from bill summary:

HB 2679 Imposes surplus lines insurance tax and reporting requirements on independently procured insurance policyholders.

This bill makes sure the Oregon Surplus Lines Law conform to the federal Nonadmitted and Reinsurance Reform Act of 2010. A surplus lines policy is a policy placed with an insurer that is not licensed in Oregon, but is eligible to provide property or liability insurance through a specially licensed producer known as a surplus lines licensee. The surplus lines insurance market exists to ensure that Oregonians can obtain unique or hard-to-find coverage that isn't available in the regular insurance marketplace. The Oregon Surplus Lines Law (Oregon Revised Statutes 735.400-735.495) governs the surplus lines market. Currently, Oregon surplus lines insurance policies, except for independently procured ones without the use of Oregon-licensed producers, are subject to a two percent premium tax that goes to the General Fund and a tax for the purpose of supporting the function of the office of the State Fire Marshall. The new federal law authorizes states to collect the premium taxes on independently procured surplus lines policies. Under this bill, independently procured surplus lines policies will be subject to the two percent premium tax and the State Fire Marshall tax, **which makes this bill revenue-raising**. Ultimately, I'm not quite sure what to think of this bill.

+++++

HB 2868 Bates

+++++

Note:

HB 2868 is relating to temporary restaurants

Requires licensing of temporary and seasonal restaurants. One more thing to control businesses and the economy.

+++++

HB 2960 B-Eng. Edwards

+++++

Note:

Establishes Jobs, Energy and Schools Fund.

From bill summary:

“Establishes Clean Energy Deployment Fund. Appropriates moneys in fund to the Oregon Department of Energy. Requires the Department to establish grant and loan program to support certain initiatives. Requires the Public Utility Commission to compile a report. Declares emergency, effective on passage.”

+++++

HB 3058 A-Eng. Hass

+++++

Note:

HB 3058 Excludes patronage dividends or transactions with cooperative members from definition of "Oregon sales for purposes of corporate minimum tax.

Passed the house with all democrats voting for it.

From the bill background: “In general, corporate sales made within Oregon’s borders are defined to be ‘Oregon Sales’ for purposes of apportionment and the corporation minimum tax. Consequently, sales made by co-operative members to an Oregon co-op are considered Oregon sales, regardless of their ultimate destination. By modifying the definition of Oregon sales for agricultural co-operatives, their minimum tax would be reduced. The benefit of the reduced tax liability is presumably passed on to the co-op members through relatively higher dividend payments.”

So Democrats, (and some republicans); let me get this straight. It is OK to pass a law reducing taxes on an agricultural cooperative so the business can make more money and pass it on to their customers or to the owners of the cooperative (the shareholders). But..... you want to increase taxes and fees on every other business in the state. Why don’t you stop picking winners and losers, reduce taxes for ALL businesses and then maybe we could get a little economic growth in this state, because those businesses would have more money free to hire new employees, develop new products, lower costs of their goods, or pay higher dividends to their shareholders. It’s just a thought, but you have already tried the ‘tax and regulate us to death’ route, maybe a little free market economics and some common sense would be good.

+++++

HB 3247 A-Eng. Whitsett

+++++

Note from bill summary:

Relating to the Secretary of State's business registry functions

Directs the Secretary of State’s Business Registration Information Center to create and maintain a “One Stop Shop for Oregon Business” web portal. Outlines items that are to be contained in the portal. Directs state and local government agencies whose functions include business registration, licensing, permitting or taxation, or that provide information for or assist with establishing, expanding, operating or relocating a business, to cooperate with and assist the Center in performing their duties related to establishing and maintain the portal. Allows the Secretary of State to adopt rules to implement the measure’s provisions. Establishes an operative date of January 1, 2012.

+++++

HB 3482 A-Eng. Verger

+++++

Note:

Relating to employment

From bill summary:

Requires Oregon employers who employ six or more individuals to allow eligible employees to take unpaid leave to address issues arising from harassment

+++++

HB 3620 Thomsen

Relating to Ballot Measure 49 (2007) claims

+++++

Note:

From bill:

Allows person to file request for reconsideration of claim under Ballot Measure 49 (2007) if person's date of acquisition of property was affected by conveyance of property and person reacquired property within 10 days after conveyance.

+++++