

Senate Third Readings

WEDNESDAY, JUNE 29, 2011

SENATE CONVENES AT 11:00 A.M.



Possible Consideration of House Amendments:

PROPOSITIONS AND MOTIONS:

SB 101 C-Eng. Monnes Anderson

SB 101 B Relating to health care - Adoption of conflict amendments

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Note:

I see no conflict amendments online for this bill. It just passed the senate on Thursday and was read for the House for the first time on the same day and referred to Ways and Means.

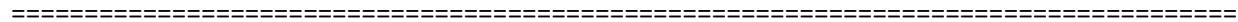
From Bill:

Authorizes payment for dental services under Family Health Insurance Assistance Program and under private health option of Health Care for All Oregon Children program. Specifies requirements for dental plan to qualify for premium assistance under Family Health Insurance Assistance Program.

Requires Oregon Health Authority to obtain authority to implement, on September 1, 2011, new Medicaid fee schedule.

Requires negotiating of new contract between hospitals and fully capitated health plans in anticipation of new schedule. Sets rates of reimbursement for hospitals and fully capitated health plans that do not have contract. Eliminates sunset on provision regulating setting of such rates.

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SB 170 B-Eng WM dpa PE 06/24/11 Gelser

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Note:

Passed senate with no opposition.

Requires Department of Education to be responsible for payment of costs of education of students in eligible day treatment program or eligible residential treatment program by contracting with school district in which program is located.

Resolves conflict between House Bill 2281 (2011), relating to residential treatment programs and House Bill 3599 (2011), relating to education of students in day treatment programs. Allows day treatment programs and residential treatment programs to co-exist within Oregon Department of Education long-term care and treatment funding statute. (Committee Vote: 14-0)

Please note: Has Fiscal Impact Statement

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SB 242 C-Eng. Hass

SB 242 C-Eng WM dpa PE 06/24/11 Dembrow

Redefines Oregon University System (OUS) as public university system with greater authority and independence to manage affairs, operations and obligations. Creates Higher Education Coordinating Commission (Commission). Authorizes Commission to coordinate higher education goals and policy with OUS. **Places responsibility for liability, defense and indemnity on OUS and State Board of Higher Education.** Creates process for State Board of Higher Education to enter into performance compact with state in conjunction with biennial funding request. **Eliminates requirement to seek permission to exceed expenditure limitation to spend other available moneys, including enrollment fees collected.** **Exempts OUS from certain laws relating to state agencies.** Preserves labor contracts, retirement, benefits and preferences. **Authorizes board to purchase property and construct facilities without legislative approval.** Maintains all interest earned in Oregon University System Fund to OUS. Transfers functions of the Office of Degree Authorization to Higher Education Coordinating Commission. Changes the name of the Oregon Student Assistance Commission to the Oregon Student Access Commission. Most OUS governance sections become operative January 1, 2012. Creation of the Higher Education Coordinating Commission operative July 1, 2012. Declares emergency, effective on passage. (Committee Vote: Ayes, 12 – Cowan, Freeman, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, G. Smith, Whisnant, Buckley, Richardson; Nays, 2 – Beyer, Thatcher)

Please note: Has Fiscal Impact Statement

Please note: Has Revenue Impact Statement

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SB 254 B Relating to college credits - Adoption of conflict amendments

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Note:

Passed senate with unanimous vote with 2 absent

Directs Department of Education to administer grant program to provide grants related to accelerated college credit programs.

From Bill summary:

Establishes grant program relating to accelerated college credit programs for college credit to be administered by the Department of Education (DOE). Directs Joint Boards of Education to develop statewide standards for dual credit programs and state secondary and tertiary schools to implement the standards and report on students enrolled in dual credit programs. Establishes the Accelerated College Credit Account (ACCA). Appropriates moneys from the General Fund to the ACCA. Continuously appropriates moneys in the ACCA to the Department of Education. Declares emergency, effective July 1, 2011.

From Fiscal Impact statement:

The measure directs the Department of Education to administer a grant program to provide grants related to accelerated college credit programs. The grants may be awarded to provide education or training to teachers who provide instruction in accelerated college credit programs or to assist students for non-examination expenses related to accelerated college credit programs and for providing classroom supplies for accelerated college credit programs. The amount of the grant may not exceed one-third of the total cost of education or training. The Department may accept contributions from the federal government or other public or private sources and enter into agreements with school districts, community college districts and state institutions of higher education related to funding. The measure establishes the Accelerated College Credit Account separate and distinct from the General Fund for the administration of the grant program and moneys in the account are continuously appropriated to the Department. The measure appropriates \$250,000 of General Fund to the Accelerated College Credit Account.

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SB 342 C-Eng. Dingfelder

SB 342 B Relating to the use of Parks and Natural Resources Fund moneys - Adoption of conflict amendments

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Note:

Passed Senate with unanimous vote with 2 absent.

Revises statutory provisions relating to lottery moneys constitutionally directed toward acquisition, management and protection of parks and recreation areas and toward financing restoration and protection of native fish and wildlife, watersheds and water quality.

From Bill summary:

Establishes Parks Subaccount. Requires Director of Parks and Recreation Department to report to Joint Ways and Means Committee on measurable biennial and cumulative results of activities and programs financed by Parks Subaccount. Establishes Natural Resources Subaccount and purposes for which funds may be used. Directs 65 percent of money in Natural Resources Subaccount to be deposited in Watershed Conservation Grant Fund (Grant Fund) and 35 percent in Watershed Conservation Operating Fund (Operating Fund), except under specific circumstances. Establishes purpose of Grant Fund, including implementation of the Oregon Plan, and funding watershed health and native fish recovery costs. Directs each state agency receiving money from Natural Resources Subaccount to report to Legislative Assembly on use of funds, including measurable biennial and cumulative results of activities and programs financed by Natural Resources Subaccount. Declares emergency; effective upon passage.

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Carried over from Tuesday, June 28, 2011

THIRD READING OF SENATE MEASURES:

SCR 18 Rosenbaum

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Note:

Adjourns sine die 2011 regular session of Seventy-sixth Legislative Assembly.

As of today, the senate has passed 914 bills, the House of Representatives has passed 887 bills, and the governor has signed 515 of them in to law. That amounts to more than 6 bills passed and 3 new laws for each day the legislature is in session. If only we could have a year round legislature. Wouldn't that be great?

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HB 2113 B-Eng. Johnson

Modifies retirement plan options of persons elected or appointed as members of Legislative Assembly.

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Note:

Allows members of legislature to remain members of PERS program even if retired from regular state employment.

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THIRD READING OF HOUSE MEASURES:

HB 2456 B-Eng WM dpa PE 06/24/11 G. Smith

Eliminates a benefit for certain Public Employees Retirement System (PERS) retirees who reside out of state. (Committee vote: Yeas, 12 - Beyer, Buckley, Cowan, Freeman, Komp, Kotek, Nathanson, Nolan, Richardson, G. Smith, Thatcher, Whisnant; Nays, 2 - Garrard, McLane)

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Note:

Prohibits the Public Employees Retirement Board from paying increased benefits by reason of state income taxation of payments made by the Board if the person receiving payments does not pay Oregon income tax on their retirement benefits. Clarifies that the measure does not apply to certain retirees whose retirement date is on or before January 1, 2012.

House Bill 2456-A establishes that the increased benefit provided by House Bill 3349 (1995) will not be paid to affected Tier One retirees whose payments are not subject to Oregon personal income tax on or after January 1, 2012

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HB 3100 A-Eng. Winters

Modifies jurisdiction of Psychiatric Security Review Board

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Note:

WHAT THE MEASURE DOES: Requires a person pleading not guilty except for insanity file with the court a report from a psychiatrist or psychologist who has been certified by the Oregon Health Authority (OHA). Requires the Authority to adopt rules to certify psychiatrists and psychologists. Requires the defendant to file the report with the court prior to trial. Allows the court to accept a report after commencement of trial only if there is just cause for not filing the report in time. Allows a court to only accept a plea agreement of not guilty except for insanity if the court has before it a psychiatric or psychological evaluation. Requires a court to commit to the State Hospital a person convicted of a

misdemeanor if the court finds that the person not only is affected by mental disease or defect, but also presents a substantial danger to others. Requires a person convicted of a Class C felony be evaluated by a local mental health program designated by the Psychiatric Security Review Board (PSRB). Allows the OHA and PSRB to adopt rules upon passage of the bill. Makes all other provisions applicable January 1, 2012.

The length of time an individual spends under the jurisdiction of the PSRB is based on the category of the crime that the person would have been guilty of if the person was found to be sane. If the crime was a Class A felony, the person is under the jurisdiction of the PSRB for 20 years; a Class B felony, 10 years; and a Class C felony, five years. If the crime was a Class A misdemeanor, the person is under the jurisdiction of the PSRB for one year; a Class B misdemeanor, six months; and a Class C misdemeanor, 30 days. An adult found guilty, but for insanity is initially sent to the State Hospital or a secure intensive community inpatient facility, ORS 161.327(1). The board may conditionally release someone if it finds that the person can be adequately controlled with supervision in the community, ORS 161.336. If a person asserts the not guilty but for insanity defense, the state has the right to have the person examined by at least one psychiatrist or licensed psychologist, ORS 161.315

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HB 3102 B-Eng. Edwards

HB 3102 B-Eng WM dpa PE 06/24/11 Nathanson

Establishes the nine-member Court Appointed Special Advocate (CASA) Task Force charge with studying and making recommendations regarding the appropriate structure and operation for funding and administration of the CASA Volunteer Programs in Oregon. The bill directs the task force to report to appropriate interim committees no later than January 15, 2012. The task force sunsets on June 30, 2013. The bill contains an emergency clause and takes effect on passage. (Committee Vote: 14-0)

Please note: Has Fiscal Impact Statement

HB 3260 B-Eng. Bates

Transfers all duties, functions and powers of State Commission on Children and Families relating to coordination and delivery of services to runaway and homeless youth and their families to Department of Human Services

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Note:

WHAT THE MEASURE DOES: Stipulates Department of Human Services (DHS) as responsible party for coordinating the statewide planning for delivery of services to runaway and homeless youth and

their families. Requires DHS to recommend policies that integrate a system of services and support for runaway and homeless youth into state’s continuum of care for children who are 0 through 21 years of age. Requires state commission to transfers all duties, functions and powers to DHS. Transfers all records and property from State commission to DHS. Requires unexpended balances to be transferred to DHS from state commission beginning July 1, 2011. Declares emergency, effective on passage.

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HB 3636 A-Eng. Whitsett

Requires that each application for issuance of license, tag or permit by State Fish and Wildlife Commission include separate section under which applicant may make voluntary contribution for predatory animal control in county or counties in which license, tag or permit allows person to hunt.

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Note:

Wouldn’t it be nice, and more economical for the state and taxpayers, if we just allowed hunters to shoot, or trap, these predatory nuisance animals instead of having to pay someone to do it on the state time and dollar. Not only does it cost money for the state to send out a hunter/trapper for these nuisance animals it will cost \$45,000 (from fiscal statement) to change the computer system to accept the donations from the hunters in the first place. And in addition, the first \$45,000 donated will not even be used for animal control it will be used to reimburse for the expense of changing the computer system. Does the state not realize that People would even pay extra to shoot bears, cougars, wolves, feral hogs, coyotes, beavers, nutria, bobcats, mink, raccoons, foxes, otters and other animals the state may consider nuisance under the existing laws. A trapper would be happy to get a phone call telling him where to go set some snares to remove some troublesome beavers, muskrats, or nutria and it would not cost the state anything except for the phone call.

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PS: if the state can set up this check-off donation box, why not set up a check-off donation box on our Oregon (and Federal) tax forms. That way those people that think they do not pay enough taxes can make a “voluntary contribution” to donate some of their money to the state.