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76th Oregon Legislative Assembly

Committee Agendas Online

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**Date: Thursday-June 23**

**Time: 10:00 A.M.**

**Room: HR D**

**Conference Committee on HB 3280**

**Office: 347 Phone: 503-986-1755**

Work Session

**Conference committee members**

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**HB 3280 B Modifies authority for establishment of winery and for winery sales and services in exclusive farm use zone.**

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**Note:**

Bill would allow wineries to be built on different sized pieces of property if certain conditions are met. Bill could be simplified greatly....but that might lead to some economic development, and Oregon doesn't seem to want any of that.

**BACKGROUND:** A winery may be established as an outright permitted use on EFU lands if specific thresholds are met for vineyard acreage and gallons of wine produced. Under current law, a winery producing less than 50,000 gallons from a vineyard of at least 15 acres or a winery producing less than 100,000 gallons from a vineyard of at least 40 acres is an outright permitted use on EFU lands. These wineries are currently authorized to sell items directly related to the sale and promotion of wine including food from a limited service restaurant.

House Bill 3280 B would modify these provisions by creating two categories of wineries: smaller wineries producing a minimum of 1,000 gallons of wine each year and larger wineries producing a minimum of 10,000 gallons each year. The measure also establishes allowable uses and activities at the wineries and standards for such uses and activities. The Act would require all wineries to provide a setback of at least 100 feet and on-site parking. Wineries producing 250,000 gallons in a calendar year would be authorized to operate a restaurant.

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### Ways and Means Subcommittee On Capital Construction

Date: Wednesday-June 22

Time: 5:30 P.M.

Room: HR F

Ways and Means

Office: H-178 Phone: 503-986-1828

The Capital construction sub committee should see these bills first then I believe that they need to go to the full ways and means committee for a vote. Both contact lists are included here.

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Work Session

**HB 3100 Relating to crime**

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Note:

From summary: 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.

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**HB 3260 A Relating to support services for youth**

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From summary of amendments: Repeals Section 1 of measure. Replaces State Commission on Children and Families to DHS as responsible party for coordinating the statewide planning for delivery of services for 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 the 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.

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**HB 3636 Relating to predatory animal control**

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Note:

From summary:

Requires applications for State Fish and Wildlife Commission licenses, tags, and permits to have a separate section where applicants can make voluntary contributions to be used for predatory animal control to the extent allowed under federal and state law. Establishes Wildlife Conservation Fund continuously appropriated to the State Fish and Wildlife Commission for holding contributions and distributing contributions to counties for predatory animal control programs.

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**HB 3650 A Relating to health**

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**Note:**

- Establishes Oregon Integrated and Coordinated Health Care Delivery System to replace managed care systems for recipients of medical assistance.

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Note:

From Jeff Kruse: As HB 3650 is currently written the biggest things it does is grow government authority and expand public employee unions. Fiscal impact statement says there may be a cost to this but will be determined later. From Bill:

“Establishes Oregon Integrated and Coordinated Health Care Delivery System to replace managed care systems for recipients of medical assistance. Specifies criteria for coordinated care organizations. Requires Oregon Health Authority to seek federal approval to allow enrollment of individuals who are dually eligible for Medicare and Medicaid into coordinated care organizations. Requires authority to establish alternate payment methodologies for coordinated care organizations. Requires coordinated care organizations to report outcome and quality measures developed by authority. **Requires coordinated care organizations to use patient centered primary care homes to extent practicable.** Establishes consumer protections for members of and providers in coordinated care organizations. Allows sharing of confidential information within coordinated care organization. **Creates exemption from antitrust laws** for activities under Oregon Integrated and Coordinated Health Care Delivery System.”

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**HB 2456 A** Relating to payments made under Public Employees Retirement System that are not subject to Oregon income tax

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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 2113 A Relating to public employee retirement**

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Note:

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

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

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**HB 3102 A Relating to court appointed special advocates**

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Note:

Transfers authority over court appointed special advocates and CASA Volunteer Programs from State Commission on Children and Families to judicial branch of state government.

From bill summary:

Requires funds in Court Appointed Special Advocate Fund be continuously appropriated to the Oregon Department of Administrative Services (DAS). Requires State Commission on Children and Families to adopt uniform and consistent rules throughout the state. Creates Court Appointed Special Advocate (CASA) Task Force. Specifies member composition, structure and operation of task force. Adds provisions requiring task force to oversee state CASA Volunteer Programs. Disburses funds in Court Appointed Special Advocate Fund through DAS. Directs task force to ensure cost-efficiency, adopt policies, procedures, standards, guidelines and rules to assist in implementing its responsibilities for court appointed special advocate services. Transfers all duties, functions and powers of CASAs and CASA Volunteer Programs to judicial branch. On or before July 1, 2011, requires Commission to provide all records and property relating to CASAs and CASA Volunteer Programs, unexpended balances derived from dedicated revenues, expenditure classifications and Acts authorizing or limiting expenditures, to the Chief Justice of the Supreme Court on behalf of judicial branch of state government.

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**SB 420 A Relating to mentally ill defendants**

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Note:

Modifies court's dispositional authority when person found guilty except for insanity of crime.

From bill summary:

Places a person found guilty but for insanity and who presents a substantial danger to others under the jurisdiction of the Oregon Health Authority (OHA) rather than the Psychiatric Security Review Board (PSRB). OHA will decide when a person can be released back into the community and whether the person should be recommitted; however, the PSRB will supervise the person when released into the community. Requires that person under the jurisdiction of OHA who is convicted of a crime and sentenced to incarceration be conditionally released in order to serve that sentence and upon completion of the sentence be placed back under the jurisdiction of OHA.

**I'm not so sure I want the Oregon Health authority making decisions about when a person should be released.**

**And also from the summary:**

If a person is committed to the jurisdiction of the PSRB and placed in OSH, the hospital can recommend discharge back into the community based on the fact that the person's mental condition has improved so that the person does not present a danger to self or others either with supervision or without supervision; however, the ultimate decision to do this rests with the PSRB, which not only has the authority to make this decision but sets the terms and conditions of release and supervises the person while released. This split between the OSH's obligation to treat and evaluate and the PSRB's authority to decide who is released has caused confusion, and, some believe, delay in release into the community.

**I guess I don't really see a problem with someone who is criminally insane going to a hospital and having to stay in a place where they are getting supervised treatment for a little extra time while a different set of people,( besides those doing the treatment), decide the course of action for release or probation.**

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