



# City of Salem

## Oregon Legislative Report

### 2017



**Submitted by**  
**CFM Strategic Communications**  
**August 2017**



## **SESSION SUMMARY**

With a near-supermajority in both chambers and control of the Governor's office, Democrats entered Oregon's 79<sup>th</sup> legislative session with high hopes and an ambitious agenda. Among the priorities: establishing rent control while limiting no-cause evictions, reforming the corporate tax structure, creating a massive transportation infrastructure spending package, protecting women's health equity access, passing a suite of public records reforms, mandating the phase-out of diesel engines utilized in on-road commercial vehicles, establishing predictive workweek scheduling for employees, closing the pay equity gap, creating a new paid family leave system and many others. Now that the session is in the rearview mirror, it is safe to say Democrats did not get everything they wanted, but walked away with a handful of major wins.

Following the resounding defeat of Measure 97 last year, which would have raised approximately \$3 billion per biennium by establishing a gross receipts tax on larger corporations, the legislature was staring down a \$1.8 billion budget hole. Through a combination of improved revenue forecasts, a new tax levied on hospitals and medical providers, and a series of cost-cutting measures, the legislature was able to close that gap without many of the painful cuts that insiders predicted. While Democrats pushed hard for a comprehensive reform to the corporate tax structure in an effort to further fund services and provide budget stability going forward, Republicans and the business community were able to successfully stave off any proposals to do so.

From both a Democrat and Republican perspective, the passage of a landmark \$5.2 billion transportation package will be considered the overwhelming success of the 2017 legislative session. With funding for major projects across the state, road and bridge improvement and seismic stabilization, and statewide dedicated funding to bolster transit services, Oregonians will be seeing the tangible results of this bipartisan package for decades to come.

Nationally, the 2016 election will be remembered for the harsh, oftentimes personal attacks seen in the Presidential campaign. While that rhetoric has continued following Donald Trump's surprise victory, the Oregon legislature has long prided itself on the civility and bipartisanship that normally marks its activities. That civility held for much of the 2017 session, which was marked by long periods of inactivity, followed by a flurry of major legislation being passed in the waning hours.

However, the session was not without drama and infighting, and that included frustrations between House and Senate Democrat leadership boiling over in a public way at sine die. The Senate, frustrated with the House choosing not to join



them and work the weekend of July 4, decided not to wait for their colleagues to finish their agenda and ended legislative activities at 11:58 a.m. on July 7. After a period of confusion and awkward activity between the two chambers, the House continued working bills until 3:26 pm at which time they gavelled out, closing the 2017 legislative session.

Customarily, both Senate and House gavel out at the exact same time, with the double-doors of each chamber opening towards each other. This gesture points towards cooperation and camaraderie in fulfilling the people's work. Instead, the decision to end separately speaks volumes about the contentious nature evident in Oregon's Capitol this challenging legislative session.

As we turn the page on the 2017 session and begin to look towards the 2018 campaign season, the dominos are already beginning to fall. Labor Commissioner Brad Avakian has announced he will not seek re-election, and former House Majority Leader Val Hoyle (D-Junction City) has thrown her hat in the ring. House Republican Leader Mike McLane (R-Powell Butte) is being considered by the Trump Administration for the U.S. Attorney position in Oregon, and Governor Kate Brown tapped Rep. Ann Lininger (D-Lake Oswego) as a Clackamas County Circuit Court judge. Additionally, there will be a gubernatorial election, and several Republican legislators are rumored to be interested in running for the position.

While the next 35-day legislative session doesn't begin until February 5, 2018, there are several important dates that legislators will be marking on their calendars. The next revenue forecast, at which budget writers will learn the final dollar amount they will have for the upcoming biennium, will be released on August 23, 2017. The Legislature will convene for three days of hearings and meetings twice in the interim: September 18-20, 2017 and November 13-15, 2017.

### **City of Salem Session Activities**

The City of Salem had a historic session, passing its first bill on its first attempt despite roadblocks that could have derailed the effort (HB 3245). Significant session achievements also include the passage of a comprehensive transportation package (HB 2017), removing the limit of sobering centers (HB 2175) and authorizing funds from the Mental Health Alcoholism and Drug Services Account to be used to fund the sobering centers (HB 2176).

Playing defense led to important successes as well, including preventing passage of bills providing additional authority of urban renewal to taxing districts (HB 2470), legislation allowing counties to withhold city funds (HB 2363), a bill stopping cities from charging public entities franchise fees (SB 202) and a



concept reducing home rule authority with regards to right of way (SB 840). Efforts taken to amend legislation also ensured collective bargaining agreements with city employees were not impacted (SB 828, HB 3087, HB 2005).

Unfortunately, there was very little the city could do in the final hours of session to fix the language included in SB 1051 that created new criteria for cities regarding housing and affordable housing units. The League of Oregon Cities, also not happy with the outcome of the bill, plans to revisit the issue in coming sessions. It is likely that the discussion around least-cost (HB 3203) and clean diesel (HB 1008) will also be reviewed again in future sessions, along with a host of other unsuccessful proposals outlined below.

The city monitored 527 bills this session. City Council adopted a priority position of either support or oppose 112 of those bills. Of the 34 bills the city supported, one-third passed. The city opposed 76 bills, with only 10 passing. Several of the bills that passed were significantly amended, resulting in no impact to the city.

The Bills of Interest section below summarizes the bills the city monitored very closely or took action on, through advocacy or direct lobbying. Due to the large number of tracked bills, a full list of bills tracked for the city is in Appendix A.

On Salem's behalf, CFM averaged approximately 25 hours per week of dedicated work for the client. Weekly activities for the City of Salem included attending bi-weekly liaison and legislative committee meetings at the city, participating in League of Oregon Cities bi-weekly lunch meetings and preparing weekly updates of bills scheduled for public hearings and work sessions. After attending hearings, CFM provided updates of all priority bills to city staff, continued to coordinate with LOC staff and other lobby coalitions working on specific legislation. CFM frequently coordinated with city legislative liaisons about taking action on priority 1 and 2 measures and developed, reviewed and submitted testimony and letters on behalf of the city. Throughout session, CFM continually arranged and held meetings with legislators and staff, liaised with lawmakers concerning Salem events and responded to Salem-area legislators' constituent cases.

Successful passage of HB 3245 required significant work during session. Initially that work required identifying and advocating with interested stakeholders and developing legislative champions within and outside Salem. After receiving co-sponsorship of the legislation by several Salem-area legislators, CFM constantly worked with those lawmakers on navigating the legislative process. This involved preparing city testimony, organizing stakeholders testimony in support of the bill, and working with the City Attorney and legislative liaisons to advocate for the successful passage of the bill. A challenge during any such endeavor is the



often-difficult negotiations between proponents and opponents. CFM navigated those waters by relying on long-standing relationships with organizations such as the League of Oregon Cities, the Homebuilders Association and 1,000 Friends of Oregon. It required CFM to work with committee chairs and leadership offices in both chambers to push the bill over the last line of passage. Advocacy work involved disseminating information through over 40 one-on-one meetings with legislators and distributing floor letters to educate lawmakers on the provisions of the legislation.

### **City of Salem's Legislation (HB 3245)**

In 2015, the Land Use Board of Appeals ruled that cities did not have the same legal authority as counties to delegate decision-making on city comprehensive plans to its planning commission or hearings officer. *The Housing Land Advocates v. City of Happy Valley*. To obtain the same legal ability, cities would have to acquire a statutory change at the state legislature. The City of Salem decided to bring a bill forward in the 2017 session to make this corrective fix and return the authority cities believed they had.

This was the City of Salem's first attempt to pass a bill of its own creation. The city was able to identify eight bicameral and bipartisan sponsors for the bill, including many Salem-area legislators. Senator Jackie Winters (R-Salem), Rep. Jodi Hack (R-Salem and Aumsville) and Rep. Brian Clem (D-Salem) were chief sponsors, with Rep. Teresa Alonso Leon (D-Salem and Woodburn), Rep. Paul Evans (D-Salem and Monmouth), Rep. Richard Vial (R-Wilsonville), Rep. Janelle Bynum (D-Clackamas) and Rep. Bill Kennemer (R-Oregon City). The bill did not have an easy path given that the city had decided to bring the bill forward and have it introduced after the session had already begun. The bill also faced pushback from select environmental groups who did not want cities to have the same authority as counties. However, with help from our legislative champions and consistent lobbying by CFM with stakeholders, we were able to get the bill passed out of committees right before the deadlines. Direct lobbying by CFM of nearly all of the House members proved necessary to get it out of the first chamber.

City of Salem engaged the League of Oregon Cities, Happy Valley and the Home Builders Association to play an active role in supporting the bill with legislative testimony. Careful and timely negotiations that City of Salem organized with opponents led to consensus policy hours before the bill needed to come out of its second chamber committee to avoid being stopped by the deadline. Once City of Salem, the other cities and the environmental groups were finally supportive, the bill was able to get a very favorable vote in each chamber. Passage of City of Salem's legislation enabled the city to work closely with its legislators, building relationships that will last for sessions to come.





## **Transportation Package**

Oregon lawmakers began the 2017 legislative session with the stated objective of finding bipartisan agreement on a massive funding package to address Oregon's aging infrastructure, reduce congestion and improve transit services in the state. The process would utilize the work and reports compiled from myriad previous efforts to guide the conversation.

Leading up to the 2017 session, legislative leadership formed the Joint Committee on Transportation Preservation and Modernization, consisting of 14 legislators, and co-chaired by four legislators: Senator Lee Beyer (D-Springfield), Senator Brian Boquist (R-Dallas), Representative Caddy McKeown (D-Coos Bay) and Representative Cliff Bentz (R-Ontario). The committee spent the interim touring the state, hearing from citizens about the transportation needs in their respective communities.

The committee and its topic-specific subcommittees (transit, accountability, congestion, etc.) met regularly after-hours and offered stakeholders an opportunity for direct conversation with the legislators responsible for crafting the separate components of HB 2017. Each of the workgroups presented their findings to the full committee, which provided an open and transparent opportunity for other legislators to debate the overall package.

Out of those presentations, four major transportation-related funding sources emerged: a fuel tax that would be constitutionally mandated to be spent on roads and bridges, an increase to vehicle registration and title fees, a privilege tax on new vehicle sales and a statewide employee-paid payroll tax dedicated to funding increased transit operations in the state. Congestion tolling around Portland also made its way into the final legislation.

Late in session, Governor Brown's office took over final negotiations to ensure a compromise agreement between environmental advocates and Republican lawmakers on the controversial low-carbon fuel standards. Republican legislators were adamant that no package would be approved without some form of mitigation on expected one-year fuel tax increases resulting from 2015's low-carbon fuel standards legislation. With a deal finally struck, the last and strongest barrier for passage was eliminated.

HB 2017 received overwhelming support from lawmakers on the joint committee and passed to the House and Senate floor with only two "no" votes. During the House floor debate, Rep. Bentz compared the need for the bill to a heart attack that he recently suffered, arguing that if we wait too long to do this and ignore the signs of infrastructure distress, it will be too late. Due to strong advocacy, it



passed both chambers with overwhelming support, easily meeting the three-fifths majority required for revenue-raising measures.

Representative Julie Parrish (R-West Linn) was the only legislator to speak against the bill on the House floor. Insiders fear that her opposition, or opposition from other stakeholders, may result in a ballot referral post-session. If a referral is successful, it will eliminate years of cooperative work by a host of stakeholders and stymie future attempts at such compromise legislation. Supporters of the bill are preparing to defend against any such opposition and have worked out a strategic plan to combat a referral.

Of particular importance to City of Salem was the inclusion of funding for seismic upgrades to the Center Street Bridge and investments that will eventually allow for weekend and evening transit service. In addition, the bill requires the Oregon Transportation Commission to develop a winter maintenance strategy that includes the use of road salt. Mayor Bennett provided testimony urging support for the package, the City requested lawmakers consider alternative methods for cities of a certain size to maintain streets during inclement weather. City of Salem utilizes liquid magnesium chloride, an effective alternative to salt with fewer environmental impacts.

### **Health Care Provider Tax**

Lawmakers entered session with a daunting health care task – fill a nearly \$900 million budget hole in the Medicaid system while retaining access for over 350,000 Oregonians newly enrolled in insurance plans due to the Affordable Care Act. Such a goal would require cooperation between all stakeholders in the health care industry.

After months of challenging negotiations, lawmakers and a coalition of industry leaders agreed to a series of provider taxes to help fill much of that hole and drive down the cost of insurance premiums for hundreds of thousands of Oregonians.

Angered over the additional taxes, which they fear will be passed along to consumers, Republican lawmaker Rep. Julie Parrish (R-West Linn) is leading efforts to force the bill to the people for a vote in January. If that effort is successful, Oregon leaders will need to fill the Medicaid budget hole in other ways, which could negatively impact health care coverage across the state.

### **Revenue Reform**

Last year, Oregon voters soundly rejected Measure 97, which would have created a gross receipts tax on certain corporations with more than \$25 million in sales and raise around \$3 billion per year. It was the most expensive ballot



measure in state history, with a total of over \$47 million raised on both sides of the initiative.

In response to that failure, legislative leadership sought to find a compromise solution to raise new revenue to pay for additional services, education and public safety. Sen. Mark Hass (D-Beaverton) was chosen to lead this effort, mainly due to his key role in previous attempts to reform Oregon's tax code to head-off the contentious ballot fight. The Joint Committee on Tax Reform, a bipartisan joint legislative committee, was formed and consisted of Senators and Representatives from both political parties. They met regularly throughout session to develop a solution to reform Oregon's tax code and raise additional revenue for vital state services.

Despite their best efforts, consensus was impossible to achieve during session and a joint letter from Senate President Peter Courtney (D-Salem), Speaker of the House Tina Kotek (D-Portland) and Governor Kate Brown was released on June 22 promising to take up the issue in 2019.

### **Labor & Business**

With Democrats in charge, and powerful unions backing their agenda, it has become typical to pass major labor legislation during Oregon's recent legislative sessions. In 2015, a bill mandating businesses to cover paid sick leave was passed and in 2016, a bill to raise the minimum wage incrementally each year until 2023 was signed into law.

The 2017 session was no different. The most significant legislation that passed impacting employees this year included pay-equity and predictive scheduling in the retail and hospitality industries.

Legislators were eager to support HB 2005, a bill to address wage inequality in Oregon, but the original language drafted by Democrats went too far for many, opening employers up to lawsuits and harsh penalties without a path for corrective action. The bill came out of the house on a party-line vote. Afterwards, negotiations between the parties took place that led to a compromise bill everyone could support. The final bill included several types of protective classes and allowed businesses discretion to pay individuals differently for factors such as education, skill, experience, location, and travel. It passed the Senate and the House concurrence vote unanimously.

Predictive scheduling was back again this session with SB 828. The premise of the legislation was to allow workers to receive their work schedule in advance and prevent employers from taking advantage of the on-call nature of some jobs. When the bill came out, it included industries previously promised to be outside





the scope of the bill. Severe opposition mounted not only from business, but from local governments and others. Negotiations took place all session and the bill was eventually whittled down to include only retail, hospitality and food service businesses with at least 500 employees worldwide. Starting in July 2018, qualifying employers will need to give employees one-week advance notice on their schedules. This requirement increases to two weeks in 2020. It is likely that this issue will be back in future sessions as proponents will look to expand these protections for workers in other industries.

HB 3087, a complicated bill setting up a statewide family and medical leave insurance fund, ran into controversy throughout session and stalled. The basic tenants of the proposal would have created a fund that employees and employers paid into that could be used to pay employees who need to take time off for qualifying family or medical leave. With Washington state passing its own paid family leave legislation, there are avid proponents who would like Oregon to be next. With momentum in other states, this bill is expected to come back in 2018, after an interim workgroup meets to negotiate how this could work in Oregon.

### **Interim Activities**

Oregon's 35-day session begins February 5, 2018. At this time we are not aware of any specific policy issues that will require attention during the short session, but we expect continued conversations to make small fixes to the transportation package, attempt corporate revenue reform, continued work on affordable housing and discussions on climate change policy.

We also recognize the City of Salem's priorities moving forward and suggest monitoring and working on the following issues in the interim:

- Protecting Right-of-Way Management
- Property Tax Reform
- Preserving Urban Renewal
- Monitoring Paid Family Leave Proposals
- Public Contracting



## **City of Salem Bill Summaries**

Below is a summary of bills we worked on or closely monitored for the City of Salem. The legislation listed is sorted by department. Bills remaining in committee upon adjournment were not passed this session. Each bill number provides a hyperlink to the text of the bill.

### **Administrative Services/Finance**

#### **[HB 2363](#)**

**Summary:** Authorizes counties to withhold from taxing districts costs to the county of assessing property and collecting property taxes. Limits withheld amount to two percent of tax distribution to taxing district. Excludes moneys distributed for bonded indebtedness from withholding. Phases in provisions over four years. Takes effect on 91st day following adjournment sine die.

**Outcome:** In committee upon adjournment.

**Notes:** The City of Salem strongly opposed this bill that would have had a substantial impact financially on the city. Mayor Chuck Bennett, on behalf of City of Salem, submitted [testimony](#) in opposition to the legislation when it came before the House Revenue Committee for a hearing. Cities were successful in preventing the legislation from moving forward.

#### **[HB 2859](#)**

**Summary:** Creates or adjusts sunset dates for certain property tax expenditure provisions, including enterprise zones.

**Outcome:** In committee upon adjournment.

**Notes:** Even though two work sessions were scheduled on this bill, outcry from local governments and farmers led to its demise.

#### **[HB 3180](#)**

**Summary:** Authorizes the Department of Revenue and units of local government to disclose to each other information related to the administration of transient lodging tax laws. Provides a process for ensuring confidentiality of state transient lodging tax information. Takes effect on 91st day following adjournment sine die.



**Outcome:** Chapter 89, 2017 Laws. Effective date 90 days after sine die.

**Notes:** City of Salem, the League of Oregon Cities and other cities successfully supported this legislation. Since the legislation was consensus, City of Salem decided to let others testify and push the bill forward.

### **SB 202**

**Summary:** Prohibits a city from imposing a charge on other public bodies for use of the city's rights of way that exceed the city's actual, direct costs. Takes effect on 91st day following adjournment sine die.

**Outcome:** In committee upon adjournment.

**Notes:** The proposals outlined in SB 202 and SB 840 were strongly opposed by the City of Salem. City Councilor Brad Nanke provided written and in-person [testimony](#) at the hearing before the Senate Committee on Finance and Revenue. Efforts made by City of Salem and others kept SB 202 from passing, which would have had a negative impact on City of Salem's general fund revenues by pre-empting cities from charging other public entities from occupying right-of-way areas.

### **SB 840**

**Summary:** Finds and declares utilities' occupancy of streets, highways and other public property within cities of this state matter of statewide concern. Caps franchise agreement payments and privilege taxes imposed on utilities for purpose of occupying streets, highways and other public property within cities at five percent of gross revenue earned by a utility within a city. Establishes limits for other charges and fees imposed by cities on utilities. Broadens types of communications services on which municipalities may impose privilege tax. Lowers privilege tax rate imposed on gross revenues of communications service providers. Broadens definition of "gross revenues."

**Outcome:** In committee upon adjournment.

**Notes:** SB 840 threatened home rule authority. City of Salem and others were successful in eliminating this threat in the 2017 session. See notes on SB 202 for more information.



## **Legal**

### **SB 327**

**Summary:** Provides recreational immunity to the holder of any legal or equitable title of land. Extends recreational immunity to employees and agents of the owner of the land when acting within the scope of duties and those with private property interests in land. Declares emergency, effective on passage.

**Outcome:** Chapter 449, 2017 Laws. Effective date June 22, 2017.

**Notes:** A priority bill for the city and other local jurisdictions to fix recreational immunity to the 2016 Oregon Supreme Court conclusion in *Johnson v. Gibson* that states employees were not protected with immunity under the statute. City of Salem participated in a coalition to pass the bill and City Manager Steve Powers submitted [testimony](#) in support.

### **HB 3157**

**Summary:** Directs the Department of Transportation to regulate privately owned vehicles for hire, including taxicabs and limousines. Becomes operative January 1, 2018. Takes effect on 91st day following adjournment sine die.

**Outcome:** In committee upon adjournment.

**Notes:** None of the transportation network company (TNC) bills passed this session. City of Salem joined the other cities and the league in opposing this bill. The issue is likely to resurface in future sessions.

### **HB 3246**

**Summary:** Requires a transportation network company that operates in this state to obtain a license from the Department of Consumer and Business Services. Requires the department to establish a licensing program by rule and specifies the conditions for obtaining a license. Requires a transportation network company to keep certain records and to make certain disclosures to participating drivers and riders. Requires a transportation network company to conduct a criminal background check on individuals who apply to become participating drivers and to deny applications based on specified criteria. Treats participating drivers as



independent contractors under specified circumstances. Requires a transportation network company to adopt, and oblige participating drivers to follow certain policies. Specifies automobile insurance coverage requirements for participating drivers. Permits insurers to exclude coverage for activities in which an individual engages as a participating driver. Permits the department to inspect annually a random sample of records that a transportation network company maintains. Permits the department to impose a civil penalty for the violation of provisions of the Act. Becomes operative on January 1, 2018. Takes effect on 91st day following adjournment sine die.

**Outcome:** In committee upon adjournment.

**Notes:** None of the transportation network company bills passed this session. The City of Salem and the Salem Area Chamber of Commerce supported this legislation. Mayor Chuck Bennett testified in support of the bill since it closely mirrored the ordinance City of Salem adopted to address TNCs operating within the city limits. Similar legislation is expected in future sessions.

## **Police**

### **HB 2175**

**Summary:** Removes the limitation on the number of sobering facilities that may be registered with the Oregon Health Authority. Requires the registration request to be sent by certified mail, return receipt requested. Requires the authority to confirm receipt of the registration by certified mail within 30 days.

**Outcome:** Chapter 203, 2017 Laws. Effective date January 1, 2018.

**Notes:** A priority bill for Salem. City of Salem Police Chief Jerry Moore provided [written](#) and in-person testimony to the House Judiciary Committee.

### **HB 2176**

**Summary:** Authorizes moneys in the Mental Health Alcoholism and Drug Services Account to be used by counties to provide funding to sobering facilities. Exempts sobering facilities receiving moneys from the account from requirements to report data to the Alcohol and Drug Policy Commission.





**Outcome:** Chapter 2014, 2017 Laws. Effective date January 1, 2018.

**Notes:** A priority bill for City of Salem alongside HB 2175.

### [HB 2597](#)

**Summary:** Renames the offense of operating a motor vehicle while using a mobile communication device as the offense of driving a motor vehicle while using a mobile electronic device. Defines "mobile electronic device." Beginning January 1, 2018, provides for the suspension of execution of a fine for the first offense if a person completes a distracted driving avoidance course. Increases the penalty further if the offense contributes to an accident or is the second or subsequent offense. Punishes by maximum fine of \$2,000. Declares emergency, effective October 1, 2017.

**Outcome:** Awaiting Governor's signature.

**Notes:** City of Salem supported this legislation aimed at preventing cell phone use while driving. The original language unintentionally negatively impacted police and other emergency personnel who use radios and other electronic devices to perform their duties. When City of Salem and others brought this to the attention of the sponsoring legislators, they amended the bill to address the concerns.

### [SB 34](#)

**Summary:** Expands "move over law" to include any motor vehicle that is displaying warning or hazard lights or specific indications of distress. Provides that a person may comply with law by slowing down or changing lanes.

**Outcome:** Chapter 305, 2017 Laws. Effective date January 1, 2018.

**Notes:** City of Salem supported this legislation to increase safety on the roads.

### [SB 927](#)

**Summary:** Provides that a seller or lessor of a law enforcement dog is not liable for product liability for harm caused by dog if the law enforcement agency to which dog was sold or leased has begun or completed training



the dog using a training program approved by a law enforcement agency or an accredited and recognized animal handling organization.

**Outcome:** Chapter 258, 2017 Laws. Effective date January 1, 2018.

**Notes:** City of Salem supported this legislation to ensure K-9s remained available on the market, but was not asked by proponents to weigh-in.

### **SB 1025**

**Summary:** Creates a process by which certain persons who practice a profession related to enforcing or providing for public health and safety and who, in the performance of official duties, come into contact with blood, bodily fluid or other potentially infectious material of another person may petition a court for an order compelling the testing of the other person for communicable disease. Requires a court to order testing upon showing that the circumstances create probable cause to conclude that the petitioner's contact with the source person constitutes direct contact with blood, bodily fluids or other potentially infectious materials of the person, and that contact is capable of transmitting a communicable disease. Takes effect on 91st day following adjournment sine die.

**Outcome:** Awaiting Governor's signature.

**Notes:** City of Salem supported this legislation. The City of Eugene and law enforcement associations took the lead on passing this bill.

### **Human Resources**

#### **HB 2005**

**Summary:** Provides definitions relating to comparable work for purposes of pay equity provisions. Makes unlawful employment practice to discriminate in the payment of wages against an employee on the basis of a protected class. Makes unlawful employment practice to screen job applicants based on salary history, to base a salary decision on salary history, other than for internal hires, and to seek salary history information from an applicant for employment other than after making an offer of employment to an employee that includes the amount of compensation. Allows an employer to pay employees for work of a comparable character at different compensation levels only if the entire compensation differential is based on a bona fide factor related to the position in question and based on certain criteria. Extends the time limitation to bring certain pay



equity claims by making each subsequent payroll action that is based on an underlying pay equity violation actionable. Extends the tort claim notice requirement from 180 days to 300 days for a public employee to give notice of certain pay equity violations. Adds additional remedies for pay equity and wage-related violations that include the right to jury trial and the right to compensatory and punitive damages. Allows an employee who files a complaint alleging pay equity violation with the Bureau of Labor and Industries and prevails to recover back pay for up to two years plus the duration of time spent in the complaint process. Permits an employer to file a motion to disallow the award of compensatory or punitive damages. Provides that a court shall grant the motion if an employer demonstrates that the employer has completed an equal-pay analysis that meets certain criteria, eliminated wage differentials for the plaintiff and made reasonable and substantial progress toward eliminating wage differentials for other employees in the same protected class asserted by the plaintiff. Provides that, if a court grants motion, court may award back pay only for two-year period immediately preceding the filing of action and allow prevailing plaintiff costs and attorney fees but may not award damages. Becomes operative on January 1, 2019. Makes violation for seeking salary history from a prospective or current employee prior to the offer of employment subject to compensatory and punitive damages beginning on January 1, 2024. Takes effect on 91st day following adjournment sine die.

**Outcome:** Chapter 197, 2017 Laws. Effective date 90 days after sine die.

**Notes:** The first iteration of this legislation was problematic for employers in all sectors. After negotiations occurred in the Senate, the bill was thoughtfully amended to address concerns while maintaining protections for the most at-risk populations. The City of Salem worked with Salem-area legislator Rep. Hack to get her ideas amended into the bill.

### **HB 3087A**

**Summary:** Creates a family and medical leave insurance program to provide a covered employee with a portion of wages while on family medical leave or military leave. Requires employer and employee contributions to fund program. Allows self-employed individuals to opt into program. Directs the Director of Department of Consumer and Business Services to determine the contribution amounts and weekly benefit amounts. Establishes the Family and Medical Leave Insurance Fund. Amends Oregon family leave law to allow for leave after an employee has been employed for 90 days with an employer to match the waiting period for benefits. Protects an employee's position of employment with an



employer while the employee is on leave. Prohibits an employer from retaliating against an employee who invokes the program and from interfering with employee rights under program. Requires the director to work with other agencies and promulgate rules for administration of the program. Directs the Department of Revenue to administer collection and reporting requirements of contribution provisions. Takes effect on 91st day following adjournment sine die.

**Outcome:** In committee upon adjournment.

**Notes:** The City of Salem opposed this legislation since it would have been extremely costly for public employers and did not align with the city's other employment procedures and timeframes. Paid family leave passed in Washington during its latest session and an interim workgroup will be convened to see if there is a path forward for an Oregon program. CFM will participate in the workgroup, as well as track and report on progress on this issue. We expect related legislation forthcoming in future sessions.

### **SB 487**

**Summary:** Restricts limitation on the award of noneconomic damages to claims in actions for wrongful death. Directs the State Court Administrator to annually adjust the limit on noneconomic damages, beginning in 2018. Specifies the method by which the administrator must make adjustment. Corrects an inaccurate reference for definition. Declares emergency, effective on passage.

**Outcome:** In committee upon adjournment.

**Notes:** City of Salem tracked this bill closely as it would have significantly increase cost of tort claims, litigation and insurance for the city. The language from SB 487 was eventually put into [SB 737](#), which also failed to pass this session.

### **SB 828**

**Summary:** Requires large employers in specified industries to provide a new employee with an estimated work schedule and to provide a current employee with seven days' notice of employee work schedule. Extends the work schedule notice period to two weeks effective July 1, 2020. Permits large employers in specified industries to maintain a list of employees for work shift coverage in certain circumstances. Prohibits large employers in specified industries from scheduling work shifts that do



not allow sufficient break time in between shifts unless an employee earns 1.5 times the scheduled rate of pay. Requires large employers in specified industries to pay a penalty wage if an employer changes a scheduled shift with less than seven days' notice. Provides an exception to the penalty wage in certain circumstances. Requires large employers in specified industries to maintain records relating to compliance for three years. Makes unlawful employment practice for large employers in specified industries to interfere with employee rights or to retaliate against employee for exercising rights granted to an employee under Act. Allows for administrative or civil cause of action and statutory penalties for each violation. Repeals the sunset of preemption of local government regulation of work schedules. Declares emergency, effective on passage.

**Outcome:** Awaiting Governor's signature.

**Notes:** In its final form, this legislation only applies to food service, retail and hospitality companies with over 500 employees globally. Proponents may look to expand these worker protections to other industries in future sessions.

## **Community Development**

### **HB 3245**

**Summary:** Permits a city to authorize a planning commission or hearings officer to conduct hearings and make final decisions on applications for amendments to a city comprehensive plan map. Permits a person who appeared or participated in the proceedings orally or in writing to appeal or petition for review of the final decision to a city governing body.

**Outcome:** Chapter 432, 2017 Laws. Effective date January 1, 2018.

**Notes:** City of Salem brought forward this bill to correct a LUBA decision. Despite the proposed legislation being a straight-forward change to align city authority with the same authority as counties, the bill faced major challenges, including direct opposition and approaching deadlines. However, with a huge effort that lasted most of the session, the city and CFM were able to keep the bill alive past the first chamber. When up against the second chamber deadline and after drawn out negotiations, the opponents finally agreed to language that would benefit the City of Salem and the other cities. After consensus language was found the bill had a smoother path forward.





## **HB 2007A**

**Summary:** Requires a city or county to review and decide on applications for certain housing developments containing affordable housing units within 100 days. Establishes standards of review for a city or county decision on the application for certain housing developments located within the urban growth boundary. Directs the Department of Land Conservation and Development to study housing development in cities. Amends the definition of "needed housing." Prohibits a local government from adopting standards regulating the development of housing that discourage needed housing through the designation of a primarily residential neighborhood as a national historic district or that reduce the density of application if the density applied for is below the authorized density for the zone. Prohibits a city or county from prohibiting building a duplex or accessory dwelling unit in an area zoned for single-family dwellings located within an urban growth boundary. Requires a city and county to allow a nonresidential place of worship to use real property for affordable housing. Declares emergency, effective on passage.

**Outcome:** In committee upon adjournment.

**Notes:** This was a priority bill for Speaker Tina Kotek (D-Portland). In the final days of session this language was amended into SB 1051.

## **SB 1051**

**Summary:** Requires a city with a population greater than 5,000 or a county with a population greater than 25,000 to review and decide on applications for certain housing developments containing affordable housing units within 100 days. Establishes standards of review for a city or county decision on an application for certain housing developments located within an urban growth boundary. Becomes operative July 1, 2018. Amends the definition of "needed housing." Prohibits a city or county from denying an application for a housing development that complies with clear and objective standards. Prohibits a city or county from reducing a density or height of application if the density or height applied for is at or below the authorized density for zone. Permits a local government to apply clear and objective standards, conditions and procedures regulating the development of housing that regulate density or height of development. Prohibits a city with a population greater than 2,500 or a county with a population greater than 15,000 from prohibiting building an accessory dwelling unit in an area zoned for single-family dwellings. Becomes operative July 1, 2018. Requires a city and county to



allow a nonresidential place of worship to use real property for affordable housing. Requires a local government to annually report to the Department of Land Conservation and Development certain information relating to applications received for the development of housing containing one or more units sold or rented below market rate as part of a housing program. Declares emergency, effective on passage.

**Outcome:** Awaiting Governor's signature.

**Notes:** Language from HB 2007 was amended into this bill. While HB 2007 did not pass, SB 1051 was able to get through the legislative chambers within hours of the session ending. Local governments felt excluded from the conversation driving this policy, which was problematic given the requirements it mandates cities to carry out without assistance.

#### **SB 114**

**Summary:** Repeals the provision requiring city whose laws require a petition proposing annexation of a territory to be submitted to electors to annex the territory without a vote upon receipt of the petition for annexation submitted by all owners of land in the territory, provided the territory is included within urban growth boundary of city or Metro, territory is, or will be, subject to acknowledged comprehensive plan of the city, at least one lot or parcel in the territory is contiguous to city limits, and the proposal conforms to all other requirements of the city's ordinances. Declares emergency, effective on passage.

**Outcome:** In committee upon adjournment.

**Notes:** Passage of SB 114 or SB 258 would have allowed City of Salem to go back to following its charter. City of Salem submitted [testimony](#) in support, alongside many other proponents including the League of Oregon Cities, the League of Women Voters, individuals, and local jurisdictions.

#### **SB 258**

**Summary:** Repeals the provision requiring a city whose laws require petition proposing the annexation of territory to be submitted to electors to annex the territory without a vote upon receipt of the petition for annexation submitted by all owners of land in the territory, provided the territory is included within the urban growth boundary of a city or Metro, the territory is, or will be, subject to the acknowledged comprehensive plan of the city, at least one lot or parcel in the territory is contiguous to city



limits, and the proposal conforms to all other requirements of the city's ordinances. Declares emergency, effective on passage.

**Outcome:** In committee upon adjournment.

**Notes:** See notes for SB 114.

## **Urban Development**

### **HB 2194**

**Summary:** Defines "funds of a public agency," for purposes of applying the prevailing rate of wage to projects for public works, to include tax credits or tax abatements that a contractor engaged in a project for public works receives from the state in connection with the project. Becomes operative 91 days after effective date of Act. Declares emergency, effective on passage.

**Outcome:** In committee upon adjournment.

**Notes:** The City of Salem opposed both this legislation and a similar bill, [SB 291](#), both of which did not get a hearing.

### **HB 2470**

**Summary:** Requires an urban renewal agency to exercise its powers by the board including one member representing each taxing district other than the municipality with jurisdiction in the municipality that activates the agency. Requires approval of an urban renewal plan by all municipalities and taxing districts with jurisdiction in urban renewal areas included in the plan before a municipality may approve the plan. Provides that certain tax abatement programs apply only to property taxes imposed by taxing districts that elect for them to apply. Takes effect on 91st day following adjournment sine die.

**Outcome:** In committee upon adjournment.

**Notes:** Preserving the current urban renewal system was one of City of Salem's priorities going into session. This bill unsuccessfully threatened giving all taxing districts within an urban renewal area equal voting authority on the agency board, which would have created massive boards and stall progress by giving all the taxing districts veto power. City Councilor Steve McCoid presented in-person testimony to explain City of



Salem's concerns with the legislation. After a push by an opposition coalition, the bill was not moved forward on the condition that an interim workgroup would meet to try and address the proponents' issues. Kristin Rutherford, Urban Development Director at the city, was invited to participate in the workgroup.

### **HB 2243**

**Summary:** Increases the maximum number of zones for electronic commerce. Provides that the increase in the maximum number of zones shall occur in thirds over a three-year period. Requires an authorized business firm claiming the enterprise zone exemption to include with the claim the amount of tax credits on investments in the enterprise zone or city designated for electronic commerce that were claimed and used by the firm or collectively by owners or shareholders of the firm. Requires the Department of Revenue to prescribe the manner in which an authorized business firm shall acknowledge the disclosure of tax credit information required to be included with the claim. Provides such information is exempt if reporting or release would create a reasonable risk of disclosing the identity or income of any individual. For purposes of income or corporate excise tax credit allowed for the investment in an electronic commerce in a zone or city designated for electronic commerce, allows taxpayer with an allowable credit in excess of the tax liability to elect to receive a partial refund of the credit in lieu of a carryforward. Modifies the definition of property that must receive the property tax exemption in order for an operator to claim an income tax credit. Extends the sunset for the income tax credit for electronic commerce. Takes effect on 91st day following adjournment sine die.

**Outcome:** In committee upon adjournment.

**Notes:** Despite the City of Salem and the League of Oregon Cities urging to pass this bill out of the House Revenue Committee, this bill, along with all other business tax credits, failed once it was decided a revenue package would not pass. The City of Salem submitted a letter to the Committee Chairs.

### **SB 169**

**Summary:** Extends the sunset for a tax credit for electronic commerce in enterprise zone or city designated for electronic commerce.

**Outcome:** In committee upon adjournment.



**Notes:** Similar policy to HB 2243. The bill was moved to the Joint Tax Credits Committee without recommendation. When revenue reform failed, business tax credit proposals did not advance.

### **SB 467**

**Summary:** Authorizes the Legislative Administration Committee to enter into agreements with the City of Salem to assign authority over certain parking spaces. Authorizes the committee to impose parking regulations over spaces during the time when spaces are within the exclusive control of the committee. Directs the Department of State Police to enforce regulations imposed by the committee. Directs the Oregon Department of Administrative Services to collect fines for violation of parking restrictions.

**Outcome:** In committee upon adjournment.

**Notes:** Proponents brought this bill forward without first addressing the issue with city staff to consider the impacts to city budgeting or logistics. When a hearing was unexpectedly scheduled, the city asked for more time for the council to adopt a position on the legislation. In subsequent conversations with Senator Brian Boquist's (R-Dallas) office, concerns were alleviated and the need for legislation removed.

### **Public Works**

#### **HB 2017**

**Summary:** Modifies and adds laws related to transportation. Takes effect on 91st day following adjournment sine die.

**Outcome:** Awaiting Governor's signature.

**Notes:** City of Salem and local governments finally saw a statewide transportation policy come together. The City of Salem submitted [testimony](#) in support of the package, highlighting its support for local maintenance funding and increased dedicated funding for public transit. When one version of the bill was released it included a problematic section requiring cities of over 160,000 residents (Salem, Eugene and Portland) to salt its roads in the event of snowstorms. City of Salem organized the other large cities and together they were able to get the requirement removed, in place of an ODOT study on the issue.





## **HB 2162**

**Summary:** Requires the state contracting agency that awards a public improvement contract with a contract price of more than \$5 million to require the contractor to employ apprentices to perform 10 percent of the work hours on a public improvement that workers in apprenticeable occupations perform. Requires in each subcontract for which the contract price exceeds the lesser of \$1 million or 25 percent of the price of the contract that the subcontractor employ apprentices to perform 10 percent of work hours that workers in apprenticeable occupations perform on the subcontract. Increases in 2022 the apprentice employment requirement to 12 percent on public improvement projects with a contract price of more than \$3 million and subcontracts for which the contract price exceeds the lesser of \$1 million or 25 percent of the price of the contract. Exempts the Department of Transportation from requirement. Specifies reporting requirements for the contractor. Requires the Bureau of Labor and Industries to establish and provide staffing for an advisory committee that monitors the implementation of and compliance with the Act. Becomes operative January 1, 2018. Takes effect on 91st day following adjournment sine die.

**Outcome:** Chapter 416, 2017 Laws. Effective date 90 days after sine die.

**Notes:** This bill was threatening to local governments when an amendment was considered that would have required local public contracting bodies to also follow the regulations outlined in the bill. Local governments were successful in fighting off that threat and ensuring the bill only impacted state contracting.

## **HB 3203**

**Summary:** Requires a contracting agency to perform analysis to determine whether constructing a public improvement with a contracting agency's own equipment and personnel will result in the least cost to the contracting agency. Specifies elements of the cost analysis. Requires the contracting agency to file an analysis with the Commissioner of Bureau of Labor and Industries. Specifies the threshold at which the estimated cost of constructing a public improvement triggers the requirement to perform the analysis. Requires the Bureau of Labor and Industries every four years beginning in 2021 to review the methodology for calculating the costs and threshold amount at which the contracting agency must prepare the specifications and cost estimates for the public improvement. Requires the commissioner to investigate a contracting agency's alleged violation of the



Act in response to a complaint from a construction contractor or trade association that represents construction contractors or if the commissioner discovers or has reason to believe that a violation of the Act has occurred unless the commissioner reasonably concludes that the facts alleged do not constitute a violation or that the complaint was frivolous or was filed to harass the contracting agency or for purposes other than to enforce requirements of the law. Requires a contractor or trade association to pay a filing fee of \$250 to submit a complaint. Permits the commissioner to require a contracting agency to negotiate and enter into an agreement to comply with the requirements of the Act if the commissioner finds that the contracting agency has violated the Act within previous five years and to enter final order that sets forth the terms of agreement between a contracting agency and a construction contractor or trade association. Permits a party to agreement with a contracting agency made in accordance with the order of the commissioner to submit a complaint asking the commissioner to enforce the agreement. Requires the commissioner to investigate the complaint and, if the commissioner finds substantial evidence of a violation, to issue an order to cease and desist from the violation or to conduct a contested case hearing. Permits the commissioner to impose a civil penalty of not more than \$5,000 on a local contracting agency that the commissioner finds has violated the Act or breached the agreement, or a civil penalty of \$20,000 if the commissioner finds that the violation was willful. Permits a contractor or trade association to bring action to enforce the cease and desist order. Becomes operative January 1, 2018. Takes effect on 91st day following adjournment sine die.

**Outcome:** Awaiting Governor's signature.

**Notes:** This was a contentious issue that lasted the length of the session. After lengthy negotiations between local governments and private contractors, the local governments felt that the compromise made in this bill was better than the disadvantageous provisions private contractors were considering placing into the transportation package policy bill. One critical piece of the legislation to local governments was increasing the threshold that triggers least-cost demonstration requirements to \$200,000 for all public improvement projects, except for road resurfacing at a depth of more than two inches, the threshold remains at \$125,000.

## **SB 866**

**Summary:** Requires certain public entities to ensure that discharge of storm water into a canal or infrastructure of other entity complies with state and federal water quality standards. Requires certain public entities to



obtain written permission for discharge. Imposes liability on discharging entity for discharge without written permission. Creates exception to liability. Becomes operative July 1, 2019. Declares emergency, effective on passage.

**Outcome:** In committee upon adjournment.

**Notes:** This bill did not move forward after many local jurisdictions weighed in with opposition, since it could have had potentially costly impacts for compliance while exceeding state and federal requirements.

### **SB 1008**

**Summary:** Authorizes the State of Oregon to receive moneys pursuant to the Volkswagen Environmental Mitigation Trust Agreement, deposit agreement moneys in the Clean Diesel Engine Fund and use moneys to award grants for reducing emissions from school buses powered by diesel engines. Prohibits the Department of Environmental Quality from awarding grants from agreement moneys for any other purpose without prior approval from the Legislative Assembly by law. Adds grants and loans for replacements to permissible uses of moneys in the Clean Diesel Engine Fund. Makes other modifications to the provisions for grants and loans from fund for purpose of reducing emissions from diesel engines. Declares emergency, effective July 1, 2017.

**Outcome:** Awaiting Governor's signature.

**Notes:** Over the session, this bill was changed dramatically. City of Salem was concerned with the impact the original language would require reserving 1% of contract price for retrofitting of certain diesel engines when that already existed. Other original provisions would have phased out on-and off-road diesel engines, which could have a potentially large associated expense. At its passage, the bill was limited to allocating funds from the Clean Diesel Engine Fund to pay for retrofitting and replacing diesel school buses.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2004	During first nine months of occupancy, prohibits landlord from terminating month-to-month tenancy within 60 days of receiving from tenant request for repairs to correct certain building, health or housing code violation or uninhabitable condition.	Urban Development	Monitor	2	Similar to HB 2240, HB 2004 would eliminates 30 day no cause eviction. This can be an effective tool for property managers to eliminate problem tenants. Council altered the City's position to "monitor" in their consideration of HB 2240 on 3/27/17.
Passed	HB	2005	Provides definitions relating to comparable work for purposes of pay equity provisions.	Human Resources	Oppose	2	HB 2005 adds limitations on asking previous wages, making new hire negotiations difficult. As written implementation would be difficult. Similar to SB 752.
Dead	HB	2007	Requires city or county to review and decide on applications for certain housing developments containing affordable housing units within 100 days.	Community Development	Oppose	2	HB 2007 appears to preempt local authority, requiring the City to process applications for affordable housing projects before all other application types. Unclear how this would occur. As a result of this bill, the State would develop affordable housing designs, and the City could not deny such a housing project based on local zoning regulations or the Comprehensive Plan. Denials of affordable housing projects based on design objections could be remanded by the Land Use Board of Appeals to the City for approval.
Passed	HB	2008	Updates amount landlord must pay tenant of manufactured dwelling park upon closure of park to convert to other use.	Urban Development	Monitor	3	HB2008 requires landlord of manufactured homes to pay relocation costs upon closure of park for another use. Prohibits termination of lease without cause. This provides additional securities and benefits to those in affordable housing situations to assist in transitioning to new homes or providing adequate timeframes to find new homes.
Dead	HB	2021	Establishes procedures for sentencing defendant as sexually violent dangerous offender for certain first degree sex crimes.	Police	Support	2	HB2021 increases mandatory minimum sentencing for defendant determined to be a sexually violent dangerous offender.
Dead	HB	2027	Prohibits person, public body or local service district from constructing bridge crossing Deschutes River within certain segment of Deschutes Scenic Waterway.	Public Works	Monitor	3	HB2027 authorizes issuance of lottery bonds to finance water storage projects and water distribution projects.
Dead	HB	2063	For purposes of property tax exemption for certain communication infrastructure, requires minimum cost of newly constructed or installed real or tangible personal property.	Administrative Services/Finance	Support	2	HB2063 adds to and clarifies the conditions under which a broadband utility company may qualify for tax exemptions on projects providing gigabyte broadband communication services.
Dead	HB	2073	Extends sunset for tax credit for electronic commerce in enterprise zone or city designated for electronic commerce.	Urban Development	Support	2	HB2073 extends the sunset to 2024 for electric commerce in enterprise zone or City designated for electronic commerce. Currently, eligible businesses located in the Salem Enterprise Zone may qualify for an electronic commerce income tax credit. This serves as an additional incentive to attract, maintain, and grow companies in Salem (and across Oregon). Companies that conduct a percentage of their sales over the internet qualify for the incentive.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Passed	HB	2088	Authorizes city within county with population greater than 700,000 to define "area" as city in which property is located, for purposes of certain ad valorem property taxation statutes.	Administrative Services/Finance	Monitor	3	HB 2088 could allow the City to define the area that is used to calculate the changed property ratio as the City limits instead it being based on the county.
Dead	HB	2092	Specifies that, in service area for which telecommunications carriers are not receiving universal service fund moneys, telecommunications carriers are not required to perform certain obligations.	Administrative Services/Finance	Monitor	3	Currently, the ILECs (Incumbent Local Exchange Carriers) are considered the "carrier of last resort" and are required to serve everyone in their allocated service territory (unless exempted by the PUC). Under HB2092, ILECs would no longer have this responsibility if they receive no USF support. CenturyLink receives no USF support/allocation in Salem.
Dead	HB	2096	Establishes procedure for negotiation of urban service agreement between city with population greater than 5,000 and certain districts.	Public Works	Oppose	2	HB2096: If a service district wants to amend an agreement with the City, and the City does not agree, District can require mediation and arbitration. Salem's agreements with districts contain termination and admendment procedures.
Passed	HB	2099	Changes water management and conservation plan approval condition for extension of time to construct works or perfect right for municipal use of water.	Public Works	Monitor	3	HB 2099 and SB 466 are identical bills and would provide clarification to a Court of Appeals decision issued in 2013 relating to extensions of time to develop a water right permits that are conditioned for persistence of listed fish. While these bills do not have any direct bearing on the City's water rights, this effort would result in a fix to the court decision that could have repercussions on other municipal water providers. These bills are full supported by the League of Oregon Cities and the Special Districts Association of Oregon.
Passed	HB	2101	Directs Legislative Counsel to prepare open government impact statement for measures that affect disclosure, or exemption from disclosure, of public records.	Legal	Oppose	2	HB 2101 is contradictory to Council's legislative policy statements, which encompass the City's position with respect to Public Records Law legislation.
Dead	HB	2110	Requires Environmental Quality Commission to, no later than January 1, 2022, adopt by rule standards and programs for reducing diesel emissions from medium-duty trucks, heavy-duty trucks and nonroad diesel engines.	Public Works	Oppose	2	HB2110 would require replacing older diesel engines with newer, more efficient, cleaner diesel engines. The cost of replacement might exceed the value of the vehicle and might not be technically or mechanically possible. The City of Salem already complies with Federal emission standards when purchasing new vehicles. This would force the City to purchase new vehicles prior to normal replacement. Federal emission standards are already becoming more stringent. This bill is unnecessary and an unfunded mandate.
Dead	HB	2121	Increases fuel tax and motor carrier taxes.	Public Works	Monitor	3	HB2121 sets 1/1/2023, and every five years thereafter, to increase the tax per gallon of fuel sold through bulk dealers by 5 cents per gallon.



Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2126	Repeals requirement that person engaged in business of selling, leasing or otherwise transferring firearms record in register purchase or acceptance in trade of used firearm and provide copy of record to law enforcement agency.	Police	Oppose	2	HB2126 repeals requirement of pawnbroker to report firearm transfers to local police.
Dead	HB	2128	Deletes requirement that pseudoephedrine be classified as Schedule III controlled substance.	Police	Oppose	2	HB2128 would allow pseudophedrine to be sold over the counter. In July 2006 it became a Schedule III, so a prescription was required. The last meth lab to be remedied in the City of Salem was Oct. 2007. The DEA reports that for every pound of meth made, there is 5-6 pounds of dangerous waste.
Dead	HB	2129	Restricts limitation on award of noneconomic damages to claims in actions for wrongful death.	Human Resources	Oppose	1	HB 2129 would significantly increase damage awards in tort claims and undermine OTA. Could potentially significantly increase cost to City.
Passed	HB	2132	Expands purposes for which improvements may be made under local government financing program to include energy storage, smart electric vehicle charging stations and water efficiency.	Public Works	Monitor	3	HB2132 allows cities to finance/loan funding for real property improvements for utilities, including energy projects.
Dead	HB	2151	Allows property tax exemption for food processing machinery and equipment newly acquired by persons engaged in business of producing cannabinoid edibles, alcoholic beverages and alcoholic liquors.	Urban Development	Monitor	3	HB2151 allows property tax exemption for food processing equipment and machinery to be used for processing of cannabis or alcoholic beverages. The City and Urban Renewal Agency have issued policies that do not allow City and Agency funding to be used to support cannabis related businesses, including in Urban Renewal Area grant programs. In contrast, the City's economic development strategy encourages ongoing support of the food and beverage manufacturing sector and Urban Renewal Area grants have been used for equipment and building improvements to support the start-up and expansion of breweries and cideries.
Passed	HB	2162	Requires state contracting agency that awards public improvement contract with contract price of more than \$5 million to require contractor to employ apprentices to perform 10 percent of work hours on public improvement that workers in apprenticeable occupations perform.	Public Works	Oppose	2	HB2162 establishes an apprentice program that requires 10 percent of the work hours to be done by apprentices. Substantial documentation by the public agency and contractors which would increase costs of performing public works projects. The record keeping required for contractors and subcontractors to submit to BOLI is substantial.
Dead	HB	2164	Requires municipalities administering and enforcing building inspection programs to provide electronic access to building code information and services.	Community Development	Oppose	2	HB2164 would require the City to use the State's electronic building permitting system if the State did not approve the City's existing system. The State's system is not as comprehensive as the City's, and there is no guarantee that the State would approve the City's system. It would cost approximately \$1.7 to \$2.9 million to switch to the State's system and maintain our current level of functionality.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2168	Requires municipality or business employing person to perform state building code specialty code inspection to provide equipment required for performance of inspection.	Community Development	Oppose	2	HB2168 would require the City to provide inspectors with all equipment required for specialty code inspections, which would be a financial burden on the City. Currently, contractors provide such equipment (i.e., high lifts).
Dead	HB	2169	Limits certain attorney fee awards to employee who prevails on claim against employer in wage and hour and employment cases.	Human Resources	Oppose	2	HB2169 changes awarding of attorney fees in wage & hour disputes from prevailing party to only plaintiff.
Passed	HB	2175	Removes limitation on number of sobering facilities that may be registered with Oregon Health Authority.	Police	Support	2	HB2175 removes limitation on the number of sobering facilities that may be registered with Oregon Health Authority.
Passed	HB	2176	Authorizes moneys in Mental Health Alcoholism and Drug Services Account to be used by counties to provide funding to sobering facilities.	Police	Support	1	HB2176 provides funding for sobering facilities.
Dead	HB	2181	Creates rebuttable presumption against employer if employer takes certain adverse actions against employee within 90 days of employee's protected, wage-related activity.	Human Resources	Oppose	2	HB2181 would undermine at-will status during trial service and does not have a provision for employees covered by a collective bargaining agreement.
Dead	HB	2183	Transfers authority relating to plan review and inspections of health care facilities from State Fire Marshal to Department of Consumer and Business Services.	Fire	Oppose	2	HB2183 would eliminate the City of Salem's role in plans review or inspection of health care facilities in our community by transferring this responsibility from the State Fire Marshall to the Department of Consumer and Business Services. The City has highly competent and effective Building and Safety staff and Fire Marshall who conduct plans review and inspections.
Dead	HB	2184	Provides that contractor may award subcontract only to responsible subcontractor.	Public Works	Monitor	2	HB 2184 would change bidding requirements to require a bidder to insure that subcontractors are responsible (doesn't have outstanding construction debt, doesn't owe taxes, etc.)
Dead	HB	2187	Requires issue subject to collective bargaining during term of collective bargaining agreement that is not resolved through negotiation or mediation to be resolved through binding arbitration.	Human Resources	Oppose	1	HB 2187 would essentially make all public employees strike prohibited and require binding arbitration.
Dead	HB	2193	Requires large employers in specified industries to provide new employee with estimated work schedule and to provide current employee with two weeks' notice of employee work schedule.	Human Resources	Oppose	1	HB2193 requires overly burdensome "interactive process" with employees scheduling with no allowance for employees in public safety of covered by collective bargaining agreement. Similar to SB 828.
Dead	HB	2194	Defines "funds of a public agency," for purposes of applying prevailing rate of wage to projects for public works, to include tax credits or tax abatements that contractor engaged in project for public works receives from state in connection with project.	Urban Development	Oppose	2	Same as SB 291, position approved by Council 2/13/17. Broadens "funds of a public agency" for prevailing wage determination to include tax credits and abatements for a variety of construction and infrastructure projects. Extends applicability to all public contracting agencies. Urban Development and SEDCOR administer the Enterprise Zone tax abatement and Multi-Unit Housing Tax Incentive Program (tax abatement).

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2195	Requires inspector of construction work to ascertain name and license type and number of each contractor or subcontractor having responsibility for work being inspected.	Community Development	Oppose	2	HB2195 would require City inspectors to get the name and license number of every contractor, subcontractor, and worker performing work on a project. This would be a significant burden on the City and could delay projects.
Dead	HB	2196	Requires contracting agency to base determination of contractor's responsibility for public improvement contract on contractor's demonstrating that contractor has provided health insurance to contractor's employees for period of two years before contractor submitted bid for public improvement contract.	Public Works	Oppose	2	HB 2196 would prohibit issuing a public contract unless the bidder has provided employees health insurance for the last two years. Will increase the cost of projects. Similar to HB 2564.
Dead	HB	2203	Changes distribution of moneys collected by Department of Revenue as tax imposed on retail sale of marijuana items.	Administrative Services/Finance	Support	2	HB 2203 shifts the distribution of marijuana revenue from 10% to 30% allocated to Cities. It also changes the method for distributing the City portion to 25% based on the share of grow canopies registered in the proceeding year. The remaining 75% is allocated based on the number of retail licenses issued the proceeding year. This is a significant increase in the marijuana revenue potential for the City.
Dead	HB	2204	Changes statutory limitation on local government's authority to impose local tax or fee on retail sale of marijuana items.	Legal	Support	2	HB2204 allows for local control and decision making over local marijuana taxes and fees up to eight percent of the sale price.
Dead	HB	2209	Establishes Task Force on Housing Supply.	Urban Development	Monitor	3	HB2209 Establish a Task Force on Housing Supply. This could potentially general some additional housing information throughout the state, Locally, the housing authority tracks housing supply information regularly.
Dead	HB	2215	Establishes Oregon Right to Rest Act.	Police	Oppose	2	HB2215 Allows homeless people to camp on public lands or live in recreation vehicles legally parked.
Dead	HB	2237	Prohibits transfer of firearm by gun dealer or private party if Department of State Police is unable to determine whether recipient is qualified to receive firearm.	Police	Monitor	3	HB2237 Prohibits transfer of firearm if Oregon State Police cannot verify the background check.
Dead	HB	2240	Prohibits landlord from terminating month-to-month tenancy without cause.	Police	Monitor	2	HB2240 Eliminates 30 day no cause eviction, which is an effective tool for property managers to eliminate problem tenants. Council altered the City's position to "monitor" in their consideration of HB 2240 on 3/27/17.
Passed	HB	2242	Restricts business development project to projects that result in, aid, promote or facilitate development of traded sector activities.	Urban Development	Monitor	3	HB2242 Defines "traded sector" for the purposes of determining eligibility for Business Oregon loans. Requires the project must engage in traded sector activity (to be eligible for loan programs); includes provisions for convention centers, non-profits, small business enterprise, and distressed rural areas. The City has benefitted from the Business Oregon Special Public Works loan program to provide infrastructure for traded sector business. The proposed definition does not appear to jeopardize any current or planned use of loan funds.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2243	Increases maximum number of zones for electronic commerce.	Urban Development	Support	2	HB2243 Increases number of zones for electronic commerce. Establishes Department of Revenue guidelines for taking the tax credit and modifies the definition of property to determine eligibility.
Passed	HB	2294	Adds persons representing public to policy committees established by Board on Public Safety Standards and Training.	Police	Support	2	HB2294 Adds persons representing the public to policy committees at DPSST. Increases transparency.
Passed	HB	2315	Provides that corporate excise tax credit allowed to lenders that finance affordable housing is not barred by receipt of housing vouchers by tenants.	Urban Development	Monitor	3	HB2315 Ensures State corporate excise tax credit allowed to lenders that finance affordable housing is not barred by tenant housing vouchers. Full amount of savings is to be passed on to the tenants in the form of reduced housing payments. This would be another method to benefit in the effort to maintain affordable housing options.
Passed	HB	2333	Allows state agency that is unable to sell state real property or equitable interest in state real property, after following certain procedures for sale, to continuously offer real property or equitable interest for sale using any means state agency considers appropriate.	Urban Development	Monitor	3	HB2333 This bill would greatly ease disposition of property if efforts have slowed with initial guidelines.
Passed	HB	2337	Increases workers' compensation benefits for permanent total disability .	Human Resources	Monitor	3	HB2337 would Increase Workers' Comp benefits for PPD and PTD.
Passed	HB	2338	Specifies only one monthly benefit rate for children of deceased worker and uniform duration of benefits for children under 19 years of age.	Human Resources	Monitor	3	HB2338 Creates additional Worker's Comp entitlement that does not currently exist.
Passed	HB	2355	Directs Oregon Criminal Justice Commission to develop method for recording data concerning officer-initiated pedestrian and traffic stops.	Police	Oppose	2	HB 2355 Requires law enforcement agencies to collect additional stop data, reduces crime classifications for certain drug crimes.
Dead	HB	2363	Authorizes counties to withhold from taxing districts costs to county of assessing property and collecting property taxes.	Administrative Services/Finance	Oppose	1	HB 2363 would allow Counties to withhold 2% of City property taxes. 2% of budgeted current year property tax revenue is \$1,231,040.
Passed	HB	2377	Authorizes city or county to adopt ordinance or resolution granting exemption for newly rehabilitated or constructed multiunit rental housing.	Urban Development	Monitor	3	HB2377 Bill provides for additional tools to provide exemptions for development types, however it also pre-empts local authority.
Dead	HB	2379	Adds status as peace officer or firefighter to list of characteristics of victim of crimes of intimidation in the second degree and intimidation in the first degree.	Fire	Monitor	3	HB2379 Adds law enforcement and fire service personnel (specifically) to the characteristics of victims of intimidation.
Dead	HB	2425	Prohibits public employer from agreeing to pay or provide retirement benefit to member of Public Employees Retirement System other than payments required or provided for in statutes governing retirement benefits of members of system.	Human Resources	Oppose	2	HB2425 Restricts City ability to offer 457 for employees.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2459	Establishes Task Force on Brownfields Tax Credits.	Urban Development	Support	2	HB2459 Establishes a task force to evaluate feasibility of a tax credit for brownfields redevelopment projects. The City is a member of the Oregon Brownfields Coalition and has supported previous legislation authorizing creation of a tax abatement and land bank authority to encourage cleanup and redevelopment of brownfield sites. This aligns with the City Council's 2017 legislative priorities.
Dead	HB	2470	Requires urban renewal agency to exercise its powers by board including one member representing each taxing district other than municipality with jurisdiction in municipality that activates agency.	Urban Development	Oppose	1	HB2470 Requires that a member of each affected taxing district have a seat on an urban renewal agency board and changes the consult and confer requirement for creating a new urban renewal district to an approval by each affected taxing district. This would result in large, unwieldy urban renewal boards and difficulty in ever having a quorum to conduct meetings. It would also paralyze urban renewal by giving each affected district veto authority. Cities would lose control of urban renewal planning and efforts. This would also be a burden to small taxing districts with limited staff.
Dead	HB	2483	Extends recreational immunity to employees and agents of owner of land when acting within scope of duties.	Legal	Support	2	HB 2483 reflects Legislative Committee's prior statements on supporting legislation designed to restore recreational immunity to employees and agents of public bodies.
Passed	HB	2520	Requires Housing and Community Services Department to take into account counties from which document recording or filing fees are charged and collected in making distributions from General Housing Account, Emergency Housing Account and Home Ownership Assistance Account.	Urban Development	Monitor	3	HB2520 stipulates that if funds are not utilized by Housing & Community Services Department within two years in specific accounts, they are to be reallocated. Does not directly impact City, but helps funds continue to be directed into necessary housing programs rather than just sitting in unused funds.
Dead	HB	2553	Directs Legislative Revenue Officer to study impediments under state law that prevent cities one-third of whose property tax base is owned by state agencies or public universities from applying for matching federal economic development grants.	Urban Development	Support	2	HB2553 Directs the Legislative Revenue Office to conduct a study of the impediments for cities with 1/3 of property owned by State agencies and/or universities to apply for certain matching federal grants. May result in a grant opportunity for Salem for economic development.
Dead	HB	2564	Requires contracting agency to base determination of contractor's responsibility for public improvement contract on contractor's demonstrating that contractor has provided health insurance to contractor's employees for period of two years before contractor submitted bid for public improvement contract.	Public Works	Oppose	2	HB 2564 would prohibit issuing a public contract unless the bidder has provided employees health insurance for the last two years. Unfunded mandate that will increase the cost of projects. Similar to HB 2196 (position adopted 2/13/17).

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2583	Modifies definition of "public works." Classifies exemption from ad valorem property taxation as funds of public agency for purpose of requiring payment of prevailing rate of wage.	Urban Development	Oppose	1	HB2583 Extends the definition of a "public work" for prevailing wage purposes to investments of \$5M or more in private infrastructure, building, or other improvements, benefiting from Enterprise Zone tax abatement. Requires agency overseeing the contracting or the Enterprise Zone sponsor to receive certified statements providing evidence of prevailing wage rates. Requiring prevailing wage for Enterprise Zone projects or qualifying infrastructure within an Enterprise Zone, will likely pose additional barrier for companies contemplating new investment in jobs and infrastructure (for company growth).
Passed	HB	2597	Renames offense of operating motor vehicle while using mobile communication device as offense of driving motor vehicle while using mobile electronic device.	Police	Support	2	HB2597 Increases penalty for using a mobile electronic device.
Dead	HB	2667	Establishes Task Force on Vision Zero: Achieving Zero Traffic Crashes, Injuries and Fatalities.	Police	Support	2	HB2667 Establishes Task Force on Vision Zero: Achieving Zero Traffic Crashes, Injuries and Fatalities.
Dead	HB	2670	Provides that contracting agency, in solicitation for procurement, must require bidder or proposer to disclose violations of certain laws.	Public Works	Oppose	2	HB2670 Requires public contract to provide that contractor and subcontractor must update list of violations every 180 days during term of public contract. Permits contracting agency to consider certain actions after disclosure of new violations.
Passed	HB	2682	Authorizes City of Portland to designate speed that is five miles per hour lower than statutory speed when highway is located in residence district and highway is not arterial highway.	Public Works	Monitor	3	HB2682 proposes to give road authorities the ability to set speed limits on their streets that are not defined basic rule in the Oregon Vehicle Code. Concerned that the proposal may determine speed limits more on politics than on engineering studies
Dead	HB	2706	Imposes annual management fee on each primary or supplemental water right.	Public Works	Monitor	3	HB2706 Imposes an annual water right management fee on all holders of water right certificates. It places a \$1000 cap on all water rights holders except municipal water providers, for which the cap is \$2500. HB 2706 places a disproportionate share of the financial burden on municipal water rights holders since municipal water rights make up only 6% of all water rights in Oregon.
Dead	HB	2712	Requires law enforcement agencies to adopt policies on responding to officer-involved domestic violence incidents.	Police	Oppose	2	HB2712 Requires law enforcement agencies to adopt rules related to officer-involved domestic violence as established by DPSST, loss of local control
Dead	HB	2713	Provides that evidence obtained during or as result of defendant's unlawful detention by peace officer is inadmissible in criminal proceeding against defendant.	Police	Oppose	2	HB2713 Suppresses any evidence obtained during an unlawful detention. While this is consistent with current case law, case law is subject to change.



Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Passed	HB	2724	Directs Housing and Community Services Department to develop and implement Rent Guarantee Program to provide incentives and financial assistance to landlords that rent or lease to low income households by guaranteeing payments to landlords for unpaid rent and for eviction and property damage costs within certain limits.	Urban Development	Monitor	3	HB2724 requires OHCS to develop and implement Rent Guarantee Program to provide incentives and financial assistance to landlords that rent to low income households. This bill provides a funding set aside to incentivize landlords to rent to households that may have difficulty renting units. Will not directly affect the City but could be beneficial to the Salem Housing Authority. The organizations that provide affordable housing to low income families have policies in place to work with these harder to house populations; gives them some additional assurances when renting to this population.
Dead	HB	2762	Provides that employer must provide injured worker, within 48 hours after injury, with form that Director of Department of Consumer and Business Services develops.	Human Resources	Oppose	2	HB2762 Requires Workers' Comp claim form be provided to employee within 48 hours of injury. Rules already in place allow doctor to file on employee behalf & require reporting 5 calendar days.
Dead	HB	2768	Expands definition of "tourism promotion" for purposes of local transient lodging tax revenue expenditures.	Administrative Services/Finance	Support	2	HB2768 would allow some flexibility in the use of TOT funds.
Dead	HB	2770	Repeals property tax exemption for certain communication infrastructure.	Administrative Services/Finance	Support	2	HB2770 Repeals the provisions of SB611 (2015), which allowed for a property tax exemption for qualified gigabyte service projects. Similar to HB 2063.
Dead	HB	2786	Exempts from requirements of removal-fill laws removal or fill, or both, of any lot or parcel not shown as having wetlands on Statewide Wetland Inventory.	Public Works	Monitor	2	HB2786 Allows filling of unidentified wetlands on a parcel or lot if the wetland is not included in the Statewide Wetland Inventory. The State makes the determination to include in the inventory.
Dead	HB	2792	Extends recreational immunity to employees and agents of owner of land when acting within scope of duties and those with private property interests in land.	Legal	Support	2	HB 2792 reflects Legislative Committee's prior statements on supporting legislation designed to restore recreational immunity to employees and agents of public bodies.
Dead	HB	2826	Requires court to impose mandatory minimum sentence of imprisonment if person is convicted of crime of fleeing or attempting to elude police officer under certain circumstances.	Police	Support	2	HB2826 creates mandatory minimum sentence for crime of attempting to elude a police officer in a vehicle if traveling over 30 mph in excess of the speed limit.
Passed	HB	2833	Makes technical corrections and clarifications in statutes governing exemption of property in enterprise zones.	Urban Development	Monitor	3	HB 2833 The modifications are technical in nature and provide additional detail as to how the credits are currently administered.
Dead	HB	2854	Eliminates limitation of liability for owner of land used for trail or recreational purposes when owner is public body.	Legal	Oppose	2	HB 2854 is contrary to Legislative Committee's prior statements on supporting legislation designed to restore recreational immunity to employees and agents of public bodies.
Dead	HB	2856	Creates Community Outreach and Labor Education Program within Bureau of Labor and Industries to promote awareness of employee rights.	Human Resources	Monitor	3	HB2856 Creates Community outreach on Labor within BOLI.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	2859	Creates or adjusts sunset dates for certain property tax expenditure provisions.	Administrative Services/Finance	Oppose	1	HB 2859 would create/adjust sunset dates for property tax exemptions and special assessments including enterprise zones.
Passed	HB	2912	Establishes Affordable Housing Land Acquisition Revolving Loan Program within Housing and Community Services Department to make loans to eligible organizations to purchase land for affordable housing development and to provide supportive services to residents and low income households.	Urban Development	Monitor	3	HB2912 Establishes a State Affordable Housing Land Acquisition Revolving Loan Fund Program. The Oregon Housing Authority used to have this fund. It was a good tool for 3rd parties to get a small loan in order to tie up the land. Currently, these types of resources are very limited so having more would help provides incentives for the private development of affordable housing.
Passed	HB	2933	Removes limitation on amount Oregon Infrastructure Finance Authority may grant for emergency projects.	Administrative Services/Finance	Monitor	3	HB 2933 removes the \$2.5 million limitation for emergency project grants that the Oregon Infrastructure Finance Authority can award.
Dead	HB	2939	Limits rate of tax that city or county may impose on commercial construction.	Administrative Services/Finance	Monitor	3	HB 2939 limits the rate of tax that the City may impose on commercial construction.
Passed	HB	2968	Requires Department of Environmental Quality to carry out study and propose recommendations for single, coordinated process for parties to meet certain federal and state requirements for, and to obtain certain releases from liability for, cleanup of hazardous waste.	Public Works	Monitor	3	HB2968 Requires DEQ to develop a voluntary program for clean up of hazardous sites and relief from liability.
Dead	HB	2976	Requires public employer to publish proposed collective bargaining agreement and cost analysis before signing.	Human Resources	Oppose	2	HB2976 Requires the City to publish proposed collective bargaining agreements & cost analysis at least two weeks before the contract is signed.
Passed	HB	2988	Increases penalty for crime of harassment if offense consists of subjecting another person to offensive physical contact, is committed against family or household member and is committed in immediate presence of or witnessed by minor child in specified circumstances.	Police	Monitor	3	HB2988 Increases penalty for domestic harassment if committed in the presence of minor child.
Dead	HB	3087	Creates family and medical leave insurance program to provide covered employee with portion of wages while on family medical leave or military leave.	Human Resources	Oppose	2	HB3087 Creates new state run insurance program paid by employers for employees who use family medical leave.
Dead	HB	3130	Modifies funding mechanism for public employees' health care benefit to avoid excise tax under Patient Protection and Affordable Care Act.	Human Resources	Oppose	2	HB3130 Would require all public employers to offer benefits through PEBB. Could be very expensive and limited City control over employee benefits.
Dead	HB	3157	Directs Department of Transportation to regulate privately owned vehicles for hire, including taxicabs and limousines.	Legal	Oppose	2	HB3157 Would remove cities' local control over taxis and transportation network companies and require state to regulate. Also removes cities' ability to franchise taxis (City of Newberg may require a franchise). Does not appear to propose any particular standards for state regulation.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Passed	HB	3180	Authorizes Department of Revenue and units of local government to disclose to each other information related to administration of transient lodging tax laws.	Administrative Services/Finance	Support	2	HB 3180 would allow the sharing of information between the State and local governments. This bill would be helpful for auditing.
Passed	HB	3203	Requires contracting agency to perform analysis to determine whether constructing public improvement with contracting agency's own equipment and personnel will result in least cost to contracting agency.	Public Works	Oppose	2	HB3203 Requires public agency to perform an analysis of cost of the contracting agency (city)performing the work versus contracting out. Analysis must be submitted to the Secretary of State. Allows the Secretary of State to investigate.
Dead	HB	3217	Requires labor negotiation with public body to take place in open meeting.	Human Resources	Oppose	2	HB3217 Would prohibit City from have executive session for purposes of bargaining preparation.
Dead	HB	3224	Provides that cities and counties may seek reimbursement for construction on arterial highways under certain circumstances.	Legal	Monitor	2	HB3224 Requires ODOT to develop a program that would pay for 20% of the maintenance or improvements to arterial highways under county or city jurisdiction that are within a mile of I-5 and otherwise qualify. Funding would come from funds available to the department (ODOT). Concern is that the funding would come off the top of state shared gas tax revenue, reducing the amount of revenue City would otherwise receive. Most of the qualifying projects would be in the Portland Metro area. Salem has a couple of arterials that would qualify, but not likely enough that the City would benefit from this bill. Also, ODOT would have to establish rules, but doesn't specify local jurisdiction participation.
Passed	HB	3242	Requires peace officer to electronically record custodial interview with person under 18 years of age when investigating felony, or allegation that person under 18 years of age committed act that if committed by adult would constitute felony.	Police	Monitor	3	HB3242 Requires law enforcement to record any interview with a youth when investigating a crime. Difficult to implement.
Passed	HB	3245	Permits city to authorize planning commission or hearings officer to conduct hearings and make final decisions on applications for amendments to city comprehensive plan map.	Community Development	Support	1	HB3245 was initiated by the City of Salem and would allow city planning commissions to make the final decision on quasi-judicial minor Comprehensive Plan Map changes.
Dead	HB	3246	Requires transportation network company that operates in this state to obtain license from Department of Consumer and Business Services.	Legal	Support	2	HB3246 closely mirrors legislation that Uber has proposed for Salem and other communities. Would prohibit local governments from establishing their own regulations. Declares that transportation network company (TNC) drivers are independent contractors and not employees. Uber recently lost this argument in litigation in another state. Unsure what regulatory purpose including such a declaration in this bill serves other than to shield TNCs from wage/claim lawsuits.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	HB	3266	Provides that no person may use mechanical restraint, chemical restraint, prone restraint, physical restraint or seclusion on student in public education program.	Police	Oppose	2	HB3266 states a police officer may only use a mechanical restraint on a student in public education when it is reasonably believed that there is an imminent threat of serious bodily injury. Serious bodily injury refers to broken bones, protracted disfigurement, loss of consciousness, etc.
Dead	HB	3326	Authorizes centrally assessed company with outstanding property taxes of at least \$174 million for property tax years beginning before July 1, 2016, to satisfy tax liability by paying 75 percent of amount due.	Administrative Services/Finance	Oppose	1	HB 3326 Would allow a 25% discount on certain outstanding tax liabilities.
Dead	HB	3401	Prohibits local government from applying standards, conditions or procedures regulating development of needed housing on buildable land that have effect of reducing development density below maximum density level authorized in comprehensive plan designation.	Community Development	Oppose	2	HB 3401 appears to preempt our local land use authority. It would prohibit the City from applying standards or conditions of approval on housing projects that reduce the density below the maximum allowed by the Comprehensive Plan designation. If the City did approve a project with a reduced density, the applicant could file a petition in circuit court to force the City to approve the project at the maximum density.
Dead	HB	3410	Allows labor arbitrator to consider county economic factors such as cost of living in addition to population in establishing base pay for employees.	Human Resources	Support	2	HB3410 Allows use of regional economic conditions to be considered in labor negotiations.
Dead	HB	3411	Allows labor arbitrator to consider reasonable alternative to last best offers by each party during labor negotiation.	Human Resources	Oppose	2	HB3411 allows Labor Arbitrator to consider alternatives to the last best offers of the parties.
Dead	HJR	1	Proposes amendment to Oregon Constitution repealing ad valorem property tax assessment provisions created by House Joint Resolution 85 (1997) (Ballot Measure 50 (1997)), requiring ad valorem property taxes to be assessed on real market value of property, authorizing local taxing districts to increase permanent rate limits once in 10 years by submitting question to voters of district, directing Legislative Assembly to provide exemption from ad valorem property taxes for owner-occupied principal d	Administrative Services/Finance	Monitor	2	HJR 1 repeals Measure 50 and requires property taxes to be assessed on the real market value of property. Allows an increase in the City's permanent levy rate every 10 year by vote. Increases the limits imposed by measure 5. Directed the legislative to provide a homestead exemption. The various parts of this bill could have significant revenue impacts, it is difficult to quantify the changes especially the directed homestead exemption.
Dead	HJR	13	Proposes amendment to Oregon Constitution providing that law authorizing police officer to ask person if person is in possession of firearm is not law violating right of people against unreasonable search or seizure.	Police	Neutral	2	HJR13 Proposes amendment to the Oregon Constitution authorizing police to ask if the person is in possession of a firearm without violating right against unreasonable search or seizure. Refers the matter to the people for a vote. Committee did not forward to Council.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	7	Directs Environmental Quality Commission to adopt rules applying certain oil spill prevention and emergency response planning requirements to high hazard train routes in this state.	Fire	Support	2	SB7 Provides for enhanced emergency response planning and hazardous materials tracking along specific rail lines ("high hazard train routes"). Classifies rail cars as "facilities" with respect to hazardous materials requirements and spills. Requires operators of "high hazard" rail lines to develop an emergency response plan, support training and preparedness of local first responders and to verify that the company can meet the requirements of the emergency response plan. This bill is of particular concern to the City of Salem because of the rail lines running through the city and potential impact of a spill on the citizenry, city, state capitol, and environment. However, it is unknown at this time if the rail lines running thru the City of Salem would be classified as "high hazard train route."
Passed	SB	19	Updates descriptions and allowed quantities of oxygenates in gasoline for sale at wholesale or retail in this state.	Urban Development	Monitor	3	SB19 It appears to exclude aviation fuel, so there is no impact to aviation based on what is currently in the proposed bill.
Passed	SB	26	Requires county commissioners to appoint to local public safety coordinating council representative of community-based nonprofit organizations providing services to victims of crime.	Police	Monitor	3	SB26 Requires county commissioners to appoint member of community- based nonprofit providing services to victims to local public safety coordinating council.
Passed	SB	34	Expands "move over law" to include any motor vehicle that is displaying warning or hazard lights or specific indications of distress.	Police	Support	2	SB34 Expands "move over law" to include vehicles displaying hazard lights or flares.
Dead	SB	114	Repeals provision requiring city whose laws require petition proposing annexation of territory to be submitted to electors to annex territory without vote upon receipt of petition for annexation submitted by all owners of land in territory, provided territory is included within urban growth boundary of city or Metro, territory is, or will be, subject to acknowledged comprehensive plan of city, at least one lot or parcel in territory is contiguous to city limits, and proposal conforms to all othe	Community Development	Support	2	SB114 would repeal the 2016 law (from SB497) that requires cities to annex properties if certain criteria are met, including if all property owners submitted a petition to do so. The City opposed SB497 in 2015 because it was contrary to the City Charter, which requires nearly all annexations to be approved by voters. SB114 would allow the City to reestablish its voter approval process in line with the City Charter.
Passed	SB	117	Places certain additional prohibitions and requirements on towers.	Police	Monitor	3	SB117 Puts some restrictions on the predatory towers
Dead	SB	122	Makes offense of smoking, aerosolizing or vaporizing in motor vehicle primary offense.	Police	Neutral	2	SB122 Makes smoking tobacco or marijuana or vaping in a vehicle with a minor a primary offense. The penalty for first offense is a class D violation and class C for subsequent. Use of marijuana in a motor vehicle under ANY circumstances is a B violation.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	151	Provides for exemption from ad valorem property taxation of first \$10,000 of real market value of homesteads.	Administrative Services/Finance	Monitor	2	SB 151 provides a \$10,000 exemption of real market value of homesteads. This is a significant impact to property tax revenue. This bill only takes effect with the passage of SJR 3.
Dead	SB	166	Extends sunset for tax credit for affordable housing lenders.	Urban Development	Support	2	SB166 Will extend the existing State Tax Credit for affordable housing lenders from 2020 to 2026. As interest rates continue to increase, these credits take the standard 6% down and reduce it to 2.25% down. Reducing percentage down allows for increased debt towards housing projects. In addition, this is one of the very few tools available to any project sponsor who includes affordable housing.
Dead	SB	169	Extends sunset for tax credit for electronic commerce in enterprise zone or city designated for electronic commerce.	Urban Development	Support	2	SB169 Extends the sunset for the Electronic Commerce Zone to 2024. This serves as an additional incentive to attract/maintain/grow companies to Salem (and across Oregon). Companies that conduct a percentage of their sales over the internet qualify for the incentive. Local text book distributor, BookByte, originally qualified for this incentive.
Dead	SB	193	Creates Sunset Advisory Committee.	City Manager	Monitor	3	SB193 Creates a Sunset Advisory Committee and a schedule for abolishing state agencies, with specific performance reporting requirements and public hearing process to consider abolishing State agencies, beginning July 1, 2019 (education and workforce development-related agencies and DLCD) through 2033 (PUC, OSP, etc.). Requires funding and staffing, not yet identified.
Dead	SB	202	Prohibits city from imposing charge on other public bodies for use of city's rights of way that exceed city's actual, direct costs.	Administrative Services/Finance	Oppose	1	SB202 would cause the City's General Fund revenue to decrease approximately \$40-50K annually as the City currently receives franchise fees from public bodies for the use of the City's Public Right-of-Way.
Dead	SB	258	Repeals provision requiring city whose laws require petition proposing annexation of territory to be submitted to electors to annex territory without vote upon receipt of petition for annexation submitted by all owners of land in territory, provided territory is included within urban growth boundary of city or Metro, territory is, or will be, subject to acknowledged comprehensive plan of city, at least one lot or parcel in territory is contiguous to city limits, and proposal conforms to all other	Community Development	Support	2	SB258 (same as SB114) would repeal the 2016 law (from SB497) that requires cities to annex properties without going to voters if certain criteria are met.



Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	259	Limits landlord to charging single applicant screening charge for applicant applying to rent multiple dwelling units owned or managed by landlord.	Urban Development	Support	2	SB259 Limits landlord to charging single applicant screening charge for applicant applying to rent multiple dwelling units owned by same landlord. Landlord must also refund the applicant screening charge if applicant qualifies, but is not offered unit. This eliminates a barrier to housing for the homeless, identified in the City's homelessness plan.
Dead	SB	267	Provides that victim of sexual assault or domestic violence crime has right to obtain law enforcement records relating to crime.	Police	Monitor	2	SB267 Requires law enforcement agencies to provide victims of sexual assault, domestic violence, child abuse or neglect, with copies of reports or provide them to their attorney if requested. Providing reports during an on-going investigation is problematic. It exempts cases where the release would compromise an active investigation (which happens often).
Passed	SB	268	Requires Department of Human Services to make records regarding investigation of report of child abuse occurring at school or in educational setting that involves child with disability available to Disability Rights Oregon.	Police	Oppose	2	SB2688 Requires that officers investigating abuse complaints in a non-family setting have training specific to the unique circumstances of a non-family setting. Further, it specifies that parents of alleged victims "shall have access to reports and documents." This could hamper an investigation.
Passed	SB	277	Increases notice period for termination of rental agreement and removal of manufactured dwelling or floating home.	Urban Development	Monitor	3	SB277 Increases notice period from (30) to (60) days for termination of rental agreement for manufactured homes. This is a big source of cheaper affordable housing and is often at a high risk for redevelopment, as most are located on prime property.
Dead	SB	287	Requires contracting agency to base determination of contractor's responsibility for public improvement contract on contractor's demonstrating that contractor has provided health insurance to contractor's employees for period of two years before contractor submitted bid for public improvement contract.	Public Works	Oppose	2	SB 287 would prohibit issuing a public contract unless the bidder has provided employees health insurance for the last two years. Will increase the cost of projects. Similar to HB 2564, HB 2196 (Adopted 2/13/17).
Dead	SB	291	Defines "funds of a public agency," for purposes of applying prevailing rate of wage to projects for public works, to include tax credits or tax abatements that contractor engaged in project for public works receives from state in connection with project.	Urban Development	Oppose	2	SB291 Broadens "funds of a public agency" for prevailing wage determination to include tax credits and abatements for a variety of construction and infrastructure projects. Extends applicability to all public contracting agencies. Urban Development and SEDCOR administer the Enterprise Zone tax abatement and Multi-Unit Housing Tax Incentive Program (tax abatement). SB 291 is similar to HB 2195.
Dead	SB	295	Specifies when employer's notice of anticipated changes to collective bargaining agreement that impose duty to bargain may be given to exclusive representative of employees and when mediator must be assigned by Employment Relations Board to meet with parties.	Human Resources	Oppose	2	SB295 Significantly lengthens time line on interim bargaining issues. Would create extended delays

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	301	Makes unlawful employment practice for employer to refuse to employ, discharge or otherwise penalize individual because individual is registered identification cardholder.	Human Resources	Oppose	2	SB301 Would prevent the City from conditioning employment for using marijuana. As a recipient of federal funds the City must meet federal drug free workplace requirements including marijuana
Passed	SB	303	Amends, clarifies and creates consistency in statutes setting forth prohibitions and procedures related to minors possessing, purchasing, attempting to purchase or acquiring alcoholic beverages or marijuana items.	Police	Monitor	3	SB303 Aligns penalties for MIP alcohol with MIP marijuana. Current law says that a minor possessing greater amounts of marijuana than an adult can possess elevates it to an A misdemeanor. Support with amendment to include that language in this bill.
Passed	SB	310	Authorizes city or county to designate area within jurisdiction as vertical housing development zone.	Urban Development	Monitor	3	SB310 Allows Cities and Counties to designate areas as vertical housing development zone, without having go through Housing and Community Services Department at State. This is an opt in or opt out program for the City, just removes a level of State approval.
Passed	SB	311	Authorizes city or county to adopt ordinance or resolution providing property tax exemption to commercial, industrial and multifamily buildings built before January 1, 1993, that will be seismically retrofitted, for period not to exceed 15 years.	Administrative Services/Finance	Monitor	3	SB 311 allows the City to provide a property tax exemption to commercial, industrial and multifamily buildings that have been seismically retrofitted.
Passed	SB	327	Provides recreational immunity to holder of any legal or equitable title of land.	Legal	Support	2	SB 327 reflects Legislative Committee's prior statements on supporting legislation designed to restore recreational immunity to employees and agents of public bodies.
Passed	SB	333	Requires Oregon Business Development Department to consult with Department of Revenue in establishing and administering Oregon Industrial Site Readiness Program.	Urban Development	Monitor	3	SB333 Removes loan forgiveness and reimbursement delays and makes other changes to the Oregon Industrial Site Readiness Program.
Dead	SB	346	Requires Attorney General to appoint attorney from outside county in which peace officer uses deadly physical force to lead investigation into use of deadly physical force.	Police	Oppose	2	SB346 Requires Attorney General to appoint an attorney from outside county to lead investigation into police officer use of deadly force. Marion County DA's are exceedingly qualified.
Dead	SB	347	Expands definition of "involved officer" to include officer involved in incident in which use of deadly physical force caused serious physical injury.	Police	Oppose	2	SB347 Requires DOJ to investigate police officer's use of deadly force. DOJ lacks the expertise and resources to do this. Requires testing of officers for controlled substances and steroids (4th amendment issue). Requires periodic psychological evaluations for police officers and reserves (unfunded mandate).
Dead	SB	348	Requires police officer involved in incident that resulted in death or serious physical injury of person to attend at least six sessions with mental health professional.	Police	Oppose	2	Very similar to SB 347. Requires drug testing following incident (4th amendment problem). Requires psychological testing for all police officers and reserves.
Dead	SB	352	Requires police officer to inform person stopped for traffic violation or upon suspicion of criminal activity that person has right to refuse request to search.	Police	Oppose	2	SB352 Requires police officer to inform a stopped person that they have the right to refuse consent to a search, and if not, constitutes prima facie evidence of involuntariness.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	355	Requires law enforcement agency to notify Attorney General prior to beginning investigation when police officer uses deadly physical force.	Police	Oppose	2	SB355 Requires law enforcement agency to notify Attorney General prior to beginning an investigation into use of deadly force. Requires AG to appoint special investigator to lead investigation. The AG's office lacks the expertise and resources to effectively investigate these incidents.
Passed	SB	357	Modifies penalties for crime of interfering with public transportation.	Police	Oppose	2	SB357 Removes entering or remaining in or on public transit vehicle or facility from crime of interfering with public transit.
Dead	SB	361	Changes standard in some circumstances for use of deadly physical force to belief by reasonable person in officer's or person's circumstances that other person is undertaking particular conduct.	Police	Oppose	2	SB361, Regarding the use of deadly force, would place "a reasonable person in the officer's circumstances would believe" in lieu of "the officer reasonably believes." This is a departure from SCOTUS Graham v. Connor.
Dead	SB	365	Requires law enforcement officer to perform lethality assessment after making mandatory arrest for domestic assault.	Police	Oppose	2	SB365 Requires law enforcement officer perform lethality assessment after making mandatory arrest for domestic assault. This is not practical and constitutes an unfunded mandate.
Passed	SB	416	Provides that Commissioner of Bureau of Labor and Industries may apply certain considerations to determine whether to divide public works project into separate contracts.	Public Works	Monitor	3	SB416 Amends regulations relating to combining projects that where one project doesn't pay prevailing wages. Adds bonding requirement for subcontractors.
Passed	SB	418	Requires Director of Department of Land Conservation and Development, at city's request, to approve or remand sequential phases of work tasks related to potential amendment of urban growth boundary.	Community Development	Monitor	3	SB418 gives the City the option of having the state review work tasks related to a proposed urban growth boundary amendment in phases.
Dead	SB	451	Sunsets certain exemptions from disclosure for public records.	Legal	Oppose	2	SB451 is consistent with Council's legislative policy statements with respect to Public Records Law legislation.
Dead	SB	467	Authorizes Legislative Administration Committee to enter into agreements with City of Salem to assign authority over certain parking spaces.	Urban Development	Oppose	1	SB467, the Capitol Mall on-street parking bill, is recommended for opposition because: - Within the bill there is no mention of the acquired spaces being purchased at the daily fee set by Salem City Council, the language implies it would be free parking. Losing the parking revenue during the legislative session would have a negative impact to parking revenues which go to the City's General Fund. - The methods of enforcement outlined in the bill are inconsistent with current on-street enforcement which could create confusion to parkers. - On street parking is designated as public parking, this bill would go against the policy of providing public parking in a way which is equitable and fair to all users as it would favor one type of user.
Dead	SB	475	Permits school bus driver to operate video recording device for purpose of recording persons who fail to stop for bus safety lights.	Police	Oppose	2	SB475Permits school bus drivers to operate a "video recording device" to record persons failing to stop for school bus and allows police to issue citations for those violations. As written, the recording device wouldn't prove the lights on the bus were activated.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	487	Restricts limitation on award of noneconomic damages to claims in actions for wrongful death.	Human Resources	Oppose	1	SB487 Would significantly increase cost of tort claims, litigation and insurance for the City. Further erodes the OTA
Dead	SB	504	Eliminates limitation of liability for owner of land used for trail or recreational purposes when owner is public body.	Legal	Oppose	2	SB 504 is contrary to Legislative Committee's prior statements on supporting legislation designed to restore recreational immunity to employees and agents of public bodies.
Dead	SB	515	Modifies definitions of "pen registers" and "trap and trace devices." Authorizes law enforcement agency to install pen register or trap and trace device without warrant or court order in certain circumstances.	Police	Support	2	SB515 is a proposal from Law Enforcement Responsibilities technologies. An effort to protect privacy while balancing the needs of law enforcement.
Dead	SB	560	Redirects employee contributions made by member of system from individual account program to account to be used to pay for member's pension or other retirement benefits accrued on or after January 1, 2018.	Human Resources	Oppose	1	SB560 Redirects the 6% employee pickup to be used for the member's pension benefits instead of into the members individual account program. Imposes a \$100,000 cap on the annual salary used to calculate the final average salary.
Dead	SB	571	Prohibits public body from using cell-site simulator device to obtain or use personal electronic data or personal electronic metadata unless public body obtains consent or pursuant to search warrant or established warrant exception.	Police	Support	2	SB571 Requires a public body to obtain consent, a search warrant, or established search warrant exemption to operate a cell-site simulator.
Dead	SB	619	Modifies provisions related to inclusion of needed housing within urban growth boundaries.	Community Development	Oppose	2	SB619 prohibits cities from imposing conditions of approval that reduce proposed densities that are consistent with land use regulations. This could restrict the City's ability to require street dedications or additional setbacks that effectively eliminate a potential lot. The prohibition could also apply to multifamily developments. It also requires LUBA to award attorney fees to a petitioner/intervenor if they prevail on an appeal "related" to needed housing.
Dead	SB	620	Modifies process for determining need for buildable land to meet estimated need for housing.	Community Development	Oppose	2	SB620 prohibits cities from estimating a potential overall higher density in its housing needs analysis than the actual density built or housing mix that existed when the analysis was done. There is an exception for a 5 percent higher density estimate if a city implements measures to essentially meet its housing need. The Salem HNA does not appear to comply with the bill's density provisions. If the bill passes and is effective before the HNA is adopted, the City might have to recalculate its housing need, which would require additional cost and time.
Dead	SB	642	Prohibits employer of public safety officer from comparing number of citations issued by public safety officer with number of citations issued by another public safety officer for purpose of discipline, investigation or job performance.	Police	Oppose	2	SB642 Prohibits employer of public safety employees from comparing the number of citations issued by one officer with the number issued by another officer for the purpose of discipline, investigation, or job performance. While citations alone should not be used to measure job performance, they are a factor.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	648	Requires that labor negotiations be conducted in open meetings subject to notification requirements.	Human Resources	Oppose	2	SB648 requires union bargaining to be an public meeting. Also would eliminate executive sessions to discuss labor issues.
Dead	SB	661	Prohibits sweeping of moneys in Emergency Communications Account, except in case of fiscal emergency.	Police	Support	2	SB661 would put limits on when moneys in the Emergency Communications Account (9-1-1) can be diverted. The position on this bill was adopted by Council as part of the legislative policy priorities for the 2017 Session (11/28/16).
Dead	SB	675	Allows person to carry concealed firearm on person or in vehicle if person can legally possess firearms under Oregon law and meets certain criteria.	Police	Oppose	2	SB675 would allow a person with a stalking order to carry a concealed weapon if they have a pending application (not hugely problematic). Would exempt them from private firearm transfer criminal background check requirement (problematic).
Dead	SB	691	Eliminates certain driving privilege suspensions.	Police	Oppose	2	SB691 Eliminates several reasons to have your driver's license suspended, including "fail to appear." Fail to appear suspensions are one of the most compelling reasons for people to appear in court.
Dead	SB	752	Provides definitions relating to comparable work for purposes of pay equity provisions.	Human Resources	Oppose	2	SB752 is a pay structure bill. Pay discrimination already addressed in federal statute. Limitations on asking previous wages making new hire negotiations difficult. Similar to HB 2005.
Dead	SB	788	Provides for regulation by Oregon Liquor Control Commission of consumption and sale of marijuana items at temporary events, including licensure of premises on which temporary events are held.	Legal	Oppose	2	SB 788 would allow for the use of marijuana in smoking lounges and at special events upon the issuance of a permit by the OLCC. Cities may adopt an ordinance that prohibits or limits the number of cannabis lounges and special event permits, but the city must do so within 180 days of passage of the act. Also, a city that prohibits or restricts the issuance of permits under the act may not impose taxes or fees on marijuana.
Dead	SB	797	Prohibits transfer of firearm by gun dealer or private party if Department of State Police is unable to determine whether recipient is qualified to receive firearm.	Police	Oppose	2	SB797 Requires Oregon State Police to notify local law enforcement when someone fails a background check for a firearm purchase. Requires law enforcement agency to report back to O.S.P. what action was taken and the outcome of the action. At present, we are not involved in this process. This is an unfunded mandate.
Passed	SB	821	Directs Oregon Housing Stability Council, with advice of Community Action Partnership of Oregon, to develop policy for awarding grants to organizations that shall use funds in Emergency Housing Account to align with federal strategies and resources available to prevent and end homelessness.	Urban Development	Neutral	3	SB821 Technical modification to State grants associated with Emergency Housing. No impact to City or substantial change to program.
Passed	SB	828	Requires large employers in specified industries to provide new employee with estimated work schedule and to provide current employee with seven days' notice of employee work schedule.	Human Resources	Oppose	1	SB828 is the Senate version of HB2193, HB 2193 would result in an overly burdensome approach engaging in "interactive process" over employee scheduling with no allowance for employees covered by Collective Bargaining Agreement.

Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Dead	SB	840	Finds and declares utilities' occupancy of streets, highways and other public property within cities of this state matter of statewide concern.	Administrative Services/Finance	Oppose	1	SB840 Threatens home rule authority. Caps all franchise fees at 5% for gas, electric, water, and communications utilities. Includes language similar to SB 202 limiting cities' authority to charge other governmental entities a franchise fee (limited to actual cost of ROW oversight).
Dead	SB	845	Changes distribution of moneys collected by Department of Revenue as tax imposed on retail sale of marijuana items to transfers of moneys to cities and counties according to specified formula and uses of moneys for specified purposes related to education and public health and safety.	Administrative Services/Finance	Monitor	2	SB 845-6 reforms the tax distributions that includes 10 percent for cities and bases the distribution proportionally on 75 percent population and 25 percent licensure numbers.
Passed	SB	865	Requires county or city governing body to submit notice of tentative plan to certain special districts for district approval prior to approval by governing body.	Community Development	Oppose	2	SB 865 may preempt the City's land use authority. It appears to require the City to get the "indorsement" of irrigation, drainage, water control, and water improvement districts prior to approving subdivisions and partitions in those districts or their easements. The special districts could recommend conditions of approval based on their own regulations, which could be in conflict with the City's approval criteria. The bill is vague and would likely add time, costs, and complication to the City's land use process.
Dead	SB	866	Requires certain public entities to ensure that discharge of storm water into canal or infrastructure of other entity complies with state and federal water quality standards.	Public Works	Oppose	2	SB 866 Makes jurisdictions liable if they discharge stormwater into another jurisdiction's facilities that do not meet the requirements of Clean Water Act for non point discharge. Liability extends to damage done to another jurisdiction's infrastructure from amount of discharge.
Passed	SB	871	Authorizes establishment of programs by cities for demolition of residences or residential buildings.	Community Development	Monitor	3	SB 871 would add minimal costs and time to the City's process when demolishing homes that are determined to be dangerous. The impact of the bill is minimal.
Dead	SB	876	Provides that, unless otherwise provided in charter of city, county or metropolitan service district, local government or special government body measure proposing increase in taxes may be approved only by three-fifths majority of voters casting votes on measure.	Administrative Services/Finance	Oppose	2	SB 876 would increase the majority need to pass a tax measure to 60%.
Dead	SB	877	Provides that local government or special government body measure proposing increase in taxes may be submitted to people only at general election, unless otherwise provided in charter of city, county or metropolitan service district.	Administrative Services/Finance	Oppose	2	SB 877 would only allow property tax measures during a general election.



Outcome	Bill Number		Summary	Department	Position	Priority	Comment
Passed	SB	927	Provides that seller or lessor of law enforcement dog is not liable for product liability for harm caused by dog if law enforcement agency to which dog was sold or leased has begun or completed training dog using training program approved by law enforcement agency or accredited and recognized animal handling organization.	Police	Support	2	SB927 Provides that seller of law enforcement dog is not liable for product liability if dog is properly trained.
Passed	SB	936	Increases in increments taxable portion of value of eligible project property under strategic investment program for projects located in rural areas.	Administrative Services/Finance	Monitor	3	SB939 would have an unknown impact to property tax revenue.
Passed	SB	1008	Authorizes State of Oregon to receive moneys pursuant to Volkswagen Environmental Mitigation Trust Agreement, deposit agreement moneys in Clean Diesel Engine Fund and use moneys to award grants for reducing emissions from school buses powered by diesel engines.	Public Works	Oppose	2	SB1008 Requires reserving 1% of contract price for retrofitting of certain diesel engines. Requirements already in place.
Passed	SB	1025	Creates process by which certain persons who practice profession related to enforcing or providing for public health and safety and who, in performance of official duties, come into contact with blood, bodily fluid or other potentially infectious material of another person may petition court for order compelling testing of other person for communicable disease.	Police	Support	2	SB1025 would change the process to secure permission for testing of bodily fluids for communicable diseases after an officer comes into contact with said fluids. As currently authored, this may generate HPPA concerns.
Passed	SB	5530	Increases amount of lottery bonds authorized to be issued for Oregon Business Development Department and Housing and Community Services Department.	Urban Development	Support	2	SB5530 Increases Oregon Lottery allocation for Business Oregon. A large portion of Business Oregon's funding for economic development staffing and programs originates from Lottery funding. The City relies on support from Business Oregon for business recruitment (including international business recruitment), trade shows and national recruitment, and other support.
Dead	SJR	3	Proposes amendment to Oregon Constitution repealing ad valorem property tax assessment provisions created by House Joint Resolution 85 (1997) (Ballot Measure 50 (1997)), requiring ad valorem property taxes to be assessed on real market value of property and directing Legislative Assembly to provide exemption from ad valorem property taxes for owner-occupied principal dwellings and tax lots upon which dwellings are located.	Administrative Services/Finance	Monitor	2	SJR 3 repeals measure 50 and requires that property taxes be assessed on real market value and directs the Legislative Assembly to provide a homestead exemption. This measure does not address measure 5 limitations.