

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	9 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	4/2, 4/9

WHAT THE MEASURE DOES: Provides that state law may not be construed implicitly to preempt city's authority to control or regulate use of sidewalks. Provides that city may not impose penalty greater than \$250 fine under municipal laws relating to use of sidewalks. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Protecting the public
- Free transit

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Article XI of the Oregon Constitution allows local governments to legislate on the same subject matter as the state so long as the legislation does not conflict with state law *City of Portland, v. Jackson* 316 Or.143 (1993). House Bill 2963 states that as it relates to the regulation of sidewalks local legislation is in conflict only if state law expressly conflicts with the local regulation.