

# **Department of Administrative Services**



**2015-2017**

**Agency Presentation Appendix**



# Oregon

John A. Kitzhaber, MD, Governor

Department of Administrative Services  
Office of the Chief Operating Officer  
155 Cottage Street NE, U20  
Salem, OR 97301  
PHONE: 503-378-3106  
FAX: 503-373-7643

## 2015 Summary of Proposed Legislation

### **HB 2476**

Authorizes Oregon Department of Administrative Services to adopt by rule uniform policies or procedures.

#### **Effect on DAS Budget**

No fiscal impact anticipated

---

### **HB 2477**

Requires Oregon Health Authority to exercise procurement authority under Public Contracting Code and under supervision of Oregon Department of Administrative Services, except in limited circumstances.

#### **Effect on DAS Budget**

No fiscal impact anticipated

---

### **HB 2478**

Makes statutory changes to achieve gender neutral language with respect to legally recognized marriages.

#### **Effect on DAS Budget**

No fiscal impact anticipated

---

### **SB 288**

Modifies reinstatement rights of unclassified and exempt services employees who have immediate prior former regular status in classified service.

#### **Effect on DAS Budget**

No fiscal impact anticipated

---

### **SB 289**

Establishes legislative policy of conducting periodic review of state boards, commissions and other small entities within executive branch of state government to

enhance budget and government efficiency, minimize duplication of effort and enhance efforts of such entities in meeting current needs of Oregonians.

**Effect on DAS Budget**

No fiscal impact anticipated

---

**SB 290**

Directs Oregon Department of Administrative Services to establish program that certifies that prospective bidder or proposer understands pay equity provisions in laws of this state.

**Effect on DAS Budget**

Fiscal impact anticipated to deliver training; however undetermined at this time.

---

**SB 291**

Modifies circumstances under which injured state worker has right to reinstatement or reemployment with employer at injury.

**Effect on DAS Budget**

No fiscal impact anticipated

# House Bill 2476

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Authorizes Oregon Department of Administrative Services to adopt by rule uniform policies or procedures.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to administrative rules; amending ORS 184.340; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 184.340 is amended to read:

5 184.340. The Oregon Department of Administrative Services, with the approval of the Gover-  
6 nor, may *[make]*:

7 (1) **Adopt** reasonable rules and regulations that are necessary or proper for the administration  
8 of the laws that the department is charged with administering[.]; and

9 (2) **Adopt by rule uniform policies or procedures applicable to multiple state agencies,**  
10 **boards or commissions.**

11 **SECTION 2.** This 2015 Act being necessary for the immediate preservation of the public  
12 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
13 on its passage.  
14

---



# House Bill 2477

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires Oregon Health Authority to exercise procurement authority under Public Contracting Code and under supervision of Oregon Department of Administrative Services, except in limited circumstances.

Becomes operative January 1, 2016.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to procurement authority for the Oregon Health Authority; creating new provisions;  
3 amending ORS 127.666, 279A.050, 413.033, 413.450, 414.651, 431.264 and 475.225 and section 1,  
4 chapter 77, Oregon Laws 2014; and declaring an emergency.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1.** ORS 127.666 is amended to read:

7 127.666. (1) The Oregon Health Authority shall establish and operate a statewide registry for  
8 *[the collection and dissemination of]* **collecting and disseminating** physician orders for life-  
9 sustaining treatment to help ensure that medical treatment preferences for an individual nearing the  
10 end of the individual's life are honored.

11 (2) The authority shall adopt rules for the registry, including but not limited to rules that:

12 (a) Require submission of the following documents to the registry, unless the patient has re-  
13 quested to opt out of the registry:

14 (A) A copy of each POLST;

15 (B) A copy of a revised POLST; and

16 (C) Notice of any known revocation of a POLST;

17 (b) Prescribe the manner for submitting information described in paragraph (a) of this sub-  
18 section;

19 (c) Require the release of registry information to authorized users for treatment purposes;

20 (d) Authorize notification by the registry to specified persons of the receipt, revision or revo-  
21 cation of a POLST; and

22 (e) Establish procedures to protect the accuracy and confidentiality of information submitted to  
23 the registry.

24 (3) The authority may permit qualified researchers to access registry data. If the authority per-  
25 mits qualified researchers to have access to registry data, the authority shall adopt rules governing  
26 the access to data that shall include but need not be limited to:

27 (a) The process for a qualified researcher to request access to registry data;

28 (b) The types of data that a qualified researcher may be provided from the registry; and

29 (c) The manner by which a researcher must protect registry data obtained under this subsection.

NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in boldfaced type.

1 (4) The authority may contract with a private or public entity to establish or maintain the  
 2 registry[, *and such contract is exempt from the requirements of ORS chapters 279A, 279B and 279C*].

3 **SECTION 2.** ORS 279A.050 is amended to read:

4 279A.050. (1)(a) Except as otherwise provided in the Public Contracting Code, a contracting  
 5 agency shall exercise all procurement authority in accordance with the provisions of the Public  
 6 Contracting Code.

7 (b) [When] If a contracting agency has authority under this section to carry out functions de-  
 8 scribed in this section, or has authority to make procurements under a provision of law other than  
 9 the Public Contracting Code, the contracting agency [*is not required to*] **need not exercise [that] the**  
 10 **contracting agency's** authority in accordance with the provisions of the code if, under ORS  
 11 279A.025, the code does not apply to the contract or contracting [*authority*] **agency**.

12 (2) Except as otherwise provided in the Public Contracting Code, for state agencies the Director  
 13 of the Oregon Department of Administrative Services has all the authority to carry out the pro-  
 14 visions of the Public Contracting Code.

15 (3) Except as otherwise provided in the Public Contracting Code, the Director of Transportation  
 16 has all the authority to:

17 (a) Procure or supervise the procurement of all services and personal services to construct, ac-  
 18 quire, plan, design, maintain and operate passenger terminal facilities and motor vehicle parking  
 19 facilities in connection with any public transportation system in accordance with ORS 184.689 (5);

20 (b) Procure or supervise the procurement of all goods, services, public improvements and per-  
 21 sonal services [*relating to the operation, maintenance or construction of*] **that relate to operating,**  
 22 **maintaining or constructing** highways, bridges and other transportation facilities that are subject  
 23 to the authority of the Department of Transportation; and

24 (c) Establish standards for, prescribe forms for and conduct the prequalification of prospective  
 25 bidders on public improvement contracts [*related to the operation, maintenance or construction of*]  
 26 **that relate to operating, maintaining or constructing** highways, bridges and other transportation  
 27 facilities that are subject to the authority of the Department of Transportation.

28 (4) Except as otherwise provided in the Public Contracting Code, the Secretary of State has all  
 29 the authority to procure or supervise the procurement of goods, services and personal services re-  
 30 lated to programs under the authority of the Secretary of State.

31 (5) Except as otherwise provided in the Public Contracting Code, the State Treasurer has all the  
 32 authority to procure or supervise the procurement of goods, services and personal services related  
 33 to programs under the authority of the State Treasurer.

34 (6) The state agencies listed in this subsection have all the authority to do the following in ac-  
 35 cordance with the Public Contracting Code:

36 (a) The Department of Human Services to procure or supervise the procurement of goods, ser-  
 37 vices and personal services under ORS 179.040 for the department's institutions and the procurement  
 38 of goods, services and personal services for [*the construction, demolition, exchange, maintenance, op-*  
 39 *eration*] **constructing, demolishing, exchanging, maintaining, operating** and equipping [*of*] hous-  
 40 ing for the purpose of providing care to individuals with intellectual disabilities or other  
 41 developmental disabilities, subject to applicable provisions of ORS 427.335;

42 (b) The Oregon Health Authority to procure or supervise the procurement of goods, services and  
 43 personal services under ORS 179.040 and construction materials, equipment and supplies for the  
 44 authority's institutions and the procurement of goods, services, personal services, construction ma-  
 45 terials, equipment and supplies for [*the construction, demolition, exchange, maintenance, operation*]

1 **constructing, demolishing, exchanging, maintaining, operating** and equipping [of] housing for  
2 [persons] **individuals** with chronic mental illness, subject to applicable provisions of ORS 426.504;

3 (c) The State Department of Fish and Wildlife to procure or supervise the procurement of con-  
4 struction materials, equipment, supplies, services and personal services for public improvements,  
5 public works or ordinary construction described in ORS 279C.320 that is subject to the authority  
6 of the State Department of Fish and Wildlife;

7 (d) The State Parks and Recreation Department to procure or supervise the procurement of all  
8 goods, services, public improvements and personal services [relating] **related** to state parks;

9 (e) The Oregon Department of Aviation to procure or supervise the procurement of construction  
10 materials, equipment, supplies, services and personal services for public improvements, public works  
11 or ordinary construction described in ORS 279C.320 that is subject to the authority of the Oregon  
12 Department of Aviation;

13 (f) The Oregon Business Development Department to procure or supervise the procurement of  
14 all goods, services, personal services and public improvements related to its foreign trade offices  
15 operating outside the state;

16 (g) The Housing and Community Services Department to procure or supervise the procurement  
17 of goods, services and personal services as provided in ORS 279A.025 (2)(n);

18 (h) The Department of Corrections to procure or supervise the procurement of construction  
19 materials, equipment, supplies, services and personal services for public improvements, public works  
20 or ordinary construction described in ORS 279C.320 that is subject to the authority of the Depart-  
21 ment of Corrections;

22 (i) The Department of Corrections, subject to any applicable provisions of ORS 279A.120,  
23 279A.125, 279A.145 and 283.110 to 283.395, to procure or supervise the procurement of goods, ser-  
24 vices and personal services under ORS 179.040 for its institutions;

25 (j) The Department of Veterans' Affairs to procure or supervise the procurement of real estate  
26 broker and principal real estate broker services related to programs under the department's au-  
27 thority;

28 (k) The Oregon Military Department to procure or supervise the procurement of construction  
29 materials, equipment, supplies, services and personal services for public improvements, public works  
30 or ordinary construction described in ORS 279C.320 that is subject to the authority of the Oregon  
31 Military Department;

32 (L) The Department of Education, subject to any applicable provisions of ORS 329.075, 329.085  
33 and 329.485 and the federal No Child Left Behind Act of 2001 (P.L. 107-110, 115 Stat. 1425), to pro-  
34 cure or supervise the procurement of goods, services, personal services and information technology  
35 [relating] **related** to student assessment; and

36 (m) Any state agency to conduct a procurement when the agency is specifically authorized by  
37 any provision of law other than the Public Contracting Code to enter into a contract.

38 (7)(a) Notwithstanding this section and ORS 279A.140 (1), the Director of the Oregon Depart-  
39 ment of Administrative Services has exclusive authority, unless the director delegates this authority,  
40 to procure or supervise the procurement of:

41 (A) All price agreements on behalf of the state agencies identified in subsection (6)(a) to (k) of  
42 this section under which more than one state agency may order goods, services, [or] personal ser-  
43 vices, **construction materials, equipment or supplies**; and, *except for contracts procured by the*  
44 *Oregon Health Authority,*

45 (B) All state agency information technology contracts.

1 (b) This subsection does not apply to contracts under which the contractor delivers to the state  
 2 agency information technology products or services incidental to the performance of personal ser-  
 3 vices contracts described in ORS chapter 279C or construction contracts described in ORS chapter  
 4 279C.

5 (c) A state agency identified in subsection (3) or (6)(a) to (k) of this section may not establish  
 6 a price agreement or enter into a contract for goods, services, personal services, construction ma-  
 7 terials, equipment or supplies without the approval of the director if the director has established a  
 8 price agreement for the goods, services, [or] personal services, **construction materials, equipment**  
 9 **or supplies.**

10 **SECTION 3.** Section 1, chapter 77, Oregon Laws 2014, is amended to read:

11 **Sec. 1.** (1) As used in this section:

12 (a)(A) "Information technology initiative" means a project to develop or provide, with the state  
 13 contracting agency's or public corporation's own personnel and resources, or to obtain by means of  
 14 a procurement or set of related procurements:

15 (i) New hardware, software or services for data processing, office automation or telecommuni-  
 16 cations;

17 (ii) An overhaul, upgrade or replacement of a substantial portion of the hardware or software  
 18 in an existing data processing, office automation or telecommunications system; or

19 (iii) A substantial expansion of existing data processing, office automation or telecommuni-  
 20 cations services.

21 (B) "Information technology initiative" does not include:

22 (i) A procurement for preliminary quality assurance services or quality management services;

23 (ii) A routine update to or purchase of hardware or software within an existing data processing,  
 24 office automation or telecommunications system;

25 (iii) A renewal of an existing contract for data processing, office automation or telecommuni-  
 26 cations services under terms and conditions that are substantially the same as in the existing con-  
 27 tract; or

28 (iv) A replacement of a component of an existing data processing, office automation or tele-  
 29 communications system that is not essential for the system to function as designed or that occurs  
 30 at the end of the component's anticipated life cycle.

31 (b) "Preliminary quality assurance services" means a set of services in which a contractor pro-  
 32 vides an independent and objective review of a state contracting agency's or a public corporation's  
 33 plans, specifications, estimates, documentation, available resources and overall purpose for an in-  
 34 formation technology initiative, including services in which the contractor evaluates a proposed in-  
 35 formation technology initiative against applicable quality standards and best practices from private  
 36 industry and other sources.

37 (c) "Procurement" has the meaning given that term in ORS 279A.010.

38 (d)(A) "Public corporation" means a corporation:

39 (i) The operations of which are subject to control by this state or by an agency or  
 40 instrumentality of this state, or by officers of this state or of an agency or instrumentality of this  
 41 state;

42 (ii) That is organized, at least in part, to serve a public purpose; and

43 (iii) That receives public funds or other support from an entity described in sub-subparagraph  
 44 (i) of this subparagraph.

45 (B) "Public corporation" does not include:

1 (i) A person or entity described in ORS 174.108 (3);

2 (ii) A city, county, local service district, school district, education service district, community  
3 college district or community college service district or a university with a governing board listed  
4 in ORS 352.054; or

5 (iii) An administrative subdivision of an entity described in sub-subparagraph (ii) of this sub-  
6 paragraph.

7 (e) "Quality management services" means a set of services in which a contractor provides an  
8 independent and objective review and evaluation of a state contracting agency's, a public  
9 corporation's or another contractor's performance with respect to an information technology initi-  
10 ative, such as services in which the contractor:

11 (A) Identifies quality standards that apply or should apply to the information technology initi-  
12 ative;

13 (B) Suggests methods and means by which the state contracting agency, the public corporation  
14 or the other contractor may meet quality standards identified in subparagraph (A) of this paragraph;

15 (C) Reviews and evaluates the state contracting agency's, the public corporation's or the other  
16 contractor's performance regularly as the information technology initiative progresses from start to  
17 finish;

18 (D) Identifies omissions or gaps in the state contracting agency's, the public corporation's or the  
19 other contractor's planning, execution, control, methodology, communication or reporting as the in-  
20 formation technology initiative progresses from start to finish;

21 (E) Identifies risks in the state contracting agency's, the public corporation's or the other  
22 contractor's plans or approach to designing, developing or implementing the information technology  
23 initiative and suggests methods to reduce, mitigate or eliminate the risks;

24 (F) Assists the state contracting agency or the public corporation in testing or otherwise eval-  
25 uating the hardware, software or services that are developed, provided or obtained as part of an  
26 information technology initiative to determine whether the hardware, software or services conform  
27 with the quality standards identified in subparagraph (A) of this paragraph;

28 (G) Advises the state contracting agency or the public corporation as to whether the hardware,  
29 software or services that are developed, provided or obtained as part of an information technology  
30 initiative meet the contracting agency's or the public corporation's needs, specifications or expec-  
31 tations and otherwise enable the state contracting agency or the public corporation to achieve the  
32 objectives for the information technology initiative; or

33 (H) Identifies unsatisfactory performance and suggests methods the state contracting agency, the  
34 public corporation or the other contractor might use to eliminate the causes of unsatisfactory per-  
35 formance.

36 (f) "State contracting agency" has the meaning given that term in ORS 279A.010.

37 (2)(a) A state contracting agency or a public corporation that implements an information tech-  
38 nology initiative shall obtain quality management services from a qualified contractor if the value  
39 of the information technology initiative exceeds \$5 million or if the information technology initiative  
40 meets criteria or standards that the State Chief Information Officer or the Director of the Oregon  
41 Department of Administrative Services specifies by rule or policy.

42 (b) A state contracting agency or public corporation may, subject to ORS 279B.040, procure  
43 preliminary quality assurance services from a contractor if the information technology initiative  
44 meets the standards set forth in paragraph (a) of this subsection or if the state contracting agency  
45 or public corporation otherwise believes that the preliminary quality assurance services will enable

1 the contracting agency or public corporation to implement an information technology initiative  
2 successfully.

3 (3) A state contracting agency or public corporation may not artificially divide or fragment an  
4 information technology initiative so as to avoid the application of this section.

5 (4)[(a)] Notwithstanding any procurement authority that a state contracting agency or a public  
6 corporation has that is not subject to the authority of the Director of the Oregon Department of  
7 Administrative Services under ORS 279A.050 (2) or (7), the state contracting agency or public cor-  
8 poration is subject to the provisions of subsection (2) of this section and shall consult with and fol-  
9 low the rules, policies and procedures of the State Chief Information Officer and the Oregon  
10 Department of Administrative Services in determining the extent of preliminary quality assurance  
11 services or quality management services that the state contracting agency or public corporation will  
12 require for an information technology initiative.

13 [(b) *Notwithstanding the Oregon Health Authority's exemption in ORS 279A.050 (7) from the au-*  
14 *thority that the Oregon Department of Administrative Services has over all state agency information*  
15 *technology procurements, the Oregon Health Authority shall consult with and follow the rules, policies*  
16 *and procedures of the State Chief Information Officer and the Oregon Department of Administrative*  
17 *Services in determining the extent of preliminary quality assurance services or quality management*  
18 *services that the state contracting agency or public corporation will require for an information tech-*  
19 *nology initiative.*]

20 (5)(a) If a state contracting agency or a public corporation awards a contract for preliminary  
21 quality assurance services or quality management services, the contract must provide that at the  
22 same time a contractor provides a preliminary or final report to the contract administrator, the  
23 contractor shall also provide a copy of the report to:

24 (A) The State Chief Information Officer;

25 (B) The Director of the Oregon Department of Administrative Services; and

26 (C) As appropriate for the specific information technology initiative, to:

27 (i) The director of the state contracting agency or, if a board or commission sets policy for the  
28 state contracting agency, to the board or commission; or

29 (ii) The governing body of the public corporation.

30 (b) The state contracting agency or public corporation shall provide the contractor with names,  
31 addresses and other contact information the contractor needs to comply with paragraph (a) of this  
32 subsection.

33 (6) This section does not apply to the Secretary of State or the State Treasurer.

34 **SECTION 4.** ORS 413.033 is amended to read:

35 413.033. (1) The Oregon Health Authority is under the supervision and control of a director, who  
36 is responsible for [*the performance of*] **performing** the duties, functions and powers of the authority.

37 (2) The Governor shall appoint the Director of the Oregon Health Authority, who holds office  
38 at the pleasure of the Governor. The appointment of the director [*shall be*] is subject to confirmation  
39 by the Senate in the manner provided by ORS 171.562 and 171.565.

40 [(3)(a) *In addition to the procurement authority granted by ORS 179.040 and 279A.050, the director*  
41 *shall have all powers necessary to effectively and expeditiously carry out the duties, functions and*  
42 *powers vested in the authority by ORS 413.032, and the duties, functions and powers that are shared*  
43 *by or delegated to the authority with respect to the following agencies:]*

44 [(A) *The Oregon Department of Administrative Services;*]

45 [(B) *The Department of Consumer and Business Services; and*]

1 [(C) *The Department of Human Services.*]

2 [(b) *With respect to procurements and contracts that the authority is authorized to conduct or*  
3 *manage, the director may make procurements on behalf of, and supervise the procurement, establish-*  
4 *ment and administration of contracts entered into by, the departments described in paragraph (a) of this*  
5 *subsection.*]

6 [(c) *Notwithstanding ORS 279B.085, the director may approve a special procurement under para-*  
7 *graph (b) of this subsection that:*]

8 [(A) *Describes the proposed contracting procedure and the goods or services, or the class of goods*  
9 *or services, to be acquired through the special procurement;*]

10 [(B) *Is unlikely to encourage favoritism in the awarding of public contracts or to substantially di-*  
11 *minish competition for public contracts; and*]

12 [(C) *Is reasonably expected to result in substantial cost savings to the authority or to the public.*]

13 [(d) *The director shall give public notice of the approval of a proposed special procurement as*  
14 *provided by the authority by rule. The requirements applicable to the Director of the Oregon Depart-*  
15 *ment of Administrative Services under ORS 279B.400 apply to the Director of the Oregon Health Au-*  
16 *thority with respect to special procurements under this subsection.*]

17 [(e) *Notwithstanding ORS 279C.335, the director may exempt a public improvement contract or a*  
18 *class of public improvement contracts that the authority is authorized to conduct or manage from the*  
19 *competitive bidding requirements of ORS 279C.335 (1) if the director makes the findings described in*  
20 *ORS 279C.335 (2). The provisions in ORS 279C.335 (3) to (8) with respect to the Director of the Oregon*  
21 *Department of Administrative Services apply to the Director of the Oregon Health Authority for ex-*  
22 *emptions granted by the director under this subsection.*]

23 [(4)] (3) The director [*shall have the power to obtain such other services as*] **may at the**  
24 **director's discretion obtain services** that the director considers necessary or desirable, **other**  
25 **than services that would require the director to conduct a procurement or enter into a**  
26 **contract under ORS chapter 279A, 279B or 279C. The services may include** [*including*] partici-  
27 pation in organizations of state insurance supervisory officials and appointment of advisory com-  
28 mittees. A member of an advisory committee so appointed [*shall*] **may not receive** [*no*] compensation  
29 for services as a member, but, subject to any other applicable law regulating travel and other ex-  
30 penses of state officers, shall receive actual and necessary travel and other expenses incurred in  
31 [*the performance of*] **performing** official duties.

32 [(5)] (4) The director may apply for, receive and accept grants, gifts or other payments, including  
33 property or services from any governmental or other public or private person, and may make ar-  
34 rangement [*for the*] **to use** [*of*] the receipts, including [*the*] **for** undertaking [*of*] special studies and  
35 other projects [*relating*] **that relate** to the costs of health care, access to health care, public health  
36 and health care reform.

37 **SECTION 5.** ORS 413.450 is amended to read:

38 413.450. (1) The Oregon Health Authority shall approve continuing education opportunities re-  
39 lating to cultural competency.

40 (2) The authority shall develop a list of continuing education opportunities relating to cultural  
41 competency and make the list available to each board, as defined in ORS 676.850.

42 (3) The continuing education opportunities may include, but need not be limited to:

43 (a) Courses delivered either in person or electronically;

44 (b) Experiential learning such as cultural or linguistic immersion;

45 (c) Service learning; or

1 (d) Specially designed cultural experiences.

2 (4) The continuing education opportunities must teach attitudes, knowledge and skills that ena-  
3 ble a health care professional to care effectively for patients from diverse cultures, groups and  
4 communities, including but not limited to:

5 (a) Applying linguistic skills to communicate effectively with patients from diverse cultures,  
6 groups and communities;

7 (b) Using cultural information to establish therapeutic relationships; and

8 (c) Eliciting, understanding and applying cultural and ethnic data in the process of clinical care.

9 (5) The authority may accept gifts, grants or contributions from any public or private source for  
10 the purpose of carrying out this section. Moneys received by the authority under this subsection  
11 shall be deposited into the Oregon Health Authority Fund established by ORS 413.101.

12 (6) The authority may contract with or award grant funding to a public or private entity to  
13 develop the list of or offer approved continuing education opportunities relating to cultural compe-  
14 tency. [*The authority is not subject to the requirements of ORS chapters 279A, 279B and 279C with*  
15 *respect to contracts entered into under this subsection.*]

16 **SECTION 6.** ORS 414.651 is amended to read:

17 414.651. (1)(a) The Oregon Health Authority shall use, to the greatest extent possible, coordi-  
18 nated care organizations to provide fully integrated physical health services, chemical dependency  
19 and mental health services and oral health services. This section, and any contract entered into  
20 pursuant to this section, does not affect and may not alter the delivery of Medicaid-funded long term  
21 care services.

22 (b) The authority shall execute contracts with coordinated care organizations that meet the  
23 criteria adopted by the authority under ORS 414.625. [*Contracts under this subsection are not subject*  
24 *to ORS chapters 279A and 279B, except ORS 279A.250 to 279A.290 and 279B.235.*]

25 (c) The authority shall establish financial reporting requirements for coordinated care organ-  
26 izations. The authority shall prescribe a reporting procedure that elicits sufficiently detailed infor-  
27 mation for the authority to assess the financial condition of each coordinated care organization and  
28 that:

29 (A) Enables the authority to verify that the coordinated care organization's reserves and other  
30 financial resources are adequate to ensure against the risk of insolvency; and

31 (B) Includes information on the three highest executive salary and benefit packages of each co-  
32 ordinated care organization.

33 (d) The authority shall hold coordinated care organizations, contractors and providers account-  
34 able for timely submission of outcome and quality data, including but not limited to data described  
35 in ORS 442.466, prescribed by the authority by rule.

36 (e) The authority shall require compliance with the provisions of paragraphs (c) and (d) of this  
37 subsection as a condition of entering into a contract with a coordinated care organization. A coor-  
38 dinated care organization, contractor or provider that fails to comply with paragraph (c) or (d) of  
39 this subsection may be subject to sanctions, including but not limited to civil penalties, barring any  
40 new enrollment in the coordinated care organization and termination of the contract.

41 (f)(A) The authority shall adopt rules and procedures to ensure that if a rural health clinic  
42 provides a health service to a member of a coordinated care organization, and the rural health clinic  
43 is not participating in the member's coordinated care organization, the rural health clinic receives  
44 total aggregate payments from the member's coordinated care organization, other payers on the  
45 claim and the authority that are no less than the amount the rural health clinic would receive in



1 the authority's fee-for-service payment system. The authority shall issue a payment to the rural  
 2 health clinic in accordance with this subsection within 45 days of receipt by the authority of a  
 3 completed billing form.

4 (B) "Rural health clinic," as used in this paragraph, shall be defined by the authority by rule  
 5 and shall conform, as far as practicable or applicable in this state, to the definition of that term in  
 6 42 U.S.C. 1395x(aa)(2).

7 (2) The authority may contract with providers other than coordinated care organizations to  
 8 provide integrated and coordinated health care in areas that are not served by a coordinated care  
 9 organization or where the organization's provider network is inadequate. [*Contracts authorized by*  
 10 *this subsection are not subject to ORS chapters 279A and 279B, except ORS 279A.250 to 279A.290 and*  
 11 *279B.235.*]

12 (3) As provided in subsections (1) and (2) of this section, the aggregate expenditures by the au-  
 13 thority for health services provided pursuant to ORS 414.631, 414.651 and 414.688 to 414.745 may not  
 14 exceed the total dollars appropriated for health services under ORS 414.631, 414.651 and 414.688 to  
 15 414.745.

16 (4) Actions taken by providers, potential providers, contractors and bidders in specific accord-  
 17 ance with ORS 414.631, 414.651 and 414.688 to 414.745 in forming consortiums or in otherwise en-  
 18 tering into contracts to provide health care services shall be performed pursuant to state  
 19 supervision and shall be considered to be conducted at the direction of this state, shall be consid-  
 20 ered to be lawful trade practices and may not be considered to be the transaction of insurance for  
 21 purposes of the Insurance Code.

22 (5) Health care providers contracting to provide services under ORS 414.631, 414.651 and 414.688  
 23 to 414.745 shall advise a patient of any service, treatment or test that is medically necessary but  
 24 not covered under the contract if an ordinarily careful practitioner in the same or similar commu-  
 25 nity would do so under the same or similar circumstances.

26 (6) A coordinated care organization shall provide information to a member as prescribed by the  
 27 authority by rule, including but not limited to written information, within 30 days of enrollment with  
 28 the coordinated care organization about available providers.

29 (7) Each coordinated care organization shall work to provide assistance that is culturally and  
 30 linguistically appropriate to the needs of the member to access appropriate services and participate  
 31 in processes affecting the member's care and services.

32 (8) Each coordinated care organization shall provide upon the request of a member or prospec-  
 33 tive member annual summaries of the organization's aggregate data regarding:

34 (a) Grievances and appeals; and

35 (b) Availability and accessibility of services provided to members.

36 (9) A coordinated care organization may not limit enrollment in a geographic area based on the  
 37 zip code of a member or prospective member.

38 **SECTION 7.** ORS 431.264 is amended to read:

39 431.264. (1) Unless the Governor has declared a public health emergency under ORS 433.441, the  
 40 Public Health Director may, upon approval of the Governor or the designee of the Governor, take  
 41 the public health actions described in subsection (2) of this section if the Public Health Director  
 42 determines that:

43 (a)(A) A communicable disease, reportable disease, disease outbreak, epidemic or other condition  
 44 of public health importance has affected more than one county;

45 (B) There is an immediate need for a consistent response from the state in order to adequately

1 protect the public health;

2 (C) The resources of the local public health authority or authorities are likely to be quickly  
3 overwhelmed or unable to effectively manage the required response; and

4 (D) There is a significant risk to the public health; or

5 (b) A communicable disease, reportable disease, disease outbreak, epidemic or other condition  
6 of public health importance is reported in Oregon and is an issue of significant regional or national  
7 concern or is an issue for which there is significant involvement from federal authorities requiring  
8 state-federal coordination.

9 (2) The Public Health Director, after making the determinations required under subsection (1)  
10 of this section, may take the following public health actions:

11 (a) Coordinate the public health response across jurisdictions.

12 (b) Prescribe measures for the:

13 (A) Identification, assessment and control of the communicable disease or reportable disease,  
14 disease outbreak, epidemic or other condition of public health importance; and

15 (B) Allocation and distribution of antitoxins, serums, vaccines, immunizing agents, antibiotics,  
16 antidotes and other pharmaceutical agents, medical supplies or personal protective equipment.

17 (c) After consultation with appropriate medical experts, create and require the use of diagnostic  
18 and treatment guidelines and provide notice of those guidelines to health care providers, institutions  
19 and facilities.

20 (d) Require a person to obtain treatment and use appropriate prophylactic measures to prevent  
21 the introduction or spread of a communicable disease or reportable disease, unless:

22 (A) The person has a medical diagnosis for which a vaccination is contraindicated; or

23 (B) The person has a religious or conscientious objection to the required treatments or  
24 prophylactic measures.

25 (e) Notwithstanding ORS 332.075, direct a district school board to close a children's facility or  
26 school under the jurisdiction of the board. The authority granted to the Public Health Director un-  
27 der this paragraph supersedes the authority granted to the district school board under ORS 332.075  
28 to the extent the authority granted to the board is inconsistent with the authority granted to the  
29 director.

30 (f) Issue guidelines for private businesses regarding appropriate work restrictions.

31 (g) Organize public information activities regarding the public health response to circumstances  
32 described in subsection (1) of this section.

33 (h) Adopt reporting requirements for, and provide notice of those reporting requirements to,  
34 health care providers, institutions and facilities for the purpose of obtaining information directly  
35 related to the public health threat presented.

36 (i) Take control of antitoxins, serums, vaccines, immunizing agents, antibiotics, antidotes and  
37 other pharmaceutical agents, medical supplies or personal protective equipment.

38 (3) The authority granted to the Public Health Director under this section is not intended to  
39 override the general authority provided to a local public health authority except as already per-  
40 mitted by law, or under the circumstances described in subsection (1) of this section.

41 (4) If the Oregon Health Authority adopts temporary rules to implement subsection (2) of this  
42 section, the rules adopted are not subject to the provisions of ORS 183.335 (6)(a). The authority may  
43 amend the temporary rules adopted under this subsection as often as is necessary to respond to the  
44 public health threat.

45 *[(5) If it is necessary for the authority to purchase antitoxins, serums, vaccines, immunizing agents,*

1 *antibiotics, antidotes or other pharmaceutical agents, medical supplies or personal protective equipment,*  
 2 *the purchases are not subject to the provisions of ORS chapter 279A, 279B or 279C.]*

3 [(6)] (5) If property is taken under the authority granted to the Public Health Director under  
 4 subsection (2) of this section, the owner of the property is entitled to reasonable compensation from  
 5 the state.

6 **SECTION 8.** ORS 475.225 is amended to read:

7 475.225. (1) The Oregon Health Authority shall carry out educational programs designed to  
 8 prevent and deter misuse and abuse of controlled substances. In connection with these programs it  
 9 may:

10 (a) Promote better recognition of the problems of misuse and abuse of controlled substances  
 11 within the regulated industry and among interested groups and organizations;

12 (b) Assist the regulated industry and interested groups and organizations in contributing to the  
 13 reduction of misuse and abuse of controlled substances;

14 (c) Consult with interested groups and organizations to aid them in solving administrative and  
 15 organizational problems;

16 (d) Evaluate procedures, projects, techniques and controls conducted or proposed as part of ed-  
 17 ucational programs on misuse or abuse of controlled substances;

18 (e) Disseminate the results of research on misuse and abuse of controlled substances to promote  
 19 a better public understanding of what problems exist and what can be done to combat them; and

20 (f) Assist in the education and training of state and local law enforcement officials in their ef-  
 21 forts to control misuse and abuse of controlled substances.

22 (2) The authority shall encourage research on the medical use, misuse and abuse of controlled  
 23 substances. In connection with the research, and in furtherance of the enforcement of ORS 475.005  
 24 to 475.285 and 475.752 to 475.980, it may:

25 (a) Establish methods to assess accurately the physiological, psychological and social effects of  
 26 controlled substances and identify their medical uses, relative hazard potential, and potential for  
 27 abuse;

28 (b) Make studies and undertake programs of research to:

29 (A) Develop new or improved approaches, techniques, systems, equipment and devices to  
 30 strengthen the enforcement of ORS 475.005 to 475.285 and 475.752 to 475.980;

31 (B) Determine patterns of use, misuse and abuse of controlled substances and the social effects  
 32 thereof; and

33 (C) Improve methods for preventing, predicting, understanding and dealing with the misuse and  
 34 abuse of controlled substances; or

35 (c) Enter into contracts with public agencies, institutions of higher education, and private or-  
 36 ganizations or individuals for the purpose of conducting research, demonstrations or special projects  
 37 which bear directly on misuse and abuse of controlled substances.

38 (3) The authority may enter into contracts for educational and research activities without per-  
 39 formance bonds and without regard to ORS [279A.125, 279A.140, 279B.025, 279B.240, 279B.270,  
 40 279B.275, 279B.280,] 459A.475, 459A.480, 459A.485 and 459A.490.

41 **SECTION 9.** The amendments to ORS 127.666, 279A.050, 413.033, 413.450, 414.651, 431.264  
 42 and 475.225 and section 1, chapter 77, Oregon Laws 2014, by sections 1 to 8 of this 2015 Act  
 43 apply to procurements that the Oregon Health Authority advertises or otherwise solicits on  
 44 or after the operative date specified in section 10 of this 2015 Act.

45 **SECTION 10.** (1) The amendments to ORS 127.666, 279A.050, 413.033, 413.450, 414.651,

1 431.264 and 475.225 and section 1, chapter 77, Oregon Laws 2014, by sections 1 to 8 of this 2015  
2 Act become operative January 1, 2016.

3 (2) The Director of the Oregon Health Authority and the Director of the Oregon De-  
4 partment of Administrative Services may take any action before the operative date specified  
5 in subsection (1) of this section that is necessary to enable the director to exercise, on and  
6 after the operative date specified in subsection (1) of this section, all of the duties, functions  
7 and powers conferred on the director by the amendments to ORS 127.666, 279A.050, 413.033,  
8 413.450, 414.651, 431.264 and 475.225 and section 1, chapter 77, Oregon Laws 2014, by sections  
9 1 to 8 of this 2015 Act.

10 SECTION 11. This 2015 Act being necessary for the immediate preservation of the public  
11 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
12 on its passage.

13

# House Bill 2478

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Makes statutory changes to achieve gender neutral language with respect to legally recognized marriages.

## A BILL FOR AN ACT

1  
2 Relating to gender neutral language in laws; amending ORS 25.280, 40.135, 40.255, 59.350, 93.180,  
3 105.920, 106.020, 106.041, 106.150, 106.315, 107.005, 107.025, 107.485, 108.010, 108.020, 108.030,  
4 108.040, 108.045, 108.050, 108.060, 108.080, 108.090, 108.100, 108.110, 108.510, 108.530, 108.550,  
5 109.070, 109.103, 109.124, 109.125, 109.239, 109.243, 109.326, 109.804, 110.384, 136.655, 163.565,  
6 164.035, 164.164, 215.705, 314.105, 315.465, 315.469, 315.610, 315.675, 316.042, 316.116, 316.122,  
7 316.367, 316.567, 316.690, 316.695, 408.730, 418.210, 419B.040, 432.088, 496.146, 656.005, 656.204,  
8 656.226, 659A.309, 677.365, 726.990, 742.504, 743.027 and 743A.084.

9 **Be It Enacted by the People of the State of Oregon:**

10 **SECTION 1.** ORS 25.280 is amended to read:

11 25.280. In any judicial or administrative proceeding for the establishment or modification of a  
12 child support obligation under ORS chapter 107, 108, 109, 110 or 416 or ORS 419B.400, 419B.923,  
13 419C.590 or 419C.610, the amount of support determined by the formula established under ORS  
14 25.275 is presumed to be the correct amount of the obligation. This is a rebuttable presumption and  
15 a written finding or a specific finding on the record that the application of the formula would be  
16 unjust or inappropriate in a particular case is sufficient to rebut the presumption. The following  
17 criteria shall be considered in making the finding:

- 18 (1) Evidence of the other available resources of a parent;  
19 (2) The reasonable necessities of a parent;  
20 (3) The net income of a parent remaining after withholdings required by law or as a condition  
21 of employment;  
22 (4) A parent's ability to borrow;  
23 (5) The number and needs of other dependents of a parent;  
24 (6) The special hardships of a parent including, but not limited to, any medical circumstances  
25 of a parent affecting the parent's ability to pay child support;  
26 (7) The needs of the child;  
27 (8) The desirability of the custodial parent remaining in the home as a full-time parent and  
28 homemaker;  
29 (9) The tax consequences, if any, to both parents resulting from spousal support awarded and  
30 determination of which parent will name the child as a dependent; and  
31 (10) The financial advantage afforded a parent's household by the income of a spouse or another

NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in boldfaced type.

1 person with whom the parent lives in a relationship similar to *[husband and wife]* spouses in a le-  
2 gally recognized marriage.

3 **SECTION 2.** ORS 40.135 is amended to read:

4 40.135. (1) The following are presumptions:

5 (a) A person intends the ordinary consequences of a voluntary act.

6 (b) A person takes ordinary care of the person's own concerns.

7 (c) Evidence willfully suppressed would be adverse to the party suppressing it.

8 (d) Money paid by one to another was due to the latter.

9 (e) A thing delivered by one to another belonged to the latter.

10 (f) An obligation delivered to the debtor has been paid.

11 (g) A person is the owner of property from exercising acts of ownership over it or from common  
12 reputation of the ownership of the person.

13 (h) A person in possession of an order on that person, for the payment of money or the delivery  
14 of a thing, has paid the money or delivered the thing accordingly.

15 (i) A person acting in a public office was regularly appointed to it.

16 (j) Official duty has been regularly performed.

17 (k) A court, or judge acting as such, whether in this state or any other state or country, was  
18 acting in the lawful exercise of the jurisdiction of the court.

19 (l) Private transactions have been fair and regular.

20 (m) The ordinary course of business has been followed.

21 (n) A promissory note or bill of exchange was given or indorsed for a sufficient consideration.

22 (o) An indorsement of a negotiable promissory note, or bill of exchange, was made at the time  
23 and place of making the note or bill.

24 (p) A writing is truly dated.

25 (q) A letter duly directed and mailed was received in the regular course of the mail.

26 (r) A person is the same person if the name is identical.

27 (s) A person not heard from in seven years is dead.

28 (t) Persons acting as copartners have entered into a contract of copartnership.

29 (u) *[A man and woman]* **Two individuals** deporting themselves as *[husband and wife]* **legally**  
30 **married to each other** have entered into a lawful contract of marriage.

31 (v) A child born in lawful wedlock is legitimate.

32 (w) A thing once proved to exist continues as long as is usual with things of that nature.

33 (x) The law has been obeyed.

34 (y) An uninterrupted adverse possession of real property for 20 years or more has been held  
35 pursuant to a written conveyance.

36 (z) A trustee or other person whose duty it was to convey real property to a particular person  
37 has actually conveyed it to the person, when such presumption is necessary to perfect the title of  
38 the person or the person's successor in interest.

39 (2) A statute providing that a fact or a group of facts is prima facie evidence of another fact  
40 establishes a presumption within the meaning of this section.

41 **SECTION 3.** ORS 40.255 is amended to read:

42 40.255. (1) As used in this section, unless the context requires otherwise:

43 (a) "Confidential communication" means a communication by a spouse to the other spouse and  
44 not intended to be disclosed to any other person.

45 (b) "Marriage" means a marital relationship between *[husband and wife]* **two individuals**, le-

1 gally recognized under the laws of this state.

2 (2) In any civil or criminal action, a spouse has a privilege to refuse to disclose and to prevent  
3 the other spouse from disclosing any confidential communication made by one spouse to the other  
4 during the marriage. The privilege created by this subsection may be claimed by either spouse. The  
5 authority of the spouse to claim the privilege and the claiming of the privilege is presumed in the  
6 absence of evidence to the contrary.

7 (3) In any criminal proceeding, neither spouse, during the marriage, shall be examined adversely  
8 against the other as to any other matter occurring during the marriage unless the spouse called as  
9 a witness consents to testify.

10 (4) There is no privilege under this section:

11 (a) In all criminal actions in which one spouse is charged with bigamy or with an offense or  
12 attempted offense against the person or property of the other spouse or of a child of either, or with  
13 an offense against the person or property of a third person committed in the course of committing  
14 or attempting to commit an offense against the other spouse;

15 (b) As to matters occurring prior to the marriage; or

16 (c) In any civil action where the spouses are adverse parties.

17 **SECTION 4.** ORS 59.350 is amended to read:

18 59.350. For purposes of ORS 59.005 to 59.451, 59.710 to 59.830, 59.991 and 59.995:

19 (1) A transaction with [*a husband and wife*] **spouses in a legally recognized marriage** is  
20 treated as a transaction with one person. The securities may be held jointly or individually.

21 (2) A transaction with an entity is treated as a transaction with one person. However, if an  
22 entity is formed substantially for the purpose of acquiring the securities that are offered, each se-  
23 curity holder shall be counted as a separate person.

24 **SECTION 5.** ORS 93.180 is amended to read:

25 93.180. (1) A conveyance or devise of real property, or an interest in real property, that is made  
26 to two or more persons:

27 (a) Creates a tenancy in common unless the conveyance or devise clearly and expressly declares  
28 that the grantees or devisees take the real property with right of survivorship.

29 (b) Creates a tenancy by the entirety if the conveyance or devise is to [*a husband and wife*]  
30 **spouses in a legally recognized marriage** unless the conveyance or devise clearly and expressly  
31 declares otherwise.

32 (c) Creates a joint tenancy as described in ORS 93.190 if the conveyance or devise is to a trustee  
33 or personal representative.

34 (2) A declaration of a right to survivorship creates a tenancy in common in the life estate with  
35 cross-contingent remainders in the fee simple.

36 (3) Except as provided in ORS 93.190, joint tenancy in real property is abolished and the use in  
37 a conveyance or devise of the words "joint tenants" or similar words without any other indication  
38 of an intent to create a right of survivorship creates a tenancy in common.

39 **SECTION 6.** ORS 105.920 is amended to read:

40 105.920. There shall be a form of co-ownership of personal property known as joint tenancy. A  
41 joint tenancy shall have the incidents of survivorship and severability as at common law. A joint  
42 tenancy may be created only by a written instrument which expressly declares the interest created  
43 to be a joint tenancy. It may be created by a transfer or bequest from a sole owner to others, or to  
44 the sole owner and others; or from tenants in common or joint tenants to others, or to themselves  
45 or some of them, or to themselves or any of them and others; or from [*husband and wife*] **spouses**

1 in a legally recognized marriage, when holding title as community property or otherwise, to oth-  
 2 ers, or to themselves, or to one of them and to another or others. A transfer or bequest creating a  
 3 joint tenancy shall not derogate from the rights of creditors.

4 **SECTION 7.** ORS 106.020 is amended to read:

5 106.020. The following marriages are prohibited; and, if solemnized within this state, are abso-  
 6 lutely void:

7 (1) When either party thereto had a [*wife or husband*] **spouse in a legally recognized marriage**  
 8 living at the time of [*such*] **the marriage.**

9 (2) When the parties thereto are first cousins or any nearer of kin to each other, whether of the  
 10 whole or half blood, whether by blood or adoption, computing by the rules of the civil law, except  
 11 that when the parties are first cousins by adoption only, the marriage is not prohibited or void.

12 **SECTION 8.** ORS 106.041 is amended to read:

13 106.041. (1) All persons wishing to enter into a marriage contract shall obtain a marriage license  
 14 from the county clerk upon application, directed to any person or religious organization or congre-  
 15 gation authorized by ORS 106.120 to solemnize marriages, and authorizing the person, organization  
 16 or congregation to join together as [*husband and wife*] **spouses in a legally recognized marriage**  
 17 the persons named in the license.

18 (2) The State Registrar of the Center for Health Statistics shall provide a standard form of the  
 19 application, license and record of marriage to be used in this state that must include:

20 (a) Each applicant's Social Security number recorded on a confidential portion of the applica-  
 21 tion, license and record of marriage;

22 (b) Certain statistical data regarding age, place of birth, sex, occupation, residence and previous  
 23 marital status of each applicant;

24 (c) The name and address of the affiant under ORS 106.050, if required; and

25 (d) Each applicant's name after marriage as provided in ORS 106.220.

26 (3) Each applicant for a marriage license shall file with the county clerk from whom the mar-  
 27 riage license is sought a written application for the license on forms prescribed for this purpose by  
 28 the Center for Health Statistics.

29 (4) A marriage license must contain the following statement: "Neither you nor your spouse is  
 30 the property of the other. The laws of the State of Oregon affirm your right to enter into marriage  
 31 and at the same time to live within the marriage free from violence and abuse."

32 (5) An applicant may not intentionally make a material false statement in the records required  
 33 by this section.

34 (6) The county clerk may not issue a marriage license until the provisions of this section and  
 35 ORS 106.050 and 106.060 are complied with.

36 **SECTION 9.** ORS 106.150 is amended to read:

37 106.150. (1) In the solemnization of a marriage no particular form is required except that the  
 38 parties thereto shall assent or declare in the presence of the clergyperson, county clerk or judicial  
 39 officer solemnizing the marriage and in the presence of at least two witnesses, that they take each  
 40 other to be [*husband and wife*] **spouses in a legally recognized marriage.**

41 (2) All marriages, to which there are no legal impediments, solemnized before or in any religious  
 42 organization or congregation according to the established ritual or form commonly practiced  
 43 therein, are valid. In such case, the person presiding or officiating in the religious organization or  
 44 congregation shall deliver to the county clerk who issued the marriage license the application, li-  
 45 cense and record of marriage in accordance with ORS 106.170.



1        **SECTION 10.** ORS 106.315 is amended to read:

2        106.315. (1) A domestic partnership is prohibited and void when:

3        (a) Either party to the domestic partnership had a partner[ *wife or husband*] **or spouse in a**  
4 **legally recognized marriage** living at the time of the domestic partnership unless the partner[ *wife*  
5 *or husband*] **or spouse** was the other party to the domestic partnership.

6        (b) The parties to the domestic partnership are first cousins or any nearer of kin to each other,  
7 whether of the whole or half blood, whether by blood or adoption, computing by the rules of the civil  
8 law. However, when the parties are first cousins by adoption only, the domestic partnership is not  
9 prohibited or void.

10        (2) When either party to a domestic partnership is incapable of making the civil contract or  
11 consenting to the contract for want of legal age or sufficient understanding, or when the consent  
12 of either party is obtained by force or fraud, the domestic partnership is void from the time it is so  
13 declared by a judgment of a court having jurisdiction of the domestic partnership.

14        **SECTION 11.** ORS 107.005 is amended to read:

15        107.005. (1) A marriage may be declared void from the beginning for any of the causes specified  
16 in ORS 106.020; and, whether so declared or not, shall be deemed and held to be void in any action,  
17 suit or proceeding in which *[it]* **the marriage** may come into question.

18        (2) When either *[husband or wife]* **spouse** claims or pretends that the marriage is void or  
19 voidable under the provisions of ORS 106.020, *[it]* **the marriage** may at the suit of the other be  
20 declared valid or that *[it]* **the marriage** was void from the beginning or that *[it]* **the marriage** is  
21 void from the time of the judgment.

22        (3) A marriage once declared valid by the judgment of a court having jurisdiction thereof, in a  
23 suit for that purpose, cannot afterward be questioned for the same cause directly or otherwise.

24        **SECTION 12.** ORS 107.025 is amended to read:

25        107.025. (1) A judgment for the dissolution of a marriage or a permanent or unlimited separation  
26 may be rendered when irreconcilable differences between the parties have caused the irremediable  
27 breakdown of the marriage.

28        (2) A judgment for separation may be rendered when:

29        (a) Irreconcilable differences between the parties have caused a temporary or unlimited break-  
30 down of the marriage;

31        (b) The parties make and file with the court an agreement suspending for a period not less than  
32 one year their obligation to live together as *[husband and wife]* **spouses in a legally recognized**  
33 **marriage**, and the court finds such agreement to be just and equitable; or

34        (c) Irreconcilable differences exist between the parties and the continuation of their status as  
35 married persons preserves or protects legal, financial, social or religious interest.

36        **SECTION 13.** ORS 107.485 is amended to read:

37        107.485. A marriage may be dissolved by the summary dissolution procedure specified in this  
38 section and ORS 107.490 when all of the following conditions exist at the time the proceeding is  
39 commenced:

40        (1) The jurisdictional requirements of ORS 107.025 and 107.075 are met.

41        (2)(a) There are no minor children born to the parties or adopted by the parties during the  
42 marriage;

43        (b) There are no children over age 18 attending school, as described in ORS 107.108, either born  
44 to the parties or adopted by the parties during the marriage;

45        (c) There are no minor children born to or adopted by the parties prior to the marriage; and

1 (d) *[The wife is not]* **Neither spouse** is now pregnant.

2 (3) The marriage is not more than 10 years in duration.

3 (4) Neither party has any interest in real property wherever situated.

4 (5) There are no unpaid obligations in excess of \$15,000 incurred by either or both of the parties  
5 from the date of the marriage.

6 (6) The total aggregate fair market value of personal property assets in which either of the  
7 parties has any interest, excluding all encumbrances, is less than \$30,000.

8 (7) The petitioner waives any right to spousal support.

9 (8) The petitioner waives any rights to pendente lite orders except those pursuant to ORS  
10 107.700 to 107.735 or 124.005 to 124.040.

11 (9) The petitioner knows of no other pending domestic relations suits involving the marriage in  
12 this or any other state.

13 **SECTION 14.** ORS 108.010 is amended to read:

14 108.010. (1) All laws *[which]* **that** impose or recognize civil disabilities upon a *[wife which]*  
15 **spouse in a legally recognized marriage that** are not imposed upon or recognized as existing  
16 *[as]* **with respect** to the *[husband]* **other spouse** are hereby *[are]* repealed; *and*.

17 (2) All civil rights belonging to *[the husband]* **a spouse in a legally recognized marriage** not  
18 conferred upon the *[wife]* **other spouse** prior to June 14, 1941, or *[which she]* **that the other spouse**  
19 does not have at common law, are hereby *[are]* conferred upon *[her]* **the other spouse**, including,  
20 *[among other things]* **but not limited to**, the right of action for loss of consortium of *[her husband]*  
21 **the spouse**.

22 **SECTION 15.** ORS 108.020 is amended to read:

23 108.020. Neither *[husband nor wife]* **spouse in a legally recognized marriage** is liable for the  
24 debts or liabilities of the other **spouse** incurred before marriage; *and*. Except as *[otherwise]* pro-  
25 vided in ORS 108.040, *[they are]* **a spouse in a legally recognized marriage** is not liable for the  
26 separate debts of *[each other, nor is]* **the other spouse**, and the rent or income of property owned  
27 by either *[husband or wife]* **spouse is not** liable for the separate debts of the other **spouse**.

28 **SECTION 16.** ORS 108.030 is amended to read:

29 108.030. For all civil injuries committed by a *[married woman]* **spouse in a legally recognized**  
30 **marriage**, damages may be recovered from *[her alone]* **that spouse only**, and *[her husband shall*  
31 *not be]* **the other spouse is not** responsible *[therefor]* for **such civil injuries**, except *[in case]* where  
32 *[he]* **the spouses** would be jointly responsible with *[her]* **each other** if the marriage did not exist.

33 **SECTION 17.** ORS 108.040 is amended to read:

34 108.040. (1)(a) The expenses of the family and the education of the minor children are chargeable  
35 upon the property of both *[husband and wife]* **spouses in a legally recognized marriage who are**  
36 **parents of the minor children**, or either of them, and in relation thereto they may be sued jointly  
37 or separately.

38 (b) As used in this subsection:

39 (A) "Expenses of the family" includes only expenses incurred for the benefit of a member of the  
40 family.

41 (B) "Family" means the *[husband, wife]* **spouses in a legally recognized marriage and the**  
42 **minor children of the [husband and wife] spouses.**

43 (2) Notwithstanding subsection (1) of this section, after the separation of one spouse from the  
44 other spouse, a spouse is not responsible for debts contracted by the other spouse after the sepa-  
45 ration except for debts incurred for maintenance, support and education of the minor children of the

1 spouses.

2 (3) For the purposes of subsection (2) of this section, spouses shall be considered separated if  
 3 *[they] the spouses* are living in separate residences without intention of reconciliation at the time  
 4 the debt is incurred. The court may consider the following factors in determining whether the  
 5 spouses are separated in addition to such other factors as may be relevant:

- 6 (a) Whether the spouses subsequently reconciled.
- 7 (b) The number of separations and reconciliations of the spouses.
- 8 (c) The length of time the spouses lived apart.
- 9 (d) Whether the spouses intend to reconcile.
- 10 (e) Whether the spouses have filed a petition for separation or dissolution.
- 11 (4) An action under this section shall be commenced within the period otherwise provided by  
 12 law.

13 **SECTION 18.** ORS 108.045 is amended to read:

14 108.045. (1) The expenses of the family and the education of **the** minor children, including  
 15 stepchildren, are chargeable upon the property of both *[husband and wife] spouses in a legally*  
 16 **recognized marriage who are parents or stepparents of the minor children**, or either of them.  
 17 However, with regard to stepchildren, the obligation shall cease upon entry of a judgment of dis-  
 18 solution.

19 (2) As used in this section, "stepchild" means a child under the age of 18, or a child attending  
 20 school as defined in ORS 107.108 who is in the custody of one biological or adoptive parent who is  
 21 married to and not legally separated from a person other than the second biological or adoptive  
 22 parent of such child.

23 (3) Notwithstanding subsection (1) of this section, the legal duty of a parent to provide support  
 24 for a child, as otherwise required by law, shall not be affected.

25 **SECTION 19.** ORS 108.050 is amended to read:

26 108.050. The property and pecuniary rights of every *[married woman] spouse in a legally re-*  
 27 **cognized marriage acquired** at the time of *[her] the* marriage or afterwards *[acquired]*, including  
 28 real or personal property acquired by *[her] the spouse's* own labor during *[coverture] the*  
 29 **marriage**, shall not be subject to the debts or contracts of *[her husband] the other spouse*.

30 **SECTION 20.** ORS 108.060 is amended to read:

31 108.060. When property is owned by either *[husband or wife] spouse in a legally recognized*  
 32 **marriage**, the other spouse has no interest *[therein which] in that property that* can be the sub-  
 33 ject of contract between *[them] the spouses*, or *[such interest as will] that can* make the *[same]*  
 34 **spouses** liable for the contracts or liabilities of *[either the husband or wife] the other spouse* who  
 35 is not the owner of the property, except as provided in ORS 108.040.

36 **SECTION 21.** ORS 108.080 is amended to read:

37 108.080. Should either *[the husband or wife] spouse in a legally recognized marriage* obtain  
 38 possession or control of property belonging to the other spouse either before or after marriage, the  
 39 owner of the property may maintain an action *[therefor] for possession and control of the prop-*  
 40 **erty**, or for any right growing out of the *[same] ownership of the property*, in the same manner  
 41 and to the same extent as if *[they] the spouses* were unmarried.

42 **SECTION 22.** ORS 108.090 is amended to read:

43 108.090. (1) A conveyance, transfer or lien executed by either *[husband or wife] spouse in a*  
 44 **legally recognized marriage** to or in favor of the other spouse is valid to the same extent as be-  
 45 tween other persons.

1 (2) When a [*husband or wife*] **spouse** conveys to the other **spouse** an undivided one-half of any  
 2 real property and retains a like undivided half, and in such conveyance there are used words indi-  
 3 cating an intention to create an estate in entirety, [*said husband and wife*] **the spouses** hold the  
 4 real property described in the conveyance by the entirety.

5 (3) A conveyance from [*husband or wife*] **a spouse** to the other **spouse** of [*his or her*] **the**  
 6 **spouse's** interest in an estate held by [*them*] **the spouses** by entirety is valid and dissolves the es-  
 7 tate by entirety. All deeds heretofore executed by [*husband or wife*] **either spouse** to the other  
 8 **spouse** for the purpose of dissolving the estate by entirety are valid.

9 **SECTION 23.** ORS 108.100 is amended to read:

10 108.100. [*One spouse may constitute*] **A spouse in a legally recognized marriage may designate**  
 11 **the other [*his or her*] spouse to be the spouse's attorney in fact to control, sell and convey,**  
 12 **mortgage, or bar dower or curtesy for [*their*] the spouses' mutual benefit, and may revoke the**  
 13 **[*same*] designation to the same extent and in the same manner as other persons.**

14 **SECTION 24.** ORS 108.110 is amended to read:

15 108.110. (1) Any married person may apply to the circuit court of the county in which the mar-  
 16 ried person resides or in which the spouse may be found for an order upon the spouse to provide  
 17 for support of the married person or for the support of minor children and children attending school,  
 18 or both, and, if the married person initiating the action for support is a woman who is pregnant, her  
 19 unborn child, or both, if her spouse is the natural father of such children, children attending school  
 20 or unborn child or if her spouse is the adoptive [*father*] **parent** of such children or children at-  
 21 tending school. The married person initiating the action for support may apply for the order by filing  
 22 in such county a petition setting forth the facts and circumstances upon which the married person  
 23 relies for such order. If satisfied that a just cause exists, the court shall direct that the married  
 24 person's spouse appear at a time set by the court to show cause why an order of support should not  
 25 be entered in the matter. The provisions of ORS 107.108 apply to an order entered under this section  
 26 for the support of a child attending school.

27 (2) As used in this section, "child attending school" has the meaning given that term in ORS  
 28 107.108.

29 (3) The petitioner shall state in the petition, to the extent known:

30 (a) Whether there is pending in this state or any other jurisdiction any type of support pro-  
 31 ceeding involving children of the marriage, including a proceeding brought under ORS 107.085,  
 32 109.100, 125.025, 416.400 to 416.465, 419B.400 or 419C.590 or ORS chapter 110; and

33 (b) Whether there exists in this state or any other jurisdiction a support order, as defined in  
 34 ORS 110.303, involving children of the marriage.

35 (4) The petitioner shall include with the petition a certificate regarding any pending support  
 36 proceeding and any existing support order. The petitioner shall use a certificate that is in a form  
 37 established by court rule and include information required by court rule and subsection (3) of this  
 38 section.

39 (5) The provisions of this section apply equally [*to cases where it is the husband*] **regardless of**  
 40 **which spouse is making application for a support order.**

41 (6) In any proceeding under this section, the obligee, as that person is defined in ORS 110.303,  
 42 is a party to the proceeding.

43 **SECTION 25.** ORS 108.510 is amended to read:

44 108.510. (1) Notwithstanding any repeal of chapter 440, Oregon Laws 1943, known as the Oregon  
 45 Community Property Law of 1943, [*any husband and wife*] **spouses in a legally recognized mar-**

1 riage who elected to come under the terms [thereof] of that law may revoke [such] the election  
2 upon filing in the office of the Secretary of State a notice of [their] the spouses' desire to revoke  
3 [such] the election in the following form:

4 \_\_\_\_\_  
5  
6 REVOCATION OF ELECTION  
7 TO COME UNDER THE  
8 OREGON COMMUNITY  
9 PROPERTY LAW, CHAPTER 440,  
10 OREGON LAWS 1943

11 KNOW ALL PERSONS BY THESE PRESENTS, That we, \_\_\_\_\_ and \_\_\_\_\_, hereby state  
12 and represent that we are [husband and wife] spouses in a legally recognized marriage; that we  
13 reside in \_\_\_\_\_ County, Oregon, and our post-office address is No. \_\_\_\_\_ Street, City  
14 of \_\_\_\_\_; that we do hereby revoke our election filed in the office of the Secretary of State of the  
15 State of Oregon on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, to avail ourselves of the provisions of  
16 chapter 440, Oregon Laws 1943, being the Oregon Community Property Law.

17 IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_\_ day of  
18 \_\_\_\_\_, 2\_\_\_\_\_.

19 \_\_\_\_\_  
20 \_\_\_\_\_  
21 STATE OF OREGON, )  
22 ) ss.  
23 County of \_\_\_\_\_ )

24 BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, before me, the under-  
25 signed, a notary public in and for said county and state, personally appeared the within named  
26 \_\_\_\_\_ and \_\_\_\_\_, [his wife] spouses in a legally recognized marriage, who are known to me  
27 to be the identical persons described in and who executed the within instrument, and acknowledged  
28 to me that they executed the same.

29 \_\_\_\_\_  
30 Notary Public for Oregon  
31 My commission expires: \_\_\_\_\_  
32 \_\_\_\_\_

33  
34 Acknowledgments may be taken by any other officer authorized to take acknowledgments.

35 (2) Such an instrument, together with a fee of \$15, shall be presented to the Secretary of State,  
36 who thereupon shall file the instrument, properly index it in a book kept for that purpose and  
37 transmit to the recording officer of each county in the state the certificate of the Secretary of State,  
38 setting forth the nature of such instrument, the names of the parties thereto, the date thereof, and  
39 the date of the filing thereof in the office of the Secretary of State. Upon receipt of such certificate,  
40 the recording officer shall file it and properly index it in a book kept for that purpose.

41 (3) Public notice of such revocation exists upon compliance with subsection (2) of this section.

42 (4) The filing of such revocation operates to restore the title to any community property of  
43 persons making the revocation to the status of the property which existed on the date on which such  
44 persons filed a certificate of election under the terms of the Oregon Community Property Law of  
45 1943. Such revocation in nowise limits the right of such persons to execute and record such

1 conveyances, assignments and transfers of property, or title thereto, as may operate to effect and  
 2 make a matter of record the restoration of titles to the status they occupied prior to the filing of  
 3 the certificate of election.

4 **SECTION 26.** ORS 108.530 is amended to read:

5 108.530. Community property acquired during [*coverture*] **marriage** and between July 5, 1947,  
 6 and April 11, 1949, may be converted into property held as tenants in common or by entirety or as  
 7 the separate property of either spouse by an agreement in writing evidencing such intent, signed  
 8 by both [*husband and wife*] **spouses in a legally recognized marriage**. If [*such*] **the** agreement af-  
 9 fects title to real property, [*it*] **the agreement** shall describe the property affected [*thereby*] **by the**  
 10 **agreement**, shall be executed and acknowledged in the same manner as deeds and shall be recorded  
 11 in the deed records of each county in which any such real property is located.

12 **SECTION 27.** ORS 108.550 is amended to read:

13 108.550. Notwithstanding any provisions of chapter 525, Oregon Laws 1947, or any provision of  
 14 ORS 108.520 to 108.550, any [*other*] **third** person may rely, and shall be fully protected in [*so*  
 15 *doing*] **relying**, upon the right of [*the husband or the wife*] **either spouse in a legally recognized**  
 16 **marriage** to receive, manage, control, dispose of or otherwise deal with property standing in [*his*  
 17 *or her*] **that spouse's** name in such manner [*that, by law, but for the provisions of said statutes, he*  
 18 *or she would be entitled so to deal therewith*] **as the spouse is entitled to by law**.

19 **SECTION 28.** ORS 109.070 is amended to read:

20 109.070. (1) The paternity of a person may be established as follows:

21 (a) A man is rebuttably presumed to be the father of a child born to a woman if he and the  
 22 woman were married to each other at the time of the child's birth, without a judgment of separation,  
 23 regardless of whether the marriage is void.

24 (b) A man is rebuttably presumed to be the father of a child born to a woman if he and the  
 25 woman were married to each other and the child is born within 300 days after the marriage is ter-  
 26 minated by death, annulment or dissolution or after entry of a judgment of separation.

27 (c) By the marriage of the parents of a child after the birth of the child, and the parents filing  
 28 with the State Registrar of the Center for Health Statistics the voluntary acknowledgment of  
 29 paternity form as provided for by ORS 432.098.

30 (d) By filiation proceedings.

31 (e) By filing with the State Registrar of the Center for Health Statistics the voluntary ac-  
 32 knowledgment of paternity form as provided for by ORS 432.098. Except as otherwise provided in  
 33 subsections (4) to (7) of this section, this filing establishes paternity for all purposes.

34 (f) By having established paternity through a voluntary acknowledgment of paternity process in  
 35 another state.

36 (g) By paternity being established or declared by other provision of law.

37 (2) The paternity of a child established under subsection (1)(a) or (c) of this section may be  
 38 challenged in an action or proceeding by [*the husband or wife*] **either spouse in a legally recog-**  
 39 **nized marriage**. The paternity may not be challenged by a person other than the [*husband or*  
 40 *wife*] **spouses** as long as the [*husband and wife*] **spouses** are married and cohabiting, unless the  
 41 [*husband and wife*] **spouses** consent to the challenge.

42 (3) If the court finds that it is just and equitable, giving consideration to the interests of the  
 43 parties and the child, the court shall admit evidence offered to rebut the presumption of paternity  
 44 in subsection (1)(a) or (b) of this section.

45 (4)(a) A party to a voluntary acknowledgment of paternity may rescind the acknowledgment

1 within the earlier of:

2 (A) Sixty days after filing the acknowledgment; or

3 (B) The date of a proceeding relating to the child, including a proceeding to establish a support  
4 order, in which the party wishing to rescind the acknowledgment is also a party. For the purposes  
5 of this subparagraph, the date of a proceeding is the date on which an order is entered in the pro-  
6 ceeding.

7 (b) To rescind the acknowledgment, the party shall sign and file with the State Registrar of the  
8 Center for Health Statistics a written document declaring the rescission.

9 (5)(a) A signed voluntary acknowledgment of paternity filed in this state may be challenged and  
10 set aside in circuit court at any time after the 60-day period referred to in subsection (4) of this  
11 section on the basis of fraud, duress or a material mistake of fact.

12 (b) The challenge may be brought by:

13 (A) A party to the acknowledgment;

14 (B) The child named in the acknowledgment; or

15 (C) The Department of Human Services or the administrator, as defined in ORS 25.010, if the  
16 child named in the acknowledgment is in the care and custody of the department under ORS chapter  
17 419B and the department or the administrator reasonably believes that the acknowledgment was  
18 signed because of fraud, duress or a material mistake of fact.

19 (c) The challenge shall be initiated by filing a petition with the circuit court. Unless otherwise  
20 specifically provided by law, the challenge shall be conducted pursuant to the Oregon Rules of Civil  
21 Procedure.

22 (d) The party bringing the challenge has the burden of proof.

23 (e) Legal responsibilities arising from the acknowledgment, including child support obligations,  
24 may not be suspended during the challenge, except for good cause.

25 (f) If the court finds by a preponderance of the evidence that the acknowledgment was signed  
26 because of fraud, duress or material mistake of fact, the court shall set aside the acknowledgment  
27 unless, giving consideration to the interests of the parties and the child, the court finds that setting  
28 aside the acknowledgment would be substantially inequitable.

29 (6) Within one year after a voluntary acknowledgment of paternity form is filed in this state and  
30 if blood tests, as defined in ORS 109.251, have not been completed, a party to the acknowledgment,  
31 or the department if the child named in the acknowledgment is in the care and custody of the de-  
32 partment under ORS chapter 419B, may apply to the administrator for an order for blood tests in  
33 accordance with ORS 416.443.

34 (7)(a) A voluntary acknowledgment of paternity is not valid if, before the party signed the ac-  
35 knowledgment:

36 (A) The party signed a consent to the adoption of the child by another individual;

37 (B) The party signed a document relinquishing the child to a public or private child-caring  
38 agency;

39 (C) The party's parental rights were terminated by a court; or

40 (D) In an adjudication, the party was determined not to be the biological parent of the child.

41 (b) Notwithstanding any provision of subsection (1)(c) or (e) of this section or ORS 432.098 to  
42 the contrary, an acknowledgment signed by a party described in this subsection and filed with the  
43 State Registrar of the Center for Health Statistics does not establish paternity and is void.

44 **SECTION 29.** ORS 109.103 is amended to read:

45 109.103. (1) If a child is born to an unmarried woman and paternity has been established under

1 ORS 109.070, or if a child is born to a married woman by a man other than her [husband] spouse  
 2 **in a legally recognized marriage** and the man's paternity has been established under ORS 109.070,  
 3 either parent may initiate a civil proceeding to determine the custody or support of, or parenting  
 4 time with, the child. The proceeding shall be brought in the circuit court of the county in which the  
 5 child resides or is found or in the circuit court of the county in which either parent resides. The  
 6 parents have the same rights and responsibilities regarding the custody and support of, and parent-  
 7 ing time with, their child that married or divorced parents would have, and the provisions of ORS  
 8 107.094 to 107.449 that relate to custody, support and parenting time, the provisions of ORS 107.755  
 9 to 107.795 that relate to mediation procedures, and the provisions of ORS 107.810, 107.820 and  
 10 107.830 that relate to life insurance, apply to the proceeding.

11 (2) A parent may initiate the proceeding by filing with the court a petition setting forth the facts  
 12 and circumstances upon which the parent relies. The parent shall state in the petition, to the extent  
 13 known:

14 (a) Whether there is pending in this state or any other jurisdiction any type of support pro-  
 15 ceeding involving the child, including one brought under ORS 109.100, 109.165, 125.025, 416.400 to  
 16 416.465, 419B.400 or 419C.590 or ORS chapter 110; and

17 (b) Whether there exists in this state or any other jurisdiction a support order, as defined in  
 18 ORS 110.303, involving the child.

19 (3) The parent shall include with the petition a certificate regarding any pending support pro-  
 20 ceeding and any existing support order. The parent shall use a certificate that is in a form estab-  
 21 lished by court rule and include information required by court rule and subsection (2) of this section.

22 (4) When a parent initiates a proceeding under this section and the child support rights of one  
 23 of the parents or of the child have been assigned to the state, the parent initiating the proceeding  
 24 shall serve, by mail or personal delivery, a copy of the petition on the Administrator of the Division  
 25 of Child Support or on the branch office providing support services to the county in which the suit  
 26 is filed.

27 (5)(a) After a petition is filed under this section and upon service of summons and petition upon  
 28 the respondent as provided in ORCP 7, a restraining order is issued and in effect against the  
 29 petitioner and the respondent until a final judgment is issued, until the petition is dismissed or until  
 30 further order of the court, restraining the petitioner and the respondent from:

31 (A) Canceling, modifying, terminating or allowing to lapse for nonpayment of premiums any  
 32 policy of health insurance that one party maintains to provide coverage for the other party or a  
 33 minor child of the parties, or any life insurance policy that names either of the parties or a minor  
 34 child of the parties as a beneficiary; and

35 (B) Changing beneficiaries or covered parties under any policy of health insurance that one  
 36 party maintains to provide coverage for a minor child of the parties, or any life insurance policy.

37 (b) Either party restrained under this subsection may apply to the court for further temporary  
 38 orders, including modification or revocation of the restraining order issued under this subsection.

39 (c) The restraining order issued under this subsection shall include a notice that either party  
 40 may request a hearing on the restraining order by filing a request for hearing with the court.

41 (d) A copy of the restraining order issued under this subsection must be attached to the sum-  
 42 mons.

43 (e) A party who violates a term of a restraining order issued under this subsection is subject  
 44 to imposition of remedial sanctions under ORS 33.055 based on the violation, but is not subject to:

45 (A) Criminal prosecution based on the violation; or



(B) Imposition of punitive sanctions under ORS 33.065 based on the violation.

**SECTION 30.** ORS 109.124 is amended to read:

109.124. As used in ORS 109.124 to 109.230, unless the context requires otherwise:

(1) "Child attending school" has the meaning given that term in ORS 107.108.

(2) "Child born out of wedlock" means a child born to an unmarried woman or to a married woman by [*a man other than her husband*] **an individual other than her spouse in a legally recognized marriage.**

(3) "Respondent" may include, but is not limited to, one or more persons who may be the [*father*] **parent** of a child born out of wedlock, the [*husband*] **spouse in a legally recognized marriage** of a woman who has or may have a child born out of wedlock, the mother of a child born out of wedlock, the woman pregnant with a child who may be born out of wedlock, or the duly appointed and acting guardian of the child or conservator of the child's estate.

**SECTION 31.** ORS 109.125 is amended to read:

109.125. (1) Any of the following may initiate proceedings under this section:

(a) A mother of a child born out of wedlock or a woman pregnant with a child who may be born out of wedlock;

(b) The duly appointed and acting guardian of the child, conservator of the child's estate or a guardian ad litem, if the guardian or conservator has the physical custody of the child or is providing support for the child;

(c) The administrator, as defined in ORS 25.010;

(d) A man claiming to be the father of a child born out of wedlock or of an unborn child who may be born out of wedlock; or

(e) The minor child by a guardian ad litem.

(2) Proceedings shall be initiated by the filing of a duly verified petition of the initiating party. The petition shall contain:

(a) If the initiating party is one of those specified in subsection (1)(a), (b), (c) or (e) of this section:

(A) The name of the mother of the child born out of wedlock or the woman pregnant with a child who may be born out of wedlock;

(B) The name of the mother's [*husband*] **spouse in a legally recognized marriage** if the child is alleged to be a child born to a married woman by [*a man*] **an individual** other than her [*husband*] **spouse**;

(C) Facts showing the petitioner's status to initiate proceedings;

(D) A statement that a respondent is the father;

(E) The probable time or period of time during which conception took place; and

(F) A statement of the specific relief sought.

(b) If the initiating party is a man specified in subsection (1)(d) of this section:

(A) The name of the mother of the child born out of wedlock or the woman pregnant with a child who may be born out of wedlock;

(B) The name of the mother's [*husband*] **spouse in a legally recognized marriage** if the child is alleged to be a child born to a married woman by [*a man*] **an individual** other than her [*husband*] **spouse**;

(C) A statement that the initiating party is the father of the child and accepts the same responsibility for the support and education of the child and for all pregnancy-related expenses that he would have if the child were born to him in lawful wedlock;

1 (D) The probable time or period of time during which conception took place; and

2 (E) A statement of the specific relief sought.

3 (3) When proceedings are initiated by the administrator, as defined in ORS 25.010, the state and  
4 the child's mother and putative father are parties.

5 (4) When a proceeding is initiated under this section and the child support rights of one of the  
6 parties or of the child at issue have been assigned to the state, a true copy of the petition shall be  
7 served by mail or personal delivery on the Administrator of the Division of Child Support of the  
8 Department of Justice or on the branch office providing support services to the county in which the  
9 suit is filed.

10 (5) A man whose paternity of a child has been established under ORS 109.070 is a necessary  
11 party to proceedings initiated under this section unless the paternity has been disestablished before  
12 the proceedings are initiated.

13 **SECTION 32.** ORS 109.239 is amended to read:

14 109.239. If the donor of semen used in artificial insemination is not the mother's [*husband*]  
15 **spouse in a legally recognized marriage:**

16 (1) [*Such*] **The** donor shall have no right, obligation or interest with respect to a child born as  
17 a result of the artificial insemination; and

18 (2) A child born as a result of the artificial insemination shall have no right, obligation or in-  
19 terest with respect to [*such*] **the** donor.

20 **SECTION 33.** ORS 109.243 is amended to read:

21 109.243. The relationship, rights and obligation between a child born as a result of artificial  
22 insemination and the mother's [*husband*] **spouse in a legally recognized marriage** shall be the  
23 same to all legal intents and purposes as if the child had been naturally and legitimately conceived  
24 by the mother and the mother's [*husband*] **spouse** if the [*husband*] **spouse** consented to the per-  
25 formance of artificial insemination.

26 **SECTION 34.** ORS 109.326 is amended to read:

27 109.326. (1) If the mother of a child was married at the time of the conception or birth of the  
28 child, and it has been determined pursuant to ORS 109.070 or judicially determined that her [*hus-*  
29 *band*] **spouse in a legally recognized marriage** at such time or times was not the father of the  
30 child, the [*husband's*] **spouse's** authorization or waiver is not required in adoption, juvenile court  
31 or other proceedings concerning the custody of the child.

32 (2) If paternity of the child has not been determined, a determination of nonpaternity may be  
33 made by any court having adoption, divorce or juvenile court jurisdiction. The testimony or affidavit  
34 of the mother or the [*husband*] **spouse** or another person with knowledge of the facts filed in the  
35 proceeding constitutes competent evidence before the court making the determination.

36 (3) Before making the determination of nonpaternity, the petitioner shall serve on the  
37 [*husband*] **spouse** a summons and a true copy of a motion and order to show cause why a judgment  
38 of nonpaternity should not be entered if:

39 (a) There has been a determination by any court of competent jurisdiction that the [*husband*]  
40 **spouse** is the father of the child;

41 (b) The child resided with the [*husband*] **spouse** at any time since the child's birth; or

42 (c) The [*husband*] **spouse** repeatedly has contributed or tried to contribute to the support of the  
43 child.

44 (4) When the petitioner is required to serve the [*husband*] **spouse** with a summons and a motion  
45 and order to show cause under subsection (3) of this section, service must be made in the manner

1 provided in ORCP 7 D and E, except as provided in subsection (6) of this section. Service must be  
2 proved as required in ORCP 7 F. The summons and the motion and order to show cause need not  
3 contain the names of the adoptive parents.

4 (5) A summons under subsection (3) of this section must contain:

5 (a) A statement that if the [husband] spouse fails to file a written answer to the motion and  
6 order to show cause within the time provided, the court, without further notice and in the  
7 [husband's] spouse's absence, may take any action that is authorized by law, including but not  
8 limited to entering a judgment of nonpaternity on the date the answer is required or on a future  
9 date.

10 (b) A statement that:

11 (A) The [husband] spouse must file with the court a written answer to the motion and order to  
12 show cause within 30 days after the date on which the [husband] spouse is served with the summons  
13 or, if service is made by publication or posting under ORCP 7 D(6), within 30 days from the date  
14 of last publication or posting.

15 (B) In the answer, the [husband] spouse must inform the court and the petitioner of the  
16 [husband's] spouse's telephone number or contact telephone number and the [husband's] spouse's  
17 current residence, mailing or contact address in the same state as the [husband's] spouse's home.  
18 The answer may be in substantially the following form:

19 \_\_\_\_\_

20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

IN THE CIRCUIT COURT OF  
THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

\_\_\_\_\_, )  
Petitioner, ) NO. \_\_\_\_\_  
                  ) )  
                  ) ANSWER  
and                )  
                  )  
\_\_\_\_\_, )  
Respondent.      )

[ ] I consent to the entry of a judgment of nonpaternity.  
[ ] I do not consent to the entry of a judgment of nonpaternity. The court should not enter a  
judgment of nonpaternity for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1 Signature

2 DATE: \_\_\_\_\_

3 ADDRESS OR CONTACT ADDRESS:

4 \_\_\_\_\_

5 \_\_\_\_\_

6 TELEPHONE OR CONTACT TELEPHONE:

7 \_\_\_\_\_

8 \_\_\_\_\_

9

10 (c) A notice that, if the *[husband]* spouse answers the motion and order to show cause, the  
11 court:

12 (A) Will schedule a hearing to address the motion and order to show cause and, if appropriate,  
13 the adoption petition;

14 (B) Will order the *[husband]* spouse to appear personally; and

15 (C) May schedule other hearings related to the petition and may order the *[husband]* spouse to  
16 appear personally.

17 (d) A notice that the *[husband]* spouse has the right to be represented by an attorney. The no-  
18 tice must be in substantially the following form:

19 \_\_\_\_\_

20

21 You have a right to be represented by an attorney. If you wish to be represented by an attorney,  
22 please retain one as soon as possible to represent you in this proceeding. If you meet the state's  
23 financial guidelines, you are entitled to have an attorney appointed for you at state expense. To  
24 request appointment of an attorney to represent you at state expense, you must contact the circuit  
25 court immediately. Phone \_\_\_\_\_ for further information.

26

27

28 (e) A statement that the *[husband]* spouse has the responsibility to maintain contact with the  
29 *[husband's]* spouse's attorney and to keep the attorney advised of the *[husband's]* spouse's where-  
30 abouts.

31 (6) A *[husband]* spouse who is served with a summons and a motion and order to show cause  
32 under this section shall file with the court a written answer to the motion and order to show cause  
33 within 30 days after the date on which the *[husband]* spouse is served with the summons or, if  
34 service is made by publication or posting under ORCP 7 D(6), within 30 days from the date of last  
35 publication or posting. In the answer, the *[husband]* spouse shall inform the court and the petitioner  
36 of the *[husband's]* spouse's telephone number or contact telephone number and current address, as  
37 defined in ORS 25.011. The answer may be in substantially the form described in subsection (5) of  
38 this section.

39 (7) If the *[husband]* spouse requests the assistance of appointed counsel and the court deter-  
40 mines that the *[husband]* spouse is financially eligible, the court shall appoint an attorney to rep-  
41 resent the *[husband]* spouse at state expense. Appointment of counsel under this subsection is  
42 subject to ORS 135.055, 151.216 and 151.219. The court may not substitute one appointed counsel for  
43 another except pursuant to the policies, procedures, standards and guidelines adopted under ORS  
44 151.216.

45 (8) If the *[husband]* spouse files an answer as required under subsection (6) of this section, the

1 court, by oral order made on the record or by written order provided to the [husband] spouse in  
 2 person or mailed to the [husband] spouse at the address provided by the [husband] spouse, shall:

3 (a) Inform the [husband] spouse of the time, place and purpose of the next hearing or hearings  
 4 related to the motion and order to show cause or the adoption petition;

5 (b) Require the [husband] spouse to appear personally at the next hearing or hearings related  
 6 to the motion and order to show cause or the adoption petition; and

7 (c) Inform the [husband] spouse that, if the [husband] spouse fails to appear as ordered for any  
 8 hearing related to the motion and order to show cause or the adoption petition, the court, without  
 9 further notice and in the [husband's] spouse's absence, may take any action that is authorized by  
 10 law, including but not limited to entering a judgment of nonpaternity on the date specified in the  
 11 order or on a future date, without the consent of the [husband] spouse.

12 (9) If a [husband] spouse fails to file a written answer as required in subsection (6) of this sec-  
 13 tion or fails to appear for a hearing related to the motion and order to show cause or the petition  
 14 as directed by court order under this section, the court, without further notice to the [husband]  
 15 spouse and in the [husband's] spouse's absence, may take any action that is authorized by law,  
 16 including but not limited to entering a judgment of nonpaternity.

17 (10) There shall be sufficient proof to enable the court to grant the relief sought without notice  
 18 to the [husband] spouse provided that the affidavit of the mother of the child, of the [husband]  
 19 spouse or of another person with knowledge of the facts filed in the proceeding states or the court  
 20 finds from other competent evidence:

21 (a) That the mother of the child was not cohabiting with her [husband] spouse at the time of  
 22 conception of the child and that the [husband] spouse is not the father of the child;

23 (b) That the [husband] spouse has not been judicially determined to be the father;

24 (c) That the child has not resided with the [husband] spouse; and

25 (d) That the [husband] spouse has not contributed or tried to contribute to the support of the  
 26 child.

27 (11) Notwithstanding ORS 109.070 (1)(a), service of a summons and a motion and order to show  
 28 cause on the [husband] spouse under subsection (3) of this section is not required and the  
 29 [husband's] spouse's consent, authorization or waiver is not required in adoption proceedings con-  
 30 cerning the child unless the [husband] spouse has met the requirements of subsection (3)(a), (b) or  
 31 (c) of this section.

32 (12) A [husband] spouse who was not cohabiting with the mother at the time of the child's  
 33 conception has the primary responsibility to protect the [husband's] spouse's rights.

34 (13) Nothing in this section shall be used to set aside an act of a permanent nature, including  
 35 but not limited to adoption, unless the [father] person making the claim establishes, within one  
 36 year after the entry of the order or general judgment, as defined in ORS 18.005, fraud on the part  
 37 of the petitioner with respect to the matters specified in subsection (10)(a), (b), (c) or (d) of this  
 38 section.

39 **SECTION 35.** ORS 109.804 is amended to read:

40 109.804. (1) Unless the court issues a temporary emergency order under ORS 109.751, upon a  
 41 finding that a petitioner is entitled to immediate physical custody of the child under the controlling  
 42 child custody determination, the court shall order that the petitioner may take immediate physical  
 43 custody of the child unless the respondent establishes that:

44 (a) The child custody determination has not been registered and confirmed under ORS 109.787  
 45 and that:

1 (A) The issuing court did not have jurisdiction under ORS 109.741 to 109.771;

2 (B) The child custody determination for which enforcement is sought has been vacated, stayed  
3 or modified by a court of a state having jurisdiction to do so under ORS 109.741 to 109.771; or

4 (C) The respondent was entitled to notice, but notice was not given in accordance with the  
5 standards of ORS 109.724, in the proceedings before the court that issued the order for which  
6 enforcement is sought; or

7 (b) The child custody determination for which enforcement is sought was registered and con-  
8 firmed under ORS 109.787, but has been vacated, stayed or modified by a court of a state having  
9 jurisdiction to do so under ORS 109.741 to 109.771.

10 (2) The court shall award the fees, costs and expenses authorized under ORS 109.811, may grant  
11 additional relief, including a request for the assistance of law enforcement officials, and may set  
12 further hearings, if necessary, to determine whether additional relief is appropriate.

13 (3) A privilege against disclosure of communications between spouses and a defense of immunity  
14 based on the relationship of [*husband and wife*] **spouses in a legally recognized marriage** or of  
15 parent and child may not be invoked in a proceeding under ORS 109.774 to 109.827.

16 **SECTION 36.** ORS 110.384 is amended to read:

17 110.384. (1) The physical presence of the petitioner in a responding tribunal of this state is not  
18 required for the establishment, enforcement or modification of a support order or the rendition of  
19 a judgment determining parentage.

20 (2) A verified petition, affidavit, document substantially complying with federally mandated  
21 forms and a document incorporated by reference in any of them, not excluded under the hearsay rule  
22 if given in person, are admissible in evidence if given under oath by a party or witness residing in  
23 another state.

24 (3) A copy of the record of child support payments certified as a true copy of the original by the  
25 custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts  
26 asserted in it, and is admissible to show whether payments were made.

27 (4) Copies of bills for testing for parentage and for prenatal and postnatal health care of the  
28 mother and child furnished to the adverse party at least 20 days before trial are admissible in evi-  
29 dence to prove the amount of the charges billed and that the charges were reasonable, necessary  
30 and customary.

31 (5) Documentary evidence transmitted from another state to a tribunal of this state by tele-  
32 phone, telecopier or other means that does not provide an original writing may not be excluded from  
33 evidence on an objection based on the means of transmission.

34 (6) In a proceeding under this chapter, a tribunal of this state may permit a party or witness  
35 residing in another state to be deposed or to testify by telephone, audiovisual means or other elec-  
36 tronic means at a designated tribunal or other location in that state. A tribunal of this state shall  
37 cooperate with tribunals of other states in designating an appropriate location for the deposition  
38 or testimony.

39 (7) A privilege against disclosure of communications between spouses does not apply in a pro-  
40 ceeding under this chapter.

41 (8) The defense of immunity based on the relationship of [*husband and wife*] **spouses in a legally**  
42 **recognized marriage** or of parent and child does not apply in a proceeding under this chapter.

43 **SECTION 37.** ORS 136.655 is amended to read:

44 136.655. (1) Except as provided in subsection (2) of this section, in all criminal actions in which  
45 [*the husband*] **a spouse in a legally recognized marriage** is the party accused, the [*wife*] **other**

1 spouse is a competent witness, **but neither spouse** [*and when the wife is the party accused, the*  
 2 *husband is a competent witness; but neither husband nor wife in such cases*] shall be compelled or  
 3 allowed to testify [*in such cases*] **in a criminal action**, except as provided in ORS 40.255.

4 (2) There is no privilege under this section, or under ORS 40.255 in all criminal actions in which  
 5 [one] a spouse is charged with bigamy or with an offense or attempted offense against the person  
 6 or property of the other spouse or of a child of either, or with an offense against the person or  
 7 property of a third person committed in the course of committing or attempting to commit an offense  
 8 against the other spouse.

9 **SECTION 38.** ORS 163.565 is amended to read:

10 163.565. (1) Proof that a child was born to a woman during the time a man lived and cohabited  
 11 with her, or held her out as his [*wife*] **spouse in a legally recognized marriage**, is prima facie  
 12 evidence that he is the father of the child. This subsection does not exclude any other legal evidence  
 13 tending to establish the parental relationship.

14 (2) No provision of law prohibiting the disclosure of confidential communications between [*hus-*  
 15 *band and wife*] **spouses in a legally recognized marriage** apply to prosecutions for criminal non-  
 16 support. A [*husband or wife*] **spouse** is a competent and compellable witness for or against either  
 17 party.

18 **SECTION 39.** ORS 164.035 is amended to read:

19 164.035. (1) In a prosecution for theft it is a defense that the defendant acted under an honest  
 20 claim of right, in that:

21 (a) The defendant was unaware that the property was that of another; or

22 (b) The defendant reasonably believed that the defendant was entitled to the property involved  
 23 or had a right to acquire or dispose of it as the defendant did.

24 (2) In a prosecution for theft by extortion committed by instilling in the victim a fear that the  
 25 victim or another person would be charged with a crime, it is a defense that the defendant reason-  
 26 ably believed the threatened charge to be true and that the sole purpose of the defendant was to  
 27 compel or induce the victim to take reasonable action to make good the wrong which was the sub-  
 28 ject of the threatened charge.

29 (3) In a prosecution for theft by receiving, it is a defense that the defendant received, retained,  
 30 concealed or disposed of the property with the intent of restoring it to the owner.

31 (4) It is a defense that the property involved was that of the defendant's spouse, unless the  
 32 parties were not living together as [*husband and wife*] **spouses in a legally recognized marriage**  
 33 and were living in separate abodes at the time of the alleged theft.

34 **SECTION 40.** ORS 164.164 is amended to read:

35 164.164. (1) In a prosecution under ORS 164.162, it is a defense that the defendant acted under  
 36 an honest claim of right in that:

37 (a) The defendant was unaware that the property was that of another person;

38 (b) The defendant reasonably believed that the defendant was entitled to the property involved  
 39 or had a right to acquire or dispose of it as the defendant did; or

40 (c) The property involved was that of the defendant's spouse, unless the parties were not living  
 41 together as [*husband and wife*] **spouses in a legally recognized marriage** and were living in sep-  
 42 arate abodes at the time of the alleged offense.

43 (2)(a) ORS 164.162 does not apply to employees charged with the operation of facilities listed in  
 44 paragraph (b) of this subsection when the employees are carrying out their official duties to protect  
 45 the safety and security of the facilities.

1 (b) The facilities to which paragraph (a) of this subsection applies are juvenile detention facili-  
 2 ties and local correctional facilities as defined in ORS 169.005, detention facilities as defined in ORS  
 3 419A.004, youth correction facilities as defined in ORS 420.005 and Department of Corrections in-  
 4 stitutions as defined in ORS 421.005.

5 **SECTION 41.** ORS 215.705 is amended to read:

6 215.705. (1) A governing body of a county or its designate may allow the establishment of a  
 7 single-family dwelling on a lot or parcel located within a farm or forest zone as set forth in this  
 8 section and ORS 215.710, 215.720, 215.740 and 215.750 after notifying the county assessor that the  
 9 governing body intends to allow the dwelling. A dwelling under this section may be allowed if:

10 (a) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired  
 11 by the present owner:

12 (A) Prior to January 1, 1985; or

13 (B) By devise or by intestate succession from a person who acquired the lot or parcel prior to  
 14 January 1, 1985.

15 (b) The tract on which the dwelling will be sited does not include a dwelling.

16 (c) The proposed dwelling is not prohibited by, and will comply with, the requirements of the  
 17 acknowledged comprehensive plan and land use regulations and other provisions of law.

18 (d) The lot or parcel on which the dwelling will be sited, if zoned for farm use, is not on that  
 19 high-value farmland described in ORS 215.710 except as provided in subsections (2) and (3) of this  
 20 section.

21 (e) The lot or parcel on which the dwelling will be sited, if zoned for forest use, is described in  
 22 ORS 215.720, 215.740 or 215.750.

23 (f) When the lot or parcel on which the dwelling will be sited lies within an area designated in  
 24 an acknowledged comprehensive plan as habitat of big game, the siting of the dwelling is consistent  
 25 with the limitations on density upon which the acknowledged comprehensive plan and land use  
 26 regulations intended to protect the habitat are based.

27 (g) When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining  
 28 portions of the tract are consolidated into a single lot or parcel when the dwelling is allowed.

29 (2)(a) Notwithstanding the requirements of subsection (1)(d) of this section, a single-family  
 30 dwelling not in conjunction with farm use may be sited on high-value farmland if:

31 (A) It meets the other requirements of ORS 215.705 to 215.750;

32 (B) The lot or parcel is protected as high-value farmland as described under ORS 215.710 (1);  
 33 and

34 (C) A hearings officer of a county determines that:

35 (i) The lot or parcel cannot practicably be managed for farm use, by itself or in conjunction with  
 36 other land, due to extraordinary circumstances inherent in the land or its physical setting that do  
 37 not apply generally to other land in the vicinity.

38 (ii) The dwelling will comply with the provisions of ORS 215.296 (1).

39 (iii) The dwelling will not materially alter the stability of the overall land use pattern in the  
 40 area.

41 (b) A local government shall provide notice of all applications for dwellings allowed under this  
 42 subsection to the State Department of Agriculture. Notice shall be provided in accordance with the  
 43 governing body's land use regulations but shall be mailed at least 20 calendar days prior to the  
 44 public hearing before the hearings officer under paragraph (a) of this subsection.

45 (3) Notwithstanding the requirements of subsection (1)(d) of this section, a single-family dwelling



1 not in conjunction with farm use may be sited on high-value farmland if:

2 (a) It meets the other requirements of ORS 215.705 to 215.750.

3 (b) The tract on which the dwelling will be sited is:

4 (A) Identified in ORS 215.710 (3) or (4);

5 (B) Not protected under ORS 215.710 (1); and

6 (C) Twenty-one acres or less in size.

7 (c)(A) The tract is bordered on at least 67 percent of its perimeter by tracts that are smaller  
8 than 21 acres, and at least two such tracts had dwellings on them on January 1, 1993;

9 (B) The tract is not a flaglot and is bordered on at least 25 percent of its perimeter by tracts  
10 that are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-  
11 quarter mile of the center of the subject tract. Up to two of the four dwellings may lie within the  
12 urban growth boundary, but only if the subject tract abuts an urban growth boundary; or

13 (C) The tract is a flaglot and is bordered on at least 25 percent of its perimeter by tracts that  
14 are smaller than 21 acres, and at least four dwellings existed on January 1, 1993, within one-quarter  
15 mile of the center of the subject tract and on the same side of the public road that provides access  
16 to the subject tract. The governing body of a county must interpret the center of the subject tract  
17 as the geographic center of the flaglot if the applicant makes a written request for that interpreta-  
18 tion and that interpretation does not cause the center to be located outside the flaglot. Up to two  
19 of the four dwellings may lie within the urban growth boundary, but only if the subject tract abuts  
20 an urban growth boundary. As used in this subparagraph:

21 (i) "Flaglot" means a tract containing a narrow strip or panhandle of land providing access from  
22 the public road to the rest of the tract.

23 (ii) "Geographic center of the flaglot" means the point of intersection of two perpendicular lines  
24 of which the first line crosses the midpoint of the longest side of a flaglot, at a 90-degree angle to  
25 that side, and the second line crosses the midpoint of the longest adjacent side of the flaglot.

26 (4) If land is in a zone that allows both farm and forest uses, is acknowledged to be in compli-  
27 ance with goals relating to both agriculture and forestry and may qualify as an exclusive farm use  
28 zone under this chapter, the county may apply the standards for siting a dwelling under either  
29 subsection (1)(d) of this section or ORS 215.720, 215.740 and 215.750 as appropriate for the predom-  
30 inant use of the tract on January 1, 1993.

31 (5) A county may, by application of criteria adopted by ordinance, deny approval of a dwelling  
32 allowed under this section in any area where the county determines that approval of the dwelling  
33 would:

34 (a) Exceed the facilities and service capabilities of the area;

35 (b) Materially alter the stability of the overall land use pattern in the area; or

36 (c) Create conditions or circumstances that the county determines would be contrary to the  
37 purposes or intent of its acknowledged comprehensive plan or land use regulations.

38 (6) For purposes of subsection (1)(a) of this section, "owner" includes the [*wife, husband*]  
39 **spouses in a legally recognized marriage**, son, daughter, [*mother, father,*] **parent**, brother,  
40 brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, [*mother-in-law, father-in-law,*] **parent-**  
41 **in-law**, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner  
42 or a business entity owned by any one or combination of these family members.

43 (7) When a local government approves an application for a single-family dwelling under the  
44 provisions of this section, the application may be transferred by a person who has qualified under  
45 this section to any other person after the effective date of the land use decision.

**SECTION 42.** ORS 314.105 is amended to read:

314.105. For purposes of ORS 314.105 to 314.135:

(1) "Determination" means:

(a) A decision by the Oregon Tax Court that has become final;

(b) A closing agreement made under ORS 305.150;

(c) A final disposition by the Department of Revenue of a claim for refund. For purposes of this paragraph, a claim for refund shall be deemed finally disposed of by the department as to items with respect to which the claim was allowed, on the date of allowance of refund or credit or on the date of mailing notice of disallowance (by reason of offsetting items) of the claim for refund, and as to items with respect to which the claim was disallowed, in whole or in part, or as to items applied by the department in reduction of the refund or credit, on expiration of the time for instituting suit with respect thereto (unless suit is instituted before the expiration of such time); or

(d) Under regulations prescribed by the department, an agreement for purposes of ORS 314.105 to 314.135 signed by the department and by any person, relating to the liability of such person (or the person for whom the person acts) in respect of a tax for any taxable period.

(2) "Related taxpayer" means a taxpayer who, with the taxpayer with respect to whom a determination is made, stood, in the taxable year with respect to which the erroneous inclusion, exclusion, omission, allowance, or disallowance was made, in one of the following relationships:

(a) *[Husband and wife]* **Spouses in a legally recognized marriage;**

(b) Grantor and fiduciary;

(c) Grantor and beneficiary;

(d) Fiduciary and beneficiary, legatee, or heir;

(e) Decedent and decedent's estate;

(f) Partner;

(g) Member of an affiliated group of corporations as defined in section 1504 of the Internal Revenue Code; or

(h) Shareholder of an S corporation, as defined in section 1361 of the Internal Revenue Code.

(3) "Taxpayer" means any person or entity subject to tax under an applicable revenue law.

**SECTION 43.** ORS 315.465 is amended to read:

315.465. (1) As used in this section and ORS 315.469:

(a) "Alternative fuel vehicle" means a motor vehicle that can operate on a fuel blend.

(b) "Biodiesel" has the meaning given that term in ORS 646.905.

(c) "Biomass" has the meaning given that term in ORS 315.141.

(d) "Bone dry ton" means matter that is dried to less than one percent moisture content and that weighs 2,000 pounds.

(e) "Fuel blend" means diesel fuel of blends equal to or exceeding 99 percent biodiesel or gasoline of a blend equal to or exceeding 85 percent methanol or ethanol.

(2)(a) A resident individual shall be allowed a credit against the taxes otherwise due under ORS chapter 316 for costs paid or incurred to purchase fuel blends for use in an alternative fuel vehicle.

(b) A resident individual shall be allowed a credit against the taxes otherwise due under ORS chapter 316 for costs paid or incurred to purchase forest, rangeland or agriculture waste or residue densified and dried prepared solid biofuel that contains 100 percent biomass.

(3) The amount of the credit shall be calculated as follows:

(a) Determine the quantity of fuel blend or solid biofuel purchased by the taxpayer during the tax year;

1 (b) Categorize the fuel blend or solid biofuel as prescribed in rules adopted under ORS 469B.400;  
2 and

3 (c) Multiply the quantity of fuel blend or solid biofuel in a particular category by the appropri-  
4 ate credit rate for that category, expressed in dollars and cents.

5 (4) Notwithstanding subsection (3) of this section:

6 (a) The credit allowed under this section for diesel blended fuel is equal to \$0.50 per gallon and  
7 in any one tax year may not exceed \$200 per Oregon registered motor vehicle that is owned or  
8 leased by the taxpayer under a lease of greater than 30 days' duration and that is capable of using  
9 a fuel blend.

10 (b) The credit allowed for gasoline blended fuel is equal to \$0.50 per gallon and in any one tax  
11 year may not exceed \$200 per Oregon registered motor vehicle that is owned or leased by the tax-  
12 payer under a lease of greater than 30 days' duration and that is capable of using a fuel blend.

13 (c) The credit allowed for forest, rangeland or agriculture waste or residue densified and dried  
14 prepared solid biofuel is equal to \$10 per bone dry ton of solid biofuel and in any one tax year may  
15 not exceed \$200 per taxpayer.

16 (d) The credit allowed in any one tax year may not exceed the tax liability of the taxpayer and  
17 may not be carried forward to a subsequent tax year.

18 (5) For each tax year for which a credit is claimed under this section, the taxpayer shall main-  
19 tain records sufficient to determine the taxpayer's purchase of qualifying fuel blends. A taxpayer  
20 shall maintain the records required under this subsection for at least five years.

21 (6) A nonresident shall be allowed the credit under this section in the proportion provided in  
22 ORS 316.117.

23 (7) If a change in the taxable year of a taxpayer occurs as described in ORS 314.085, or if the  
24 Department of Revenue terminates the taxpayer's taxable year under ORS 314.440, the credit al-  
25 lowed by this section shall be prorated or computed in a manner consistent with ORS 314.085.

26 (8) If a change in the status of a taxpayer from resident to nonresident or from nonresident to  
27 resident occurs, the credit allowed by this section shall be determined in a manner consistent with  
28 ORS 316.117.

29 (9) *[A husband and wife]* **Spouses in a legally recognized marriage** who file separate returns  
30 for a taxable year may each claim a share of the tax credit that would have been allowed on a joint  
31 return in proportion to the contribution of each.

32 **SECTION 44.** ORS 315.469 is amended to read:

33 315.469. (1) A resident individual shall be allowed a tax credit against the taxes otherwise due  
34 under ORS chapter 316 for costs paid or incurred to purchase fuel for primary home space heating  
35 that is at least 20 percent biodiesel. The credit allowed under this section is the lesser of five cents  
36 per gallon or \$200.

37 (2) The credit allowed in any one tax year may not exceed the tax liability of the taxpayer and  
38 may not be carried forward to a subsequent tax year.

39 (3) For each tax year for which a credit is claimed under this section, the taxpayer shall main-  
40 tain records sufficient to determine the taxpayer's purchase of qualifying fuel for primary home  
41 space heating. A taxpayer shall maintain the records required under this subsection for at least five  
42 years.

43 (4) A nonresident shall be allowed the credit under this section in the proportion provided in  
44 ORS 316.117.

45 (5) If a change in the taxable year of a taxpayer occurs as described in ORS 314.085, or if the

1 Department of Revenue terminates the taxpayer's taxable year under ORS 314.440, the credit al-  
 2 lowed by this section shall be prorated or computed in a manner consistent with ORS 314.085.

3 (6) If a change in the status of a taxpayer from resident to nonresident or from nonresident to  
 4 resident occurs, the credit allowed by this section shall be determined in a manner consistent with  
 5 ORS 316.117.

6 (7) [A husband and wife] **Spouses in a legally recognized marriage** who file separate returns  
 7 for a taxable year may each claim a share of the tax credit that would have been allowed on a joint  
 8 return in proportion to the contribution of each.

9 **SECTION 45.** ORS 315.610 is amended to read:

10 315.610. (1) A taxpayer shall be allowed a credit against the taxes otherwise due under ORS  
 11 chapter 316 (or, if the taxpayer is a corporation, under ORS chapter 317 or 318) for premium costs  
 12 actually paid or incurred during the tax year for a long term care insurance policy:

- 13 (a) For long term care coverage of the taxpayer or a dependent or parent of the taxpayer; or
- 14 (b) That is offered by the taxpayer to employees of the taxpayer that are employed in this state.

15 (2) The amount of the credit allowed under this section shall equal the lesser of:

16 (a) Fifteen percent of the total amount of long term care insurance premiums paid or incurred  
 17 by the taxpayer during the tax year; or

18 (b)(A) If the long term care insurance coverage is for the taxpayer and the dependents or par-  
 19 ents of the taxpayer, \$500; or

20 (B) If the long term care insurance coverage is for Oregon-based employees of the taxpayer and  
 21 their dependents or parents, \$500 multiplied by the number of employees covered.

22 (3) A credit may not be allowed under this section if the policy was first issued prior to January  
 23 1, 2000.

24 (4) The credit allowed under this section may not exceed the tax liability of the taxpayer and  
 25 may not be carried forward to another tax year.

26 (5) In the case of a credit allowed under this section for purposes of ORS chapter 316:

27 (a) A nonresident shall be allowed the credit under this section in the proportion provided in  
 28 ORS 316.117.

29 (b) If a change in the status of a taxpayer from resident to nonresident or from nonresident to  
 30 resident occurs, the credit allowed by this section shall be determined in a manner consistent with  
 31 ORS 316.117.

32 (c) [A husband and wife] **Spouses in a legally recognized marriage** who file separate returns  
 33 for a taxable year may each claim a share of the tax credit that would have been allowed on a joint  
 34 return in proportion to the contribution of each.

35 (d) If a change in the taxable year of a taxpayer occurs as described in ORS 314.085, or if the  
 36 Department of Revenue terminates the taxpayer's taxable year under ORS 314.440, the credit al-  
 37 lowed under this section shall be prorated or computed in a manner consistent with ORS 314.085.

38 (6) As used in this section, "long term care insurance" has the meaning given that term in ORS  
 39 743.652.

40 **SECTION 46.** ORS 315.675 is amended to read:

41 315.675. (1) As used in this section, "cultural organization" means an entity that is:

- 42 (a) Exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code; and
- 43 (b) Organized primarily for the purpose of producing, promoting or presenting the arts, heritage,  
 44 programs and humanities to the public or organized primarily for identifying, documenting, inter-  
 45 preting and preserving cultural resources.

1 (2) A taxpayer shall be allowed a credit against the taxes otherwise due under ORS chapter 316  
 2 for amounts contributed during the tax year to the Trust for Cultural Development Account estab-  
 3 lished under ORS 359.405.

4 (3) A taxpayer that is a corporation shall be allowed a credit against the taxes otherwise due  
 5 under ORS chapter 317 or 318 for amounts contributed during the tax year to the Trust for Cultural  
 6 Development Account established under ORS 359.405.

7 (4) The credit is allowable under this section only to the extent the taxpayer has contributed  
 8 an equal amount to an Oregon cultural organization during the tax year.

9 (5) The amount of the credit shall equal 100 percent of the amount contributed to the Trust for  
 10 Cultural Development Account, but may not exceed the lesser of the tax liability of the:

11 (a) Taxpayer under ORS chapter 316 for the tax year or \$500.

12 (b) Taxpayer that is a corporation under ORS chapter 317 or 318 for the tax year or \$2,500.

13 (6) The credit allowed under this section may not be carried over to another tax year.

14 (7) The credit allowed under this section is in addition to any charitable contribution deduction  
 15 allowable to the taxpayer.

16 (8) In the case of a credit allowed under this section for purposes of ORS chapter 316:

17 (a) A nonresident shall be allowed the credit under this section in the proportion provided in  
 18 ORS 316.117.

19 (b) If a change in the status of a taxpayer from resident to nonresident or from nonresident to  
 20 resident occurs, the credit allowed under this section shall be determined in a manner consistent  
 21 with ORS 316.117.

22 (c) *[A husband and wife]* **Spouses in a legally recognized marriage** who file separate returns  
 23 for a taxable year may each claim a share of the tax credit that would have been allowed on a joint  
 24 return in proportion to the contribution of each.

25 (d) If a change in the taxable year of a taxpayer occurs as described in ORS 314.085, or if the  
 26 Department of Revenue terminates the taxpayer's taxable year under ORS 314.440, the credit al-  
 27 lowed under this section shall be prorated or computed in a manner consistent with ORS 314.085.

28 **SECTION 47.** ORS 316.042 is amended to read:

29 316.042. In the case of a joint return of *[husband and wife]* **spouses in a legally recognized**  
 30 **marriage**, pursuant to ORS 316.122 or pursuant to ORS 316.367, the tax imposed by ORS 316.037  
 31 shall be twice the tax which would be imposed if the taxable income were cut in half. For purposes  
 32 of this section, a return of a head of household or a surviving spouse, as defined in subsections (a)  
 33 and (b) of section 2 of the Internal Revenue Code, shall be treated as a joint return of *[husband and*  
 34 *wife]* **spouses in a legally recognized marriage**.

35 **SECTION 48.** ORS 316.116 is amended to read:

36 316.116. (1)(a) A resident individual shall be allowed a credit against the taxes otherwise due  
 37 under this chapter for costs paid or incurred for construction or installation of each of one or more  
 38 alternative energy devices in a dwelling.

39 (b) A resident individual shall be allowed a credit against the taxes otherwise due under this  
 40 chapter for costs paid or incurred to modify or purchase an alternative fuel vehicle or related  
 41 equipment.

42 (c) A credit against the taxes otherwise due under this chapter is not allowed for an alternative  
 43 energy device that does not meet or exceed all applicable federal, state and local requirements for  
 44 energy efficiency, including equipment codes, the state building code, specialty codes and any other  
 45 standards.

1 (2)(a) In the case of a category one alternative energy device that is not an alternative fuel  
2 device, the credit shall be based upon the first year energy yield of the alternative energy device  
3 that qualifies under ORS 469B.100 to 469B.118. The amount of the credit shall be the same whether  
4 for collective or noncollective investment.

5 (b) The credit allowed under this section for each category one alternative energy device for  
6 each dwelling may not exceed the lesser of \$1,500 or the first year energy yield in kilowatt hours  
7 per year multiplied by 60 cents per dwelling utilizing the alternative energy device used for space  
8 heating, cooling, electrical energy or domestic water heating for tax years beginning on or after  
9 January 1, 1998.

10 (c) For each category one alternative energy device used for swimming pool, spa or hot tub  
11 heating, the credit allowed under this section shall be based upon 50 percent of the cost of the de-  
12 vice or the first year's energy yield in kilowatt hours per year multiplied by 15 cents, whichever is  
13 lower, up to \$1,500 for tax years beginning on or after January 1, 1998.

14 (d) For each alternative fuel device, the credit allowed under this section is 25 percent of the  
15 cost of the alternative fuel device but the total credit shall not exceed \$750 if the device is placed  
16 in service on or after January 1, 1998.

17 (e)(A) For each category two alternative energy device that is a solar electric system or fuel  
18 cell system, the credit allowed under this section may not exceed the lesser of \$3 per watt of in-  
19 stalled output or \$6,000. The State Department of Energy may by rule provide for a lesser amount  
20 of incentive as market conditions warrant, taking into consideration factors including the availabil-  
21 ity of bulk purchasing of alternative energy devices.

22 (B) For each category two alternative energy device that is a wind electric system, the credit  
23 allowed under this section may not exceed the lesser of \$6,000 or the first year energy yield in  
24 kilowatt hours per year multiplied by \$2.

25 (C) Notwithstanding subparagraph (A) or (B) of this paragraph, the total amount of the credits  
26 allowed in any one tax year may not exceed the tax liability of the taxpayer or \$1,500 for each al-  
27 ternative energy device, whichever is less. Unused credit amounts may be carried forward as pro-  
28 vided in subsection (6) of this section, but may not be carried forward to a tax year that is more  
29 than five tax years following the first tax year for which any credit was allowed with respect to the  
30 category two alternative energy device that is the basis for the credit.

31 (D) Notwithstanding subparagraph (A) or (B) of this paragraph, the total amount of the credit  
32 for each device allowed under this paragraph may not exceed 50 percent of the total installed cost  
33 of the category two alternative energy device.

34 (3) To qualify for a credit under this section, all of the following are required:

35 (a) The alternative energy device must be purchased, constructed, installed and operated in ac-  
36 cordance with ORS 469B.100 to 469B.118 and a certificate issued thereunder.

37 (b) The taxpayer who is allowed the credit must be the owner or contract purchaser of the  
38 dwelling or dwellings served by the alternative energy device or the tenant of the owner or of the  
39 contract purchaser and must:

40 (A) Use the dwelling or dwellings served by the alternative energy device as a principal or  
41 secondary residence; or

42 (B) Rent or lease, under a residential rental agreement, the dwelling or dwellings to a tenant  
43 who uses the dwelling or dwellings as a principal or secondary residence.

44 (c) In the case of an alternative fuel device, unless the verification form and certificate are  
45 transferred as authorized under ORS 469B.106 (9), the taxpayer who is allowed the credit must be

1 the contractor who constructs the dwelling that incorporates the alternative fuel device into the  
2 dwelling or installs the fueling station in the dwelling.

3 (d) The credit must be claimed for the tax year in which the alternative energy device was  
4 purchased if the device is operational by April 1 of the next following tax year.

5 (e) If the alternative fuel vehicle is a gasoline-electric hybrid vehicle not designed for electric  
6 plug-in charging, it must be purchased before January 1, 2010.

7 (4) The credit provided by this section does not affect the computation of basis under this  
8 chapter.

9 (5) The total credits allowed under this section in any one year may not exceed the tax liability  
10 of the taxpayer.

11 (6) Any tax credit otherwise allowable under this section that is not used by the taxpayer in a  
12 particular year may be carried forward and offset against the taxpayer's tax liability for the next  
13 succeeding tax year. Any credit remaining unused in the next succeeding tax year may be carried  
14 forward and used in the second succeeding tax year, and likewise any credit not used in that second  
15 succeeding tax year may be carried forward and used in the third succeeding tax year, and any  
16 credit not used in that third succeeding tax year may be carried forward and used in the fourth  
17 succeeding tax year, and any credit not used in that fourth succeeding tax year may be carried  
18 forward and used in the fifth succeeding tax year, but may not be carried forward for any tax year  
19 thereafter.

20 (7) A nonresident shall be allowed the credit under this section in the proportion provided in  
21 ORS 316.117.

22 (8) If a change in the taxable year of a taxpayer occurs as described in ORS 314.085, or if the  
23 Department of Revenue terminates the taxpayer's taxable year under ORS 314.440, the credit al-  
24 lowed by this section shall be prorated or computed in a manner consistent with ORS 314.085.

25 (9) If a change in the status of a taxpayer from resident to nonresident or from nonresident to  
26 resident occurs, the credit allowed by this section shall be determined in a manner consistent with  
27 ORS 316.117.

28 (10) [A *husband and wife*] **Spouses in a legally recognized marriage** who file separate returns  
29 for a taxable year may each claim a share of the tax credit that would have been allowed on a joint  
30 return in proportion to the contribution of each. However, a [*husband or wife*] **spouse** living in a  
31 separate principal residence may claim the tax credit in the same amount as permitted a single  
32 person.

33 (11) As used in this section, unless the context requires otherwise:

34 (a) "Collective investment" means an investment by two or more taxpayers for the acquisition,  
35 construction and installation of an alternative energy device for one or more dwellings.

36 (b) "Noncollective investment" means an investment by an individual taxpayer for the acquisi-  
37 tion, construction and installation of an alternative energy device for one or more dwellings.

38 (c) "Taxpayer" includes a transferee of a verification form under ORS 469B.106 (9).

39 (12) Notwithstanding any provision of subsection (1) or (2) of this section, the sum of the credit  
40 allowed under subsection (1) of this section plus any similar credit allowed for federal income tax  
41 purposes may not exceed the cost for the acquisition, construction and installation of the alternative  
42 energy device.

43 **SECTION 49.** ORS 316.122 is amended to read:

44 316.122. (1) If the federal taxable income of [*husband and wife*] **spouses in a legally recognized**  
45 **marriage** (one being a part-year resident and the other a nonresident) is determined on a joint

1 federal return, their taxable income in this state shall be separately determined, unless they elect  
 2 to file a joint return, in which case their tax on their joint income shall be determined in this state  
 3 pursuant to ORS 316.037 (3).

4 (2) If the federal taxable income of [*husband and wife*] **spouses in a legally recognized mar-**  
 5 **riage** (one being a full-year resident and the other a part-year resident) is determined on a joint  
 6 federal return, their taxable income in this state shall be separately determined, unless they elect  
 7 to file a joint return, in which case their tax on their joint income shall be determined in this state  
 8 pursuant to ORS 316.037 (2).

9 (3) If the federal taxable income of [*husband and wife*] **spouses in a legally recognized mar-**  
 10 **riage** (one being a full-year resident and the other a nonresident) is determined on a joint federal  
 11 return, their taxable income in the state shall be separately determined, unless they elect to file a  
 12 joint return, in which case their tax on their joint income shall be determined in this state pursuant  
 13 to ORS 316.037 (3).

14 (4) For purposes of computing the tax of [*a husband and wife*] **spouses** under this section, if one  
 15 of the spouses is a full-year resident individual, then as used in ORS 316.037 (2) or (3), that spouse's  
 16 taxable income derived from Oregon sources is that spouse's entire federal taxable income, defined  
 17 in the laws of the United States, with the modifications, additions and subtractions provided in this  
 18 chapter and other laws of this state applicable to personal income taxation.

19 (5) The provisions of ORS 316.367 with respect to joint returns apply if both [*husband and*  
 20 *wife*] **spouses** are part-year residents or full-year nonresidents.

21 **SECTION 50.** ORS 316.367 is amended to read:

22 316.367. [*A husband and wife*] **Spouses in a legally recognized marriage** may make a joint  
 23 return with respect to the tax imposed by this chapter even though one of the spouses has neither  
 24 gross income nor deductions, except that:

25 (1) No joint return shall be made under this chapter if the spouses are not permitted to file a  
 26 joint federal income tax return;

27 (2) If the federal income tax liability of either spouse is determined on a separate federal return,  
 28 their income tax liabilities under this chapter shall be determined on separate returns;

29 (3) If the federal income tax liabilities of [*husband and wife*] **the spouses** are determined on a  
 30 joint federal return, they shall file a joint return under this chapter and their tax liabilities shall  
 31 be joint and several; and

32 (4) If neither spouse is required to file a federal income tax return and either or both are re-  
 33 quired to file an income tax return under this chapter, they may elect to file separate or joint re-  
 34 turns and pursuant to such election their liabilities shall be separate or joint and several.

35 **SECTION 51.** ORS 316.567 is amended to read:

36 316.567. (1) Except as provided in subsection (2) of this section, [*a husband and wife*] **spouses**  
 37 **in a legally recognized marriage** may make a single declaration jointly under ORS 316.557 to  
 38 316.589. The liability of the [*husband and wife*] **spouses** making such a declaration shall be joint and  
 39 several.

40 (2) [*A husband and wife*] **Spouses** may not make a joint declaration:

41 (a) If either [*the husband or the wife*] **spouse** is a nonresident alien;

42 (b) If [*they*] **the spouses** are separated under a judgment of divorce or of separate maintenance;

43 or

44 (c) If [*they*] **the spouses** have different taxable years.

45 (3) If [*a husband and wife*] **spouses** make a joint declaration but not a joint return for the tax-



1 able year, the *[husband and wife]* spouses may, in such manner as they may agree, and after giving  
 2 notice of the agreement to the Department of Revenue:

3 (a) Treat the estimated tax for the year as the estimated tax of either *[the husband or of the*  
 4 *wife]* spouse; or

5 (b) Divide the estimated tax between them.

6 (4) If *[a husband and wife]* the spouses fail to agree, or fail to notify the department of the  
 7 manner in which they agree, to the treatment of estimated tax for a taxable year for which they  
 8 make a joint declaration but not a joint return, the payments shall be allocated between them ac-  
 9 cording to rules adopted by the department. Notwithstanding ORS 314.835, 314.840 or 314.991, the  
 10 department may disclose to either *[the husband or the wife]* spouse the information upon which an  
 11 allocation of estimated tax was made under this section.

12 **SECTION 52.** ORS 316.690 is amended to read:

13 316.690. (1) Subject to subsection (2) of this section, in addition to other modifications provided  
 14 in this chapter, and if a taxpayer elects to take foreign income taxes imposed for the taxable year  
 15 by a foreign country as a credit on the federal income tax return or does not itemize personal de-  
 16 ductions on the federal income tax return, there shall be subtracted from federal taxable income in  
 17 the computation of state taxable income the amount of foreign income taxes imposed for the taxable  
 18 year by a foreign country.

19 (2) The deduction for foreign country income taxes provided by this section shall be limited as  
 20 follows:

21 (a) Except as provided in paragraph (b) of this subsection, the sum of foreign country income  
 22 taxes deducted in computing state taxable income and the modification for federal income taxes  
 23 authorized by ORS 316.680 (1)(b) as limited by ORS 316.695 (3) shall not exceed \$3,000.

24 (b) In the case of *[a husband and wife]* spouses in a legally recognized marriage filing sepa-  
 25 rate tax returns, the sum described in paragraph (a) of this subsection shall be limited to \$1,500.

26 **SECTION 53.** ORS 316.695 is amended to read:

27 316.695. (1) In addition to the modifications to federal taxable income contained in this chapter,  
 28 there shall be added to or subtracted from federal taxable income:

29 (a) If, in computing federal income tax for a tax year, the taxpayer deducted itemized deductions,  
 30 as defined in section 63(d) of the Internal Revenue Code, the taxpayer shall add the amount of  
 31 itemized deductions deducted (the itemized deductions less an amount, if any, by which the itemized  
 32 deductions are reduced under section 68 of the Internal Revenue Code).

33 (b) If, in computing federal income tax for a tax year, the taxpayer deducted the standard de-  
 34 duction, as defined in section 63(c) of the Internal Revenue Code, the taxpayer shall add the amount  
 35 of the standard deduction deducted.

36 (c)(A) From federal taxable income there shall be subtracted the larger of (i) the taxpayer's  
 37 itemized deductions or (ii) a standard deduction. Except as provided in subsection (8) of this section,  
 38 for purposes of this subparagraph, "standard deduction" means the sum of the basic standard de-  
 39 duction and the additional standard deduction.

40 (B) For purposes of subparagraph (A) of this paragraph, the basic standard deduction is:

41 (i) \$3,280, in the case of joint return filers or a surviving spouse;

42 (ii) \$1,640, in the case of an individual who is not a married individual and is not a surviving  
 43 spouse;

44 (iii) \$1,640, in the case of a married individual who files a separate return; or

45 (iv) \$2,640, in the case of a head of household.

1 (C)(i) For purposes of subparagraph (A) of this paragraph for tax years beginning on or after  
 2 January 1, 2003, the Department of Revenue shall annually recompute the basic standard deduction  
 3 for each category of return filer listed under subparagraph (B) of this paragraph. The basic standard  
 4 deduction shall be computed by dividing the monthly averaged U.S. City Average Consumer Price  
 5 Index for the 12 consecutive months ending August 31 of the prior calendar year by the average  
 6 U.S. City Average Consumer Price Index for the second quarter of 2002, then multiplying that quo-  
 7 tient by the amount listed under subparagraph (B) of this paragraph for each category of return  
 8 filer.

9 (ii) If any change in the maximum household income determined under this subparagraph is not  
 10 a multiple of \$5, the increase shall be rounded to the next lower multiple of \$5.

11 (iii) As used in this subparagraph, "U.S. City Average Consumer Price Index" means the U.S.  
 12 City Average Consumer Price Index for All Urban Consumers (All Items) as published by the Bureau  
 13 of Labor Statistics of the United States Department of Labor.

14 (D) For purposes of subparagraph (A) of this paragraph, the additional standard deduction is the  
 15 sum of each additional amount to which the taxpayer is entitled under subsection (7) of this section.

16 (E) As used in subparagraph (B) of this paragraph, "surviving spouse" and "head of household"  
 17 have the [meaning] meanings given those terms in section 2 of the Internal Revenue Code.

18 (F) In the case of the following, the standard deduction referred to in subparagraph (A) of this  
 19 paragraph shall be zero:

20 (i) [A husband or wife] **One of the spouses in a legally recognized marriage** filing a separate  
 21 return where the other spouse has claimed itemized deductions under subparagraph (A) of this par-  
 22 agraph;

23 (ii) A nonresident alien individual;

24 (iii) An individual making a return for a period of less than 12 months on account of a change  
 25 in the individual's annual accounting period;

26 (iv) An estate or trust;

27 (v) A common trust fund; or

28 (vi) A partnership.

29 (d) For the purposes of paragraph (c)(A) of this subsection, the taxpayer's itemized deductions  
 30 are the amount of the taxpayer's itemized deductions as defined in section 63(d) of the Internal Re-  
 31 venue Code (reduced, if applicable, as described under section 68 of the Internal Revenue Code)  
 32 minus the deduction for Oregon income tax (reduced, if applicable, by the proportion that the re-  
 33 duction in federal itemized deductions resulting from section 68 of the Internal Revenue Code bears  
 34 to the amount of federal itemized deductions as defined for purposes of section 68 of the Internal  
 35 Revenue Code).

36 (2)(a) There shall be subtracted from federal taxable income any portion of the distribution of  
 37 a pension, profit-sharing, stock bonus or other retirement plan, representing that portion of contri-  
 38 butions which were taxed by the State of Oregon but not taxed by the federal government under  
 39 laws in effect for tax years beginning prior to January 1, 1969, or for any subsequent year in which  
 40 the amount that was contributed to the plan under the Internal Revenue Code was greater than the  
 41 amount allowed under this chapter.

42 (b) Interest or other earnings on any excess contributions of a pension, profit-sharing, stock  
 43 bonus or other retirement plan not permitted to be deducted under paragraph (a) of this subsection  
 44 may not be added to federal taxable income in the year earned by the plan and may not be sub-  
 45 tracted from federal taxable income in the year received by the taxpayer.

1 (3)(a) Except as provided in subsection (4) of this section, there shall be added to federal taxable  
 2 income the amount of any federal income taxes in excess of the amount provided in paragraphs (b)  
 3 to (d) of this subsection, accrued by the taxpayer during the tax year as described in ORS 316.685,  
 4 less the amount of any refund of federal taxes previously accrued for which a tax benefit was re-  
 5 ceived.

6 (b) The limits applicable to this subsection are:

7 (A) \$5,500, if the federal adjusted gross income of the taxpayer for the tax year is less than  
 8 \$125,000, or, if reported on a joint return, less than \$250,000.

9 (B) \$4,400, if the federal adjusted gross income of the taxpayer for the tax year is \$125,000 or  
 10 more and less than \$130,000, or, if reported on a joint return, \$250,000 or more and less than  
 11 \$260,000.

12 (C) \$3,300, if the federal adjusted gross income of the taxpayer for the tax year is \$130,000 or  
 13 more and less than \$135,000, or, if reported on a joint return, \$260,000 or more and less than  
 14 \$270,000.

15 (D) \$2,200, if the federal adjusted gross income of the taxpayer for the tax year is \$135,000 or  
 16 more and less than \$140,000, or, if reported on a joint return, \$270,000 or more and less than  
 17 \$280,000.

18 (E) \$1,100, if the federal adjusted gross income of the taxpayer for the tax year is \$140,000 or  
 19 more and less than \$145,000, or, if reported on a joint return, \$280,000 or more and less than  
 20 \$290,000.

21 (c) If the federal adjusted gross income of the taxpayer is \$145,000 or more for the tax year, or,  
 22 if reported on a joint return, \$290,000 or more, the limit is zero and the taxpayer is not allowed a  
 23 subtraction for federal income taxes under ORS 316.680 (1) for the tax year.

24 (d) In the case of [*a husband and wife*] **spouses in a legally recognized marriage** filing sepa-  
 25 rate tax returns, the amount added shall be in the amount of any federal income taxes in excess of  
 26 50 percent of the amount provided for individual taxpayers under paragraphs (a) to (c) of this sub-  
 27 section, less the amount of any refund of federal taxes previously accrued for which a tax benefit  
 28 was received.

29 (e) For purposes of this subsection, the limits applicable to a joint return shall apply to a head  
 30 of household or a surviving spouse, as defined in section 2(a) and (b) of the Internal Revenue Code.

31 (f)(A) For a calendar year beginning on or after January 1, 2008, the Department of Revenue  
 32 shall make a cost-of-living adjustment to the federal income tax threshold amounts described in  
 33 paragraphs (b) and (d) of this subsection.

34 (B) The cost-of-living adjustment for a calendar year is the percentage by which the monthly  
 35 averaged U.S. City Average Consumer Price Index for the 12 consecutive months ending August 31  
 36 of the prior calendar year exceeds the monthly averaged index for the period beginning September  
 37 1, 2005, and ending August 31, 2006.

38 (C) As used in this paragraph, "U.S. City Average Consumer Price Index" means the U.S. City  
 39 Average Consumer Price Index for All Urban Consumers (All Items) as published by the Bureau of  
 40 Labor Statistics of the United States Department of Labor.

41 (D) If any adjustment determined under subparagraph (B) of this paragraph is not a multiple of  
 42 \$50, the adjustment shall be rounded to the next lower multiple of \$50.

43 (E) The adjustment shall apply to all tax years beginning in the calendar year for which the  
 44 adjustment is made.

45 (4)(a) In addition to the adjustments required by ORS 316.130, a full-year nonresident individual

1 shall add to taxable income a proportion of any accrued federal income taxes as computed under  
 2 ORS 316.685 in excess of the amount provided in subsection (3) of this section in the proportion  
 3 provided in ORS 316.117.

4 (b) In the case of [*a husband and wife*] **spouses in a legally recognized marriage** filing sepa-  
 5 rate tax returns, the amount added under this subsection shall be computed in a manner consistent  
 6 with the computation of the amount to be added in the case of [*a husband and wife*] **spouses in a**  
 7 **legally recognized marriage** filing separate returns under subsection (3) of this section. The  
 8 method of computation shall be determined by the Department of Revenue by rule.

9 (5) Subsections (3)(d) and (4)(b) of this section shall not apply to married individuals living apart  
 10 as defined in section 7703(b) of the Internal Revenue Code.

11 (6)(a) For tax years beginning on or after January 1, 1981, and prior to January 1, 1983, income  
 12 or loss taken into account in determining federal taxable income by a shareholder of an S corpo-  
 13 ration pursuant to sections 1373 to 1375 of the Internal Revenue Code shall be adjusted for purposes  
 14 of determining Oregon taxable income, to the extent that as income or loss of the S corporation,  
 15 they were required to be adjusted under the provisions of ORS chapter 317.

16 (b) For tax years beginning on or after January 1, 1983, items of income, loss or deduction taken  
 17 into account in determining federal taxable income by a shareholder of an S corporation pursuant  
 18 to sections 1366 to 1368 of the Internal Revenue Code shall be adjusted for purposes of determining  
 19 Oregon taxable income, to the extent that as items of income, loss or deduction of the shareholder  
 20 the items are required to be adjusted under the provisions of this chapter.

21 (c) The tax years referred to in paragraphs (a) and (b) of this subsection are those of the S  
 22 corporation.

23 (d) As used in paragraph (a) of this subsection, an S corporation refers to an electing small  
 24 business corporation.

25 (7)(a) The taxpayer shall be entitled to an additional amount, as referred to in subsection  
 26 (1)(c)(A) and (D) of this section, of \$1,000:

27 (A) For the taxpayer if the taxpayer has attained age 65 before the close of the taxpayer's tax  
 28 year; and

29 (B) For the spouse of the taxpayer if the spouse has attained age 65 before the close of the tax  
 30 year and an additional exemption is allowable to the taxpayer for such spouse for federal income  
 31 tax purposes under section 151(b) of the Internal Revenue Code.

32 (b) The taxpayer shall be entitled to an additional amount, as referred to in subsection (1)(c)(A)  
 33 and (D) of this section, of \$1,000:

34 (A) For the taxpayer if the taxpayer is blind at the close of the tax year; and

35 (B) For the spouse of the taxpayer if the spouse is blind as of the close of the tax year and an  
 36 additional exemption is allowable to the taxpayer for such spouse for federal income tax purposes  
 37 under section 151(b) of the Internal Revenue Code. For purposes of this subparagraph, if the spouse  
 38 dies during the tax year, the determination of whether such spouse is blind shall be made imme-  
 39 diately prior to death.

40 (c) In the case of an individual who is not married and is not a surviving spouse, paragraphs (a)  
 41 and (b) of this subsection shall be applied by substituting "\$1,200" for "\$1,000."

42 (d) For purposes of this subsection, an individual is blind only if the individual's central visual  
 43 acuity does not exceed 20/200 in the better eye with correcting lenses, or if the individual's visual  
 44 acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the  
 45 widest diameter of the visual field subtends an angle no greater than 20 degrees.

1 (8) In the case of an individual with respect to whom a deduction under section 151 of the  
 2 Internal Revenue Code is allowable for federal income tax purposes to another taxpayer for a tax  
 3 year beginning in the calendar year in which the individual's tax year begins, the basic standard  
 4 deduction (referred to in subsection (1)(c)(B) of this section) applicable to such individual for such  
 5 individual's tax year shall equal the lesser of:

6 (a) The amount allowed to the individual under section 63(c)(5) of the Internal Revenue Code for  
 7 federal income tax purposes for the tax year for which the deduction is being claimed; or

8 (b) The amount determined under subsection (1)(c)(B) of this section.

9 **SECTION 54.** ORS 408.730 is amended to read:

10 408.730. (1) The commander or executive head of any veterans organization organized under a  
 11 charter issued by an Act of Congress, proposing to undertake the relief provided for in ORS 408.720,  
 12 shall file with the county clerk of the county in which the veterans organization may be situated,  
 13 the names of its commander or executive head and its relief committee, if any. The commander or  
 14 executive head shall also file a notice in writing that such veterans organization will undertake the  
 15 relief of the indigent persons provided for in ORS 408.720, and by the fourth Monday in January of  
 16 each year shall file with the county clerk a similar notice, and render and file a detailed statement  
 17 of the relief furnished during the preceding year, including the amount thereof, the names of the  
 18 persons to whom furnished and on whose recommendation, and such other facts and suggestions as  
 19 are deemed material.

20 (2) The commander or executive head shall also file a bond, with one or more sureties, to be  
 21 approved by the county court or judge thereof, or board of county commissioners, in a sum not less  
 22 than \$100 and not more than \$1,000. The amount of the bond shall be fixed by the court, judge or  
 23 board. It shall run to the county, and be conditioned by stating that if said commander or executive  
 24 head faithfully applies all funds that come into the hands of the commander or executive head for  
 25 that purpose, to the relief of the indigent persons named in ORS 408.720, it is void. If the bond is  
 26 enforced there shall be recovered from the principal and sureties thereon the amount which is found  
 27 to be misappropriated, which shall be paid into the county treasury.

28 (3) If the county operates on a fiscal year ending on June 30, the notice, statement and bond  
 29 required by this section may be filed on the fourth Monday in July of each year rather than on the  
 30 fourth Monday of January. If the statement required by subsection (1) of this section is filed at the  
 31 time provided in this subsection, this statement shall cover the preceding fiscal year.

32 (4) On the approval and filing of the bond, and on the recommendation of the relief committee  
 33 of any such veterans organization, orders shall be drawn in favor of the commander or executive  
 34 head in the same manner as orders are now drawn for the relief of the poor. The orders shall des-  
 35 ignate thereon the names of the persons for whom the relief is intended and, in like manner, a sum  
 36 not exceeding \$100 may be drawn to pay the funeral expenses of an indigent veteran, and the indi-  
 37 gent [*wives, widows and the*] **spouses and surviving spouses in legally recognized marriages and**  
 38 **minor children of such veterans.**

39 **SECTION 55.** ORS 418.210 is amended to read:

40 418.210. ORS 418.205 to 418.325 shall not apply to:

41 (1) Homes established and maintained by fraternal organizations wherein only members, their  
 42 [*wives, widows*] **spouses and surviving spouses in legally recognized marriages** and children are  
 43 admitted as residents;

44 (2) Any family foster home that is subject to ORS 418.625 to 418.645;

45 (3) Any child care facility that is subject to ORS 329A.030 and 329A.250 to 329A.450;

1 (4) Any individual, or home of an individual, providing respite services, as defined in ORS  
 2 418.205, for parents pursuant to a properly executed power of attorney under ORS 109.056;

3 (5) Any private agency or organization facilitating the provision of respite services, as defined  
 4 in ORS 418.205, for parents pursuant to a properly executed power of attorney under ORS 109.056;  
 5 or

6 (6) A private residential boarding school as defined in ORS 418.205 (5)(b).

7 **SECTION 56.** ORS 419B.040 is amended to read:

8 419B.040. (1) In the case of abuse of a child, the privileges created in ORS 40.230 to 40.255, in-  
 9 cluding the psychotherapist-patient privilege, the physician-patient privilege, the privileges extended  
 10 to nurses, to staff members of schools and to regulated social workers and the [husband-wife]  
 11 spousal privilege, shall not be a ground for excluding evidence regarding a child's abuse, or the  
 12 cause thereof, in any judicial proceeding resulting from a report made pursuant to ORS 419B.010 to  
 13 419B.050.

14 (2) In any judicial proceedings resulting from a report made pursuant to ORS 419B.010 to  
 15 419B.050, either spouse shall be a competent and compellable witness against the other.

16 **SECTION 57.** ORS 432.088, as amended by section 51, chapter 45, Oregon Laws 2014, is  
 17 amended to read:

18 432.088. (1) A report of live birth for each live birth that occurs in this state shall be submitted  
 19 to the Center for Health Statistics, or as otherwise directed by the State Registrar of the Center for  
 20 Health Statistics, within five calendar days after the live birth and shall be registered if the report  
 21 has been completed and filed in accordance with this section.

22 (2) The physician, institution or other person providing prenatal care related to a live birth shall  
 23 provide prenatal care information as required by the state registrar by rule to the institution where  
 24 the delivery is expected to occur not less than 30 calendar days prior to the expected delivery date.

25 (3) When a live birth occurs in an institution or en route to an institution, the person in charge  
 26 of the institution or an authorized designee shall obtain all data required by the state registrar,  
 27 prepare the report of live birth, certify either by signature or electronic signature that the child  
 28 was born alive at the place and time and on the date stated and submit the report as described in  
 29 subsection (1) of this section.

30 (4) In obtaining the information required for the report of live birth, an institution shall use  
 31 information gathering procedures provided or approved by the state registrar. Institutions may es-  
 32 tablish procedures to transfer, electronically or otherwise, information required for the report from  
 33 other sources, provided that the procedures are reviewed and approved by the state registrar prior  
 34 to the implementation of the procedures to ensure that the information being transferred is the same  
 35 as the information being requested.

36 (5)(a) When a live birth occurs outside an institution, the information for the report of live birth  
 37 shall be submitted within five calendar days of the live birth in a format adopted by the state  
 38 registrar by rule in the following order of priority:

39 (A) By an institution where the mother and child are examined, if examination occurs within  
 40 24 hours of the live birth;

41 (B) By a physician in attendance at the live birth;

42 (C) By a direct entry midwife licensed under ORS 687.405 to 687.495 in attendance at the live  
 43 birth;

44 (D) By a person not described in subparagraphs (A) to (C) of this paragraph and not required  
 45 by law to be licensed to practice midwifery who is registered with the Center for Health Statistics

1 to submit reports of live birth and who was in attendance at the live birth; or

2 (E) By the father, the mother or, in the absence of the father and the inability of the mother,  
3 the person in charge of the premises where the live birth occurred.

4 (b) The state registrar may establish by rule the manner of submitting the information for the  
5 report of live birth by a person described in paragraph (a)(D) of this subsection or a physician or  
6 licensed direct entry midwife who attends the birth of his or her own child, grandchild, niece or  
7 nephew.

8 (6) When a report of live birth is submitted that does not include the minimum acceptable doc-  
9 umentation required by this section or any rules adopted under this section, or when the state  
10 registrar has cause to question the validity or adequacy of the documentation, the state registrar,  
11 in the state registrar's discretion, may refuse to register the live birth and shall enter an order to  
12 that effect stating the reasons for the action. The state registrar shall advise the applicant of the  
13 right to appeal under ORS 183.484.

14 (7) When a live birth occurs on a moving conveyance:

15 (a) Within the United States and the child is first removed from the conveyance in this state,  
16 the live birth shall be registered in this state and the place where it is first removed shall be con-  
17 sidered the place of live birth.

18 (b) While in international waters or air space or in a foreign country or its air space and the  
19 child is first removed from the conveyance in this state, the birth shall be registered in this state  
20 but the report of live birth shall show the actual place of birth insofar as can be determined.

21 (8) For purposes of making a report of live birth and live birth registration, the woman who  
22 gives live birth is the live birth mother. If a court of competent jurisdiction determines that a  
23 woman other than the live birth mother is the biological or genetic mother, the court may order the  
24 state registrar to amend the record of live birth. The record of live birth shall then be placed under  
25 seal.

26 (9)(a) If the mother is married at the time of either conception or live birth, or within 300 days  
27 before the live birth, the name of the *[husband]* **mother's spouse in a legally recognized marriage**  
28 shall be entered on the report of live birth as the *[father]* **parent** of the child unless parentage has  
29 been determined otherwise by a court of competent jurisdiction.

30 (b) If the mother is not married at the time of either conception or live birth, or within 300 days  
31 before the live birth, the name of the *[father]* **parent** shall not be entered on the report of live birth  
32 unless a voluntary acknowledgment of paternity form or other form prescribed under ORS 432.098  
33 is:

34 (A) Signed by the mother and the person to be named as the *[father]* **parent**; and

35 (B) Filed with the state registrar.

36 (c) If the mother is a partner in a domestic partnership registered by the state at the time of  
37 either conception or live birth, or between conception and live birth, the name of the mother's  
38 partner shall be entered on the report of live birth as a parent of the child, unless parentage has  
39 been determined otherwise by a court of competent jurisdiction.

40 (d) In any case in which paternity of a child is determined by a court of competent jurisdiction,  
41 or by an administrative determination of paternity, the Center for Health Statistics shall enter the  
42 name of the *[father]* **parent** on the new record of live birth. The Center for Health Statistics shall  
43 change the surname of the child if so ordered by the court or, in a proceeding under ORS 416.430,  
44 by the administrator as defined in ORS 25.010.

45 (e) If a biological parent is not named on the report of live birth, information other than the

1 identity of the biological parent may be entered on the report.

2 (10) A parent of the child, or other informant as determined by the state registrar by rule, shall  
 3 verify the accuracy of the personal data to be entered on a report of live birth in time to permit  
 4 submission of the report within the five calendar days of the live birth.

5 (11) A report of live birth submitted after five calendar days, but within one year after the date  
 6 of live birth, shall be registered in the manner prescribed in this section. The record shall not be  
 7 marked "Delayed."

8 (12) The state registrar may require additional evidence in support of the facts of live birth.

9 **SECTION 58.** ORS 496.146 is amended to read:

10 496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife  
 11 Commission:

12 (1) May accept, from whatever source, appropriations, gifts or grants of money or other property  
 13 for the purposes of wildlife management, and use such money or property for wildlife management  
 14 purposes.

15 (2) May sell or exchange property owned by the state and used for wildlife management pur-  
 16 poses when the commission determines that such sale or exchange would be advantageous to the  
 17 state wildlife policy and management programs.

18 (3) May acquire, introduce, propagate and stock wildlife species in such manner as the com-  
 19 mission determines will carry out the state wildlife policy and management programs.

20 (4) May by rule authorize the issuance of such licenses, tags and permits for angling, taking,  
 21 hunting and trapping and may prescribe such tagging and sealing procedures as the commission  
 22 determines necessary to carry out the provisions of the wildlife laws or to obtain information for  
 23 use in wildlife management. Permits issued pursuant to this subsection may include special hunting  
 24 permits for a person and immediate family members of the person to hunt on land owned by that  
 25 person in areas where permits for deer or elk are limited by quota. As used in this subsection,  
 26 "immediate family members" means [*husband, wife, father, mother,*] **spouses in a legally recognized**  
 27 **marriage, parents, brothers, brothers-in-law, sisters, sisters-in-law, sons, daughters, stepchildren**  
 28 **and grandchildren.** A landowner who is qualified to receive landowner preference tags from the  
 29 commission may request two additional tags for providing public access and two additional tags for  
 30 wildlife habitat programs. This request shall be made to the Access and Habitat Board with sup-  
 31 porting evidence that the access is significant and the habitat programs benefit wildlife. The board  
 32 may recommend that the commission grant the request. When a landowner is qualified under land-  
 33 owner preference rules adopted by the commission and receives a controlled hunt tag for that unit  
 34 or a landowner preference tag for the landowner's property and does not use the tag during the  
 35 regular season, the landowner may use that tag to take an antlerless animal, when approved by the  
 36 State Department of Fish and Wildlife, to alleviate damage that is presently occurring to the  
 37 landowner's property.

38 (5) May by rule prescribe procedures requiring the holder of any license, tag or permit issued  
 39 pursuant to the wildlife laws to keep records and make reports concerning the time, manner and  
 40 place of taking wildlife, the quantities taken and such other information as the commission deter-  
 41 mines necessary for proper enforcement of the wildlife laws or to obtain information for use in  
 42 wildlife management.

43 (6) May establish special hunting and angling areas or seasons in which only persons less than  
 44 18 years of age or over 65 years of age are permitted to hunt or angle.

45 (7) May acquire by purchase, lease, agreement or gift real property and all appropriate interests



1 therein for wildlife management and wildlife-oriented recreation purposes.

2 (8) May acquire by purchase, lease, agreement, gift, exercise of eminent domain or otherwise  
3 real property and all interests therein and establish, operate and maintain thereon public hunting  
4 areas.

5 (9) May establish and develop wildlife refuge and management areas and prescribe rules gov-  
6 erning the use of such areas and the use of wildlife refuge and management areas established and  
7 developed pursuant to any other provision of law.

8 (10) May by rule prescribe fees for licenses, tags, permits and applications issued or required  
9 pursuant to the wildlife laws, and user charges for angling, hunting or other recreational uses of  
10 lands owned or managed by the commission, unless such fees or user charges are otherwise pre-  
11 scribed by law. Except for licenses issued pursuant to subsection (14) of this section, no fee or user  
12 charge prescribed by the commission pursuant to this subsection shall exceed \$100.

13 (11) May enter into contracts with any person or governmental agency for the development and  
14 encouragement of wildlife research and management programs and projects.

15 (12) May perform such acts as may be necessary for the establishment and implementation of  
16 cooperative wildlife management programs with agencies of the federal government.

17 (13) May offer and pay rewards for the arrest and conviction of any person who has violated  
18 any of the wildlife laws. No such reward shall exceed \$100 for any one arrest and conviction.

19 (14) May by rule prescribe fees for falconry licenses issued pursuant to the wildlife laws, unless  
20 such fees are otherwise prescribed by law. Fees prescribed by the commission pursuant to this sub-  
21 section shall be based on actual or projected costs of administering falconry regulations and shall  
22 not exceed \$250.

23 (15) May establish special fishing and hunting seasons and bag limits applicable only to persons  
24 with disabilities.

25 (16) May adopt optimum populations for deer and elk consistent with ORS 496.012. These popu-  
26 lation levels shall be reviewed at least once every five years.

27 (17) Shall establish a preference system so that individuals who are unsuccessful in controlled  
28 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those  
29 drawings in subsequent years. In establishing the preference system, the commission shall consider  
30 giving additional preference points to persons who have been issued a resident pioneer hunting li-  
31 cense pursuant to ORS 497.102.

32 (18) May sell advertising in State Department of Fish and Wildlife publications, including annual  
33 hunting and angling regulation publications.

34 (19) May, notwithstanding the fees required by ORS 497.112, provide free hunting tags to an  
35 organization that sponsors hunting trips for terminally ill children.

36 (20) Shall, after consultation with the State Department of Agriculture, adopt rules prohibiting  
37 the use of the World Wide Web, other Internet protocols or broadcast or closed circuit media to  
38 remotely control a weapon for the purpose of hunting any game bird, wildlife, game mammal or  
39 other mammal. The rules may exempt the State Department of Fish and Wildlife or agents of the  
40 department from the prohibition.

41 (21) May adopt rules establishing a schedule of civil penalties, not to exceed \$6,500 per vio-  
42 lation, for violations of provisions of the wildlife laws or rules adopted by the commission under the  
43 wildlife laws. Civil penalties established under this subsection must be imposed in the manner pro-  
44 vided by ORS 183.745 and must be deposited in the State Wildlife Fund established under ORS  
45 496.300.

1 (22) May by rule impose a surcharge not to exceed \$25 for the renewal of a hunting license on  
 2 any person who fails to comply with mandatory hunting reporting requirements. Amounts collected  
 3 as surcharges under this subsection must be deposited in the State Wildlife Fund established under  
 4 ORS 496.300.

5 (23) May by rule establish annual and daily Columbia Basin salmon, steelhead and sturgeon  
 6 recreational fishing endorsements with a fee not to exceed \$9.75 per annual license and \$1 per day  
 7 per daily license. An endorsement is required to fish for salmon, steelhead or sturgeon in the  
 8 Columbia Basin and is in addition to and not in lieu of angling licenses and tags required under the  
 9 wildlife laws. Amounts collected as fees under this subsection must be deposited in the Columbia  
 10 River Fisheries Enhancement Fund established under section 7, chapter 672, Oregon Laws 2013.

11 (24) May by rule establish multiyear licenses and may prescribe fees for such licenses. Fees  
 12 prescribed by the commission for multiyear licenses may provide for a discount from the annual li-  
 13 cense fees that would otherwise be payable for the period of time covered by the multiyear license.

14 **SECTION 59.** ORS 496.146, as amended by section 10, chapter 672, Oregon Laws 2013, is  
 15 amended to read:

16 496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife  
 17 Commission:

18 (1) May accept, from whatever source, appropriations, gifts or grants of money or other property  
 19 for the purposes of wildlife management, and use such money or property for wildlife management  
 20 purposes.

21 (2) May sell or exchange property owned by the state and used for wildlife management pur-  
 22 poses when the commission determines that such sale or exchange would be advantageous to the  
 23 state wildlife policy and management programs.

24 (3) May acquire, introduce, propagate and stock wildlife species in such manner as the com-  
 25 mission determines will carry out the state wildlife policy and management programs.

26 (4) May by rule authorize the issuance of such licenses, tags and permits for angling, taking,  
 27 hunting and trapping and may prescribe such tagging and sealing procedures as the commission  
 28 determines necessary to carry out the provisions of the wildlife laws or to obtain information for  
 29 use in wildlife management. Permits issued pursuant to this subsection may include special hunting  
 30 permits for a person and immediate family members of the person to hunt on land owned by that  
 31 person in areas where permits for deer or elk are limited by quota. As used in this subsection,  
 32 "immediate family members" means [*husband, wife, father, mother,*] **spouses in a legally recognized**  
 33 **marriage, parents, brothers, brothers-in-law, sisters, sisters-in-law, sons, daughters, stepchildren**  
 34 **and grandchildren.** A landowner who is qualified to receive landowner preference tags from the  
 35 commission may request two additional tags for providing public access and two additional tags for  
 36 wildlife habitat programs. This request shall be made to the Access and Habitat Board with sup-  
 37 porting evidence that the access is significant and the habitat programs benefit wildlife. The board  
 38 may recommend that the commission grant the request. When a landowner is qualified under land-  
 39 owner preference rules adopted by the commission and receives a controlled hunt tag for that unit  
 40 or a landowner preference tag for the landowner's property and does not use the tag during the  
 41 regular season, the landowner may use that tag to take an antlerless animal, when approved by the  
 42 State Department of Fish and Wildlife, to alleviate damage that is presently occurring to the  
 43 landowner's property.

44 (5) May by rule prescribe procedures requiring the holder of any license, tag or permit issued  
 45 pursuant to the wildlife laws to keep records and make reports concerning the time, manner and

1 place of taking wildlife, the quantities taken and such other information as the commission deter-  
 2 mines necessary for proper enforcement of the wildlife laws or to obtain information for use in  
 3 wildlife management.

4 (6) May establish special hunting and angling areas or seasons in which only persons less than  
 5 18 years of age or over 65 years of age are permitted to hunt or angle.

6 (7) May acquire by purchase, lease, agreement or gift real property and all appropriate interests  
 7 therein for wildlife management and wildlife-oriented recreation purposes.

8 (8) May acquire by purchase, lease, agreement, gift, exercise of eminent domain or otherwise  
 9 real property and all interests therein and establish, operate and maintain thereon public hunting  
 10 areas.

11 (9) May establish and develop wildlife refuge and management areas and prescribe rules gov-  
 12 erning the use of such areas and the use of wildlife refuge and management areas established and  
 13 developed pursuant to any other provision of law.

14 (10) May by rule prescribe fees for licenses, tags, permits and applications issued or required  
 15 pursuant to the wildlife laws, and user charges for angling, hunting or other recreational uses of  
 16 lands owned or managed by the commission, unless such fees or user charges are otherwise pre-  
 17 scribed by law. Except for licenses issued pursuant to subsection (14) of this section, no fee or user  
 18 charge prescribed by the commission pursuant to this subsection shall exceed \$100.

19 (11) May enter into contracts with any person or governmental agency for the development and  
 20 encouragement of wildlife research and management programs and projects.

21 (12) May perform such acts as may be necessary for the establishment and implementation of  
 22 cooperative wildlife management programs with agencies of the federal government.

23 (13) May offer and pay rewards for the arrest and conviction of any person who has violated  
 24 any of the wildlife laws. No such reward shall exceed \$100 for any one arrest and conviction.

25 (14) May by rule prescribe fees for falconry licenses issued pursuant to the wildlife laws, unless  
 26 such fees are otherwise prescribed by law. Fees prescribed by the commission pursuant to this sub-  
 27 section shall be based on actual or projected costs of administering falconry regulations and shall  
 28 not exceed \$250.

29 (15) May establish special fishing and hunting seasons and bag limits applicable only to persons  
 30 with disabilities.

31 (16) May adopt optimum populations for deer and elk consistent with ORS 496.012. These popu-  
 32 lation levels shall be reviewed at least once every five years.

33 (17) Shall establish a preference system so that individuals who are unsuccessful in controlled  
 34 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those  
 35 drawings in subsequent years. In establishing the preference system, the commission shall consider  
 36 giving additional preference points to persons who have been issued a resident pioneer hunting li-  
 37 cense pursuant to ORS 497.102.

38 (18) May sell advertising in State Department of Fish and Wildlife publications, including annual  
 39 hunting and angling regulation publications.

40 (19) May, notwithstanding the fees required by ORS 497.112, provide free hunting tags to an  
 41 organization that sponsors hunting trips for terminally ill children.

42 (20) Shall, after consultation with the State Department of Agriculture, adopt rules prohibiting  
 43 the use of the World Wide Web, other Internet protocols or broadcast or closed circuit media to  
 44 remotely control a weapon for the purpose of hunting any game bird, wildlife, game mammal or  
 45 other mammal. The rules may exempt the State Department of Fish and Wildlife or agents of the

1 department from the prohibition.

2 (21) May adopt rules establishing a schedule of civil penalties, not to exceed \$6,500 per vio-  
 3 lation, for violations of provisions of the wildlife laws or rules adopted by the commission under the  
 4 wildlife laws. Civil penalties established under this subsection must be imposed in the manner pro-  
 5 vided by ORS 183.745 and must be deposited in the State Wildlife Fund established under ORS  
 6 496.300.

7 (22) May by rule impose a surcharge not to exceed \$25 for the renewal of a hunting license on  
 8 any person who fails to comply with mandatory hunting reporting requirements. Amounts collected  
 9 as surcharges under this subsection must be deposited in the State Wildlife Fund established under  
 10 ORS 496.300.

11 (23) May by rule establish multiyear licenses and may prescribe fees for such licenses. Fees  
 12 prescribed by the commission for multiyear licenses may provide for a discount from the annual li-  
 13 cense fees that would otherwise be payable for the period of time covered by the multiyear license.

14 **SECTION 60.** ORS 656.005 is amended to read:

15 656.005. (1) "Average weekly wage" means the Oregon average weekly wage in covered em-  
 16 ployment, as determined by the Employment Department, for the last quarter of the calendar year  
 17 preceding the fiscal year in which the injury occurred.

18 (2) "Beneficiary" means an injured worker, and the [*husband, wife*] **spouse in a legally recog-**  
 19 **nized marriage**, child or dependent of a worker, who is entitled to receive payments under this  
 20 chapter. "Beneficiary" does not include:

21 (a) A spouse of an injured worker living in a state of abandonment for more than one year at  
 22 the time of the injury or subsequently. A spouse who has lived separate and apart from the worker  
 23 for a period of two years and who has not during that time received or attempted by process of law  
 24 to collect funds for support or maintenance is considered living in a state of abandonment.

25 (b) A person who intentionally causes the compensable injury to or death of an injured worker.

26 (3) "Board" means the Workers' Compensation Board.

27 (4) "Carrier-insured employer" means an employer who provides workers' compensation cover-  
 28 age with the State Accident Insurance Fund Corporation or an insurer authorized under ORS  
 29 chapter 731 to transact workers' compensation insurance in this state.

30 (5) "Child" includes a posthumous child, a child legally adopted prior to the injury, a child to-  
 31 ward whom the worker stands in loco parentis, a child born out of wedlock and a stepchild, if such  
 32 stepchild was, at the time of the injury, a member of the worker's family and substantially dependent  
 33 upon the worker for support. A dependent child who is an invalid is a child, for purposes of benefits,  
 34 regardless of age, so long as the child was an invalid at the time of the accident and thereafter re-  
 35 mains an invalid substantially dependent on the worker for support. For purposes of this chapter,  
 36 a dependent child who is an invalid is considered to be a child under 18 years of age.

37 (6) "Claim" means a written request for compensation from a subject worker or someone on the  
 38 worker's behalf, or any compensable injury of which a subject employer has notice or knowledge.

39 (7)(a) A "compensable injury" is an accidental injury, or accidental injury to prosthetic appli-  
 40 ances, arising out of and in the course of employment requiring medical services or resulting in  
 41 disability or death; an injury is accidental if the result is an accident, whether or not due to acci-  
 42 dental means, if it is established by medical evidence supported by objective findings, subject to the  
 43 following limitations:

44 (A) No injury or disease is compensable as a consequence of a compensable injury unless the  
 45 compensable injury is the major contributing cause of the consequential condition.

1 (B) If an otherwise compensable injury combines at any time with a preexisting condition to  
 2 cause or prolong disability or a need for treatment, the combined condition is compensable only if,  
 3 so long as and to the extent that the otherwise compensable injury is the major contributing cause  
 4 of the disability of the combined condition or the major contributing cause of the need for treatment  
 5 of the combined condition.

6 (b) "Compensable injury" does not include:

7 (A) Injury to any active participant in assaults or combats which are not connected to the job  
 8 assignment and which amount to a deviation from customary duties;

9 (B) Injury incurred while engaging in or performing, or as the result of engaging in or per-  
 10 forming, any recreational or social activities primarily for the worker's personal pleasure; or

11 (C) Injury the major contributing cause of which is demonstrated to be by a preponderance of  
 12 the evidence the injured worker's consumption of alcoholic beverages or the unlawful consumption  
 13 of any controlled substance, unless the employer permitted, encouraged or had actual knowledge of  
 14 such consumption.

15 (c) A "disabling compensable injury" is an injury which entitles the worker to compensation for  
 16 disability or death. An injury is not disabling if no temporary benefits are due and payable, unless  
 17 there is a reasonable expectation that permanent disability will result from the injury.

18 (d) A "nondisabling compensable injury" is any injury which requires medical services only.

19 (8) "Compensation" includes all benefits, including medical services, provided for a compensable  
 20 injury to a subject worker or the worker's beneficiaries by an insurer or self-insured employer pur-  
 21 suant to this chapter.

22 (9) "Department" means the Department of Consumer and Business Services.

23 (10) "Dependent" means any of the following-named relatives of a worker whose death results  
 24 from any injury: [*Father, mother, grandfather, grandmother, stepfather, stepmother*] **Parent,**  
 25 **grandparent, stepparent,** grandson, granddaughter, brother, sister, half sister, half brother, niece  
 26 or nephew, who at the time of the accident, are dependent in whole or in part for their support upon  
 27 the earnings of the worker. Unless otherwise provided by treaty, aliens not residing within the  
 28 United States at the time of the accident other than [*father, mother, husband, wife*] **parent, spouse**  
 29 **in a legally recognized marriage** or children are not included within the term "dependent."

30 (11) "Director" means the Director of the Department of Consumer and Business Services.

31 (12)(a) "Doctor" or "physician" means a person duly licensed to practice one or more of the  
 32 healing arts in any country or in any state, territory or possession of the United States within the  
 33 limits of the license of the licentiate.

34 (b) Except as otherwise provided for workers subject to a managed care contract, "attending  
 35 physician" means a doctor, physician or physician assistant who is primarily responsible for the  
 36 treatment of a worker's compensable injury and who is:

37 (A) A medical doctor or doctor of osteopathy licensed under ORS 677.100 to 677.228 by the  
 38 Oregon Medical Board, or a podiatric physician and surgeon licensed under ORS 677.805 to 677.840  
 39 by the Oregon Medical Board, an oral and maxillofacial surgeon licensed by the Oregon Board of  
 40 Dentistry or a similarly licensed doctor in any country or in any state, territory or possession of the  
 41 United States; or

42 (B) For a cumulative total of 60 days from the first visit on the initial claim or for a cumulative  
 43 total of 18 visits, whichever occurs first, to any of the medical service providers listed in this sub-  
 44 paragraph, a:

45 (i) Doctor or physician licensed by the State Board of Chiropractic Examiners for the State of

1 Oregon under ORS chapter 684 or a similarly licensed doctor or physician in any country or in any  
 2 state, territory or possession of the United States;

3 (ii) Physician assistant licensed by the Oregon Medical Board in accordance with ORS 677.505  
 4 to 677.525 or a similarly licensed physician assistant in any country or in any state, territory or  
 5 possession of the United States; or

6 (iii) Doctor of naturopathy or naturopathic physician licensed by the Oregon Board of  
 7 Naturopathic Medicine under ORS chapter 685 or a similarly licensed doctor or physician in any  
 8 country or in any state, territory or possession of the United States.

9 (c) Except as otherwise provided for workers subject to a managed care contract, "attending  
 10 physician" does not include a physician who provides care in a hospital emergency room and refers  
 11 the injured worker to a primary care physician for follow-up care and treatment.

12 (d) "Consulting physician" means a doctor or physician who examines a worker or the worker's  
 13 medical record to advise the attending physician or nurse practitioner authorized to provide  
 14 compensable medical services under ORS 656.245 regarding treatment of a worker's compensable  
 15 injury.

16 (13)(a) "Employer" means any person, including receiver, administrator, executor or trustee, and  
 17 the state, state agencies, counties, municipal corporations, school districts and other public corpo-  
 18 rations or political subdivisions, who contracts to pay a remuneration for and secures the right to  
 19 direct and control the services of any person.

20 (b) Notwithstanding paragraph (a) of this subsection, for purposes of this chapter, the client of  
 21 a temporary service provider is not the employer of temporary workers provided by the temporary  
 22 service provider.

23 (c) As used in paragraph (b) of this subsection, "temporary service provider" has the meaning  
 24 for that term provided in ORS 656.850.

25 (14) "Insurer" means the State Accident Insurance Fund Corporation or an insurer authorized  
 26 under ORS chapter 731 to transact workers' compensation insurance in this state or an assigned  
 27 claims agent selected by the director under ORS 656.054.

28 (15) "Consumer and Business Services Fund" means the fund created by ORS 705.145.

29 (16) "Invalid" means one who is physically or mentally incapacitated from earning a livelihood.

30 (17) "Medically stationary" means that no further material improvement would reasonably be  
 31 expected from medical treatment, or the passage of time.

32 (18) "Noncomplying employer" means a subject employer who has failed to comply with ORS  
 33 656.017.

34 (19) "Objective findings" in support of medical evidence are verifiable indications of injury or  
 35 disease that may include, but are not limited to, range of motion, atrophy, muscle strength and  
 36 palpable muscle spasm. "Objective findings" does not include physical findings or subjective re-  
 37 sponses to physical examinations that are not reproducible, measurable or observable.

38 (20) "Palliative care" means medical service rendered to reduce or moderate temporarily the  
 39 intensity of an otherwise stable medical condition, but does not include those medical services ren-  
 40 dered to diagnose, heal or permanently alleviate or eliminate a medical condition.

41 (21) "Party" means a claimant for compensation, the employer of the injured worker at the time  
 42 of injury and the insurer, if any, of such employer.

43 (22) "Payroll" means a record of wages payable to workers for their services and includes  
 44 commissions, value of exchange labor and the reasonable value of board, rent, housing, lodging or  
 45 similar advantage received from the employer. However, "payroll" does not include overtime pay,

1 vacation pay, bonus pay, tips, amounts payable under profit-sharing agreements or bonus payments  
 2 to reward workers for safe working practices. Bonus pay is limited to payments which are not an-  
 3 ticipated under the contract of employment and which are paid at the sole discretion of the em-  
 4 ployer. The exclusion from payroll of bonus payments to reward workers for safe working practices  
 5 is only for the purpose of calculations based on payroll to determine premium for workers' com-  
 6 pensation insurance, and does not affect any other calculation or determination based on payroll for  
 7 the purposes of this chapter.

8 (23) "Person" includes partnership, joint venture, association, limited liability company and  
 9 corporation.

10 (24)(a) "Preexisting condition" means, for all industrial injury claims, any injury, disease, con-  
 11 genital abnormality, personality disorder or similar condition that contributes to disability or need  
 12 for treatment, provided that:

13 (A) Except for claims in which a preexisting condition is arthritis or an arthritic condition, the  
 14 worker has been diagnosed with such condition, or has obtained medical services for the symptoms  
 15 of the condition regardless of diagnosis; and

16 (B)(i) In claims for an initial injury or omitted condition, the diagnosis or treatment precedes  
 17 the initial injury;

18 (ii) In claims for a new medical condition, the diagnosis or treatment precedes the onset of the  
 19 new medical condition; or

20 (iii) In claims for a worsening pursuant to ORS 656.273 or 656.278, the diagnosis or treatment  
 21 precedes the onset of the worsened condition.

22 (b) "Preexisting condition" means, for all occupational disease claims, any injury, disease, con-  
 23 genital abnormality, personality disorder or similar condition that contributes to disability or need  
 24 for treatment and that precedes the onset of the claimed occupational disease, or precedes a claim  
 25 for worsening in such claims pursuant to ORS 656.273 or 656.278.

26 (c) For the purposes of industrial injury claims, a condition does not contribute to disability or  
 27 need for treatment if the condition merely renders the worker more susceptible to the injury.

28 (25) "Self-insured employer" means an employer or group of employers certified under ORS  
 29 656.430 as meeting the qualifications set out by ORS 656.407.

30 (26) "State Accident Insurance Fund Corporation" and "corporation" mean the State Accident  
 31 Insurance Fund Corporation created under ORS 656.752.

32 (27) "Subject employer" means an employer who is subject to this chapter as provided by ORS  
 33 656.023.

34 (28) "Subject worker" means a worker who is subject to this chapter as provided by ORS  
 35 656.027.

36 (29) "Wages" means the money rate at which the service rendered is recompensed under the  
 37 contract of hiring in force at the time of the accident, including reasonable value of board, rent,  
 38 housing, lodging or similar advantage received from the employer, and includes the amount of tips  
 39 required to be reported by the employer pursuant to section 6053 of the Internal Revenue Code of  
 40 1954, as amended, and the regulations promulgated pursuant thereto, or the amount of actual tips  
 41 reported, whichever amount is greater. The State Accident Insurance Fund Corporation may estab-  
 42 lish assumed minimum and maximum wages, in conformity with recognized insurance principles, at  
 43 which any worker shall be carried upon the payroll of the employer for the purpose of determining  
 44 the premium of the employer.

45 (30) "Worker" means any person, including a minor whether lawfully or unlawfully employed,

1 who engages to furnish services for a remuneration, subject to the direction and control of an em-  
 2 ployer and includes salaried, elected and appointed officials of the state, state agencies, counties,  
 3 cities, school districts and other public corporations, but does not include any person whose services  
 4 are performed as an inmate or ward of a state institution or as part of the eligibility requirements  
 5 for a general or public assistance grant. For the purpose of determining entitlement to temporary  
 6 disability benefits or permanent total disability benefits under this chapter, "worker" does not in-  
 7 clude a person who has withdrawn from the workforce during the period for which such benefits are  
 8 sought.

9 (31) "Independent contractor" has the meaning for that term provided in ORS 670.600.

10 **SECTION 61.** ORS 656.204 is amended to read:

11 656.204. If death results from the accidental injury, payments shall be made as follows:

12 (1)(a) The cost of final disposition of the body and funeral expenses, including but not limited  
 13 to transportation of the body, shall be paid, not to exceed 20 times the average weekly wage in any  
 14 case.

15 (b) The insurer or self-insured employer shall pay bills submitted for disposition and funeral  
 16 expenses up to the benefit limit established in paragraph (a) of this subsection. If any part of the  
 17 benefit remains unpaid 60 days after claim acceptance, the insurer or self-insured employer shall pay  
 18 the unpaid amount to the estate of the worker.

19 (2)(a) If the worker is survived by a spouse, monthly benefits shall be paid in an amount equal  
 20 to 4.35 times 66-2/3 percent of the average weekly wage to the surviving spouse until remarriage.  
 21 The payment shall cease at the end of the month in which the remarriage occurs.

22 (b) If the worker is survived by a spouse, monthly benefits also shall be paid in an amount equal  
 23 to 4.35 times 10 percent of the average weekly wage for each child of the deceased who is sub-  
 24 stantially dependent on the spouse for support, until such child becomes 18 years of age.

25 (c) If the worker is survived by a spouse, monthly benefits also shall be paid in an amount equal  
 26 to 4.35 times 25 percent of the average weekly wage for each child of the deceased who is not sub-  
 27 stantially dependent on the spouse for support, until such child becomes 18 years of age.

28 (d) If a surviving spouse receiving monthly payments dies, leaving a child who is entitled to  
 29 compensation on account of the death of the worker, a monthly benefit equal to 4.35 times 25 per-  
 30 cent of the average weekly wage shall be paid to each such child until the child becomes 18 years  
 31 of age or the child's entitlement to benefits under subsection (8) of this section ceases, whichever  
 32 is later.

33 (e) If a child who has become 18 years of age is a full-time high school student, benefits shall  
 34 be paid as provided in subsection (8) of this section.

35 (f) In no event shall the total monthly benefits provided for in this subsection exceed 4.35 times  
 36 133-1/3 percent of the average weekly wage. If the sum of the individual benefits exceeds this max-  
 37 imum, the benefit for each child will be reduced proportionally.

38 (3)(a) Upon remarriage, a surviving spouse shall be paid 36 times the monthly benefit in a lump  
 39 sum as final payment of the claim, but the monthly payments for each child shall continue as before.

40 (b) If, after the date of the subject worker's death, the surviving spouse cohabits with another  
 41 person for an aggregate period of more than one year and a child has resulted from the relationship,  
 42 the surviving spouse shall be paid 36 times the monthly benefit in a lump sum as final payment of  
 43 the claim, but the monthly payment for any child who is entitled to compensation on account of the  
 44 death of the worker shall continue as before.

45 (4)(a) If the worker [*leaves neither wife nor husband,*] **does not leave a spouse in a legally re-**



1 **cognized marriage** but **leaves** a child under 18 years of age, a monthly benefit equal to 4.35 times  
2 25 percent of the average weekly wage shall be paid to each such child until the child becomes 18  
3 years of age.

4 (b) If a child who has become 18 years of age is a full-time high school student, benefits shall  
5 be paid as provided in subsection (8) of this section.

6 (c) In no event shall the total benefits provided for in this subsection exceed 4.35 times 133-1/3  
7 percent of the average weekly wage. If the sum of the individual benefits exceeds this maximum, the  
8 benefit for each child will be reduced proportionally.

9 (5)(a) If the worker leaves a dependent other than a surviving spouse or a child, a monthly  
10 payment shall be made to each dependent equal to 50 percent of the average monthly support actu-  
11 ally received by such dependent from the worker during the 12 months next preceding the occur-  
12 rence of the accidental injury. If a dependent is under the age of 18 years at the time of the  
13 accidental injury, the payment to the dependent shall cease when such dependent becomes 18 years  
14 of age. The payment to any dependent shall cease under the same circumstances that would have  
15 terminated the dependency had the injury not happened.

16 (b) If the dependent who has become 18 years of age is a full-time high school student, benefits  
17 shall be paid as provided in subsection (8) of this section.

18 (c) In no event shall the total benefits provided for in this subsection exceed 4.35 times 10 per-  
19 cent of the average weekly wage. If the sum of the individual benefits exceeds this maximum, the  
20 benefit for each dependent will be reduced proportionally.

21 (6) If a child is an invalid at the time the child otherwise becomes ineligible for benefits under  
22 this section, the payment to the child shall continue while the child remains an invalid. If a person  
23 is entitled to payment because the person is an invalid, payment shall terminate when the person  
24 ceases to be an invalid.

25 (7) If, at the time of the death of a worker, the child of the worker or dependent has become  
26 17 years of age but is under 18 years of age, the child or dependent shall receive the payment pro-  
27 vided in this section for a period of one year from the date of the death. However, if after such  
28 period the child is a full-time high school student, benefits shall be paid as provided in subsection  
29 (8) of this section.

30 (8)(a) Benefits under this section which are to be paid as provided in this subsection shall be  
31 paid for the child or dependent until the child or dependent becomes 19 years of age. If, however,  
32 the child or dependent is attending higher education or begins attending higher education within six  
33 months of the date the child or dependent leaves high school, benefits shall be paid until the child  
34 or dependent becomes 23 years of age, ceases attending higher education or graduates from an ap-  
35 proved institute or program, whichever is earlier.

36 (b) If a child or dependent who is eligible for benefits under this subsection has no surviving  
37 parent, the child or dependent shall receive 4.35 times 66-2/3 percent of the average weekly wage  
38 until the child or dependent becomes 23 years of age, ceases attending higher education or gradu-  
39 ates from an approved institute or program, whichever is earlier.

40 (c) As used in this subsection, "attending higher education" means regularly attending commu-  
41 nity college, college or university, or regularly attending a course of vocational or technical training  
42 designed to prepare the participant for gainful employment. A child or dependent enrolled in an  
43 educational course load of less than one-half of that determined by the educational facility to con-  
44 stitute "full-time" enrollment is not "attending higher education."

45 (9) As used in this section, "average weekly wage" has the meaning for that term provided in

1 ORS 656.211.

2 **SECTION 62.** ORS 656.226 is amended to read:

3 656.226. In case [*an unmarried man and an unmarried woman*] **two unmarried individuals** have  
 4 cohabited in this state [*as husband and wife*] for over one year prior to the date of an accidental  
 5 injury received by one or the other as a subject worker, and children are living as a result of that  
 6 relation, the surviving cohabitant and the children are entitled to compensation under this chapter  
 7 the same as if the [*man and woman*] **individuals** had been legally married.

8 **SECTION 63.** ORS 659A.309 is amended to read:

9 659A.309. (1) Except as provided in subsection (2) of this section, it is an unlawful employment  
 10 practice for an employer solely because another member of an individual's family works or has  
 11 worked for that employer to:

12 (a) Refuse to hire or employ an individual;

13 (b) Bar or discharge from employment an individual; or

14 (c) Discriminate against an individual in compensation or in terms, conditions or privileges of  
 15 employment.

16 (2) An employer is not required to hire or employ and is not prohibited from barring or dis-  
 17 charging an individual if such action:

18 (a) Would constitute a violation of any law of this state or of the United States, or any rule  
 19 promulgated pursuant thereto, with which the employer is required to comply;

20 (b) Would constitute a violation of the conditions of eligibility for receipt by the employer of  
 21 financial assistance from the government of this state or the United States;

22 (c) Would place the individual in a position of exercising supervisory, appointment or grievance  
 23 adjustment authority over a member of the individual's family or in a position of being subject to  
 24 such authority which a member of the individual's family exercises; or

25 (d) Would cause the employer to disregard a bona fide occupational requirement reasonably  
 26 necessary to the normal operation of the employer's business.

27 (3) As used in this section, "member of an individual's family" means the [*wife, husband*] **spouse**  
 28 **in a legally recognized marriage**, son, daughter, [*mother, father,*] **parent**, brother, brother-in-law,  
 29 sister, sister-in-law, son-in-law, daughter-in-law, [*mother-in-law, father-in-law,*] **parent-in-law**, aunt,  
 30 uncle, niece, nephew, stepparent or stepchild of the individual.

31 **SECTION 64.** ORS 677.365 is amended to read:

32 677.365. (1) Artificial insemination shall not be performed upon a woman without her prior  
 33 written request and consent and, if she is married, the prior written request and consent of her  
 34 [*husband*] **spouse**.

35 (2) Whenever a child is born who may have been conceived by the use of semen of a donor who  
 36 is not the woman's [*husband*] **spouse**, a copy of the request and consent required under subsection  
 37 (1) of this section shall be filed by the physician who performs the artificial insemination with the  
 38 State Registrar of the Center for Health Statistics. The state registrar shall prescribe the form of  
 39 reporting.

40 (3) The information filed under subsection (2) of this section shall be sealed by the state  
 41 registrar and may be opened only upon an order of a court of competent jurisdiction.

42 (4) If the physician who performs the artificial insemination does not deliver the child conceived  
 43 as a result of the use of semen of a donor who is not the woman's [*husband*] **spouse**, it is the duty  
 44 of the woman and the [*husband*] **spouse** who consented pursuant to subsection (1) of this section to  
 45 give that physician notice of the child's birth. The physician who performs the artificial insemination

1 shall be relieved of all liability for noncompliance with subsection (2) of this section if the noncom-  
2 pliance results from lack of notice to the physician about the birth.

3 **SECTION 65.** ORS 726.990 is amended to read:

4 726.990. (1) Violation, or participation in the violation, of any provision of this chapter by any  
5 pawnbroker or any agent, member, officer or employee thereof, or any other person is a Class B  
6 misdemeanor.

7 (2) Upon conviction under subsection (1) of this section, no license shall be granted to such  
8 person, nor to the [*husband or wife*] spouse in a legally recognized marriage of such person, nor  
9 to any partnership, association or corporation of which the person is an agent or member, until two  
10 years after the date of the conviction.

11 **SECTION 66.** ORS 742.504, as amended by section 76, chapter 45, Oregon Laws 2014, is  
12 amended to read:

13 742.504. Every policy required to provide the coverage specified in ORS 742.502 shall provide  
14 uninsured motorist coverage that in each instance is no less favorable in any respect to the insured  
15 or the beneficiary than if the following provisions were set forth in the policy. However, nothing  
16 contained in this section requires the insurer to reproduce in the policy the particular language of  
17 any of the following provisions:

18 (1)(a) Notwithstanding ORS 30.260 to 30.300, the insurer will pay all sums that the insured, the  
19 heirs or the legal representative of the insured is legally entitled to recover as general and special  
20 damages from the owner or operator of an uninsured vehicle because of bodily injury sustained by  
21 the insured caused by accident and arising out of the ownership, maintenance or use of the  
22 uninsured vehicle. Determination as to whether the insured, the insured's heirs or the insured's legal  
23 representative is legally entitled to recover such damages, and if so, the amount thereof, shall be  
24 made by agreement between the insured and the insurer, or, in the event of disagreement, may be  
25 determined by arbitration as provided in subsection (10) of this section.

26 (b) No judgment against any person or organization alleged to be legally responsible for bodily  
27 injury, except for proceedings instituted against the insurer as provided in this policy, shall be  
28 conclusive, as between the insured and the insurer, on the issues of liability of the person or or-  
29 ganization or of the amount of damages to which the insured is legally entitled.

30 (2) As used in this policy:

31 (a) "Bodily injury" means bodily injury, sickness or disease, including death resulting therefrom.

32 (b) "Hit-and-run vehicle" means a vehicle that causes bodily injury to an insured arising out of  
33 physical contact of the vehicle with the insured or with a vehicle the insured is occupying at the  
34 time of the accident, provided:

35 (A) The identity of either the operator or the owner of the hit-and-run vehicle cannot be ascer-  
36 tained;

37 (B) The insured or someone on behalf of the insured reported the accident within 72 hours to  
38 a police, peace or judicial officer, to the Department of Transportation or to the equivalent depart-  
39 ment in the state where the accident occurred, and filed with the insurer within 30 days thereafter  
40 a statement under oath that the insured or the legal representative of the insured has a cause or  
41 causes of action arising out of the accident for damages against a person or persons whose identities  
42 are unascertainable, and setting forth the facts in support thereof; and

43 (C) At the insurer's request, the insured or the legal representative of the insured makes avail-  
44 able for inspection the vehicle the insured was occupying at the time of the accident.

45 (c) "Insured," when unqualified and when applied to uninsured motorist coverage, means:

1 (A) The named insured as stated in the policy and any person designated as named insured in  
2 the schedule and, while residents of the same household, the spouse of any named insured and rel-  
3 atives of either, provided that neither the relative nor the spouse is the owner of a vehicle not de-  
4 scribed in the policy and that, if the named insured as stated in the policy is other than an  
5 individual or [*husband and wife*] **spouses in a legally recognized marriage** who are residents of  
6 the same household, the named insured shall be only a person so designated in the schedule;

7 (B) Any child residing in the household of the named insured if the insured has performed the  
8 duties of a parent to the child by rearing the child as the insured's own although the child is not  
9 related to the insured by blood, marriage or adoption; and

10 (C) Any other person while occupying an insured vehicle, provided the actual use thereof is with  
11 the permission of the named insured.

12 (d) "Insured vehicle," except as provided in paragraph (e) of this provision, means:

13 (A) The vehicle described in the policy or a newly acquired or substitute vehicle, as each of  
14 those terms is defined in the public liability coverage of the policy, insured under the public liability  
15 provisions of the policy; or

16 (B) A nonowned vehicle operated by the named insured or spouse if a resident of the same  
17 household, provided that the actual use thereof is with the permission of the owner of the vehicle  
18 and the vehicle is not owned by nor furnished for the regular or frequent use of the insured or any  
19 member of the same household.

20 (e) "Insured vehicle" does not include a trailer of any type unless the trailer is a described ve-  
21 hicle in the policy.

22 (f) "Occupying" means in or upon or entering into or alighting from.

23 (g) "Phantom vehicle" means a vehicle that causes bodily injury to an insured arising out of a  
24 motor vehicle accident that is caused by a vehicle that has no physical contact with the insured or  
25 the vehicle the insured is occupying at the time of the accident, provided:

26 (A) The identity of either the operator or the owner of the phantom vehicle cannot be ascer-  
27 tained;

28 (B) The facts of the accident can be corroborated by competent evidence other than the testi-  
29 mony of the insured or any person having an uninsured motorist claim resulting from the accident;  
30 and

31 (C) The insured or someone on behalf of the insured reported the accident within 72 hours to  
32 a police, peace or judicial officer, to the Department of Transportation or to the equivalent depart-  
33 ment in the state where the accident occurred, and filed with the insurer within 30 days thereafter  
34 a statement under oath that the insured or the legal representative of the insured has a cause or  
35 causes of action arising out of the accident for damages against a person or persons whose identities  
36 are unascertainable, and setting forth the facts in support thereof.

37 (h) "State" includes the District of Columbia, a territory or possession of the United States and  
38 a province of Canada.

39 (i) "Stolen vehicle" means an insured vehicle that causes bodily injury to the insured arising  
40 out of a motor vehicle accident if:

41 (A) The vehicle is operated without the consent of the insured;

42 (B) The operator of the vehicle does not have collectible motor vehicle bodily injury liability  
43 insurance;

44 (C) The insured or someone on behalf of the insured reported the accident within 72 hours to  
45 a police, peace or judicial officer or to the equivalent department in the state where the accident

1 occurred; and

2 (D) The insured or someone on behalf of the insured cooperates with the appropriate law  
3 enforcement agency in the prosecution of the theft of the vehicle.

4 (j) "Sums that the insured, the heirs or the legal representative of the insured is legally entitled  
5 to recover as general and special damages from the owner or operator of an uninsured vehicle"  
6 means the amount of damages that:

7 (A) A claimant could have recovered in a civil action from the owner or operator at the time  
8 of the injury after determination of fault or comparative fault and resolution of any applicable de-  
9 fenses;

10 (B) Are calculated without regard to the tort claims limitations of ORS 30.260 to 30.300; and

11 (C) Are no larger than benefits payable under the terms of the policy as provided in subsection  
12 (7) of this section.

13 (k) "Uninsured vehicle," except as provided in paragraph (L) of this provision, means:

14 (A) A vehicle with respect to the ownership, maintenance or use of which there is no collectible  
15 motor vehicle bodily injury liability insurance, in at least the amounts or limits prescribed for bodily  
16 injury or death under ORS 806.070 applicable at the time of the accident with respect to any person  
17 or organization legally responsible for the use of the vehicle, or with respect to which there is  
18 collectible bodily injury liability insurance applicable at the time of the accident but the insurance  
19 company writing the insurance denies coverage or the company writing the insurance becomes vol-  
20 untarily or involuntarily declared bankrupt or for which a receiver is appointed or becomes insol-  
21 vent. It shall be a disputable presumption that a vehicle is uninsured in the event the insured and  
22 the insurer, after reasonable efforts, fail to discover within 90 days from the date of the accident,  
23 the existence of a valid and collectible motor vehicle bodily injury liability insurance applicable at  
24 the time of the accident.

25 (B) A hit-and-run vehicle.

26 (C) A phantom vehicle.

27 (D) A stolen vehicle.

28 (E) A vehicle that is owned or operated by a self-insurer:

29 (i) That is not in compliance with ORS 806.130 (1)(c); or

30 (ii) That provides recovery to an insured in an amount that is less than the limits for uninsured  
31 motorist coverage of the insured.

32 (L) "Uninsured vehicle" does not include:

33 (A) An insured vehicle, unless the vehicle is a stolen vehicle;

34 (B) Except as provided in paragraph (k)(E) of this subsection, a vehicle that is owned or oper-  
35 ated by a self-insurer within the meaning of any motor vehicle financial responsibility law, motor  
36 carrier law or any similar law;

37 (C) A vehicle that is owned by the United States of America, Canada, a state, a political sub-  
38 division of any such government or an agency of any such government;

39 (D) A land motor vehicle or trailer, if operated on rails or crawler-treads or while located for  
40 use as a residence or premises and not as a vehicle;

41 (E) A farm-type tractor or equipment designed for use principally off public roads, except while  
42 actually upon public roads; or

43 (F) A vehicle owned by or furnished for the regular or frequent use of the insured or any  
44 member of the household of the insured.

45 (m) "Vehicle" means every device in, upon or by which any person or property is or may be

1 transported or drawn upon a public highway, but does not include devices moved by human power  
 2 or used exclusively upon stationary rails or tracks.

3 (3) This coverage applies only to accidents that occur on and after the effective date of the  
 4 policy, during the policy period and within the United States of America, its territories or pos-  
 5 sessions, or Canada.

6 (4)(a) This coverage does not apply to bodily injury of an insured with respect to which the in-  
 7 sured or the legal representative of the insured shall, without the written consent of the insurer,  
 8 make any settlement with or prosecute to judgment any action against any person or organization  
 9 who may be legally liable therefor.

10 (b) This coverage does not apply to bodily injury to an insured while occupying a vehicle, other  
 11 than an insured vehicle, owned by, or furnished for the regular use of, the named insured or any  
 12 relative resident in the same household, or through being struck by the vehicle.

13 (c) This coverage does not apply so as to inure directly or indirectly to the benefit of any  
 14 workers' compensation carrier, any person or organization qualifying as a self-insurer under any  
 15 workers' compensation or disability benefits law or any similar law or the State Accident Insurance  
 16 Fund Corporation.

17 (d) This coverage does not apply with respect to underinsured motorist benefits unless:

18 (A) The limits of liability under any bodily injury liability insurance applicable at the time of  
 19 the accident regarding the injured person have been exhausted by payment of judgments or settle-  
 20 ments to the injured person or other injured persons;

21 (B) The described limits have been offered in settlement, the insurer has refused consent under  
 22 paragraph (a) of this subsection and the insured protects the insurer's right of subrogation to the  
 23 claim against the tortfeasor;

24 (C) The insured gives credit to the insurer for the unrealized portion of the described liability  
 25 limits as if the full limits had been received if less than the described limits have been offered in  
 26 settlement, and the insurer has consented under paragraph (a) of this subsection; or

27 (D) The insured gives credit to the insurer for the unrealized portion of the described liability  
 28 limits as if the full limits had been received if less than the described limits have been offered in  
 29 settlement and, if the insurer has refused consent under paragraph (a) of this subsection, the insured  
 30 protects the insurer's right of subrogation to the claim against the tortfeasor.

31 (e) When seeking consent under paragraph (a) or (d) of this subsection, the insured shall allow  
 32 the insurer a reasonable time in which to collect and evaluate information related to consent to the  
 33 proposed offer of settlement. The insured shall provide promptly to the insurer any information that  
 34 is reasonably requested by the insurer and that is within the custody and control of the insured.  
 35 Consent will be presumed to be given if the insurer does not respond within a reasonable time. For  
 36 purposes of this paragraph, a "reasonable time" is no more than 30 days from the insurer's receipt  
 37 of a written request for consent, unless the insured and the insurer agree otherwise.

38 (5)(a) As soon as practicable, the insured or other person making claim shall give to the insurer  
 39 written proof of claim, under oath if required, including full particulars of the nature and extent of  
 40 the injuries, treatment and other details entering into the determination of the amount payable  
 41 hereunder. The insured and every other person making claim hereunder shall submit to examinations  
 42 under oath by any person named by the insurer and subscribe the same, as often as may reasonably  
 43 be required. Proof of claim shall be made upon forms furnished by the insurer unless the insurer fails  
 44 to furnish the forms within 15 days after receiving notice of claim.

45 (b) Upon reasonable request of and at the expense of the insurer, the injured person shall submit

1 to physical examinations by physicians, physician assistants or nurse practitioners selected by the  
2 insurer and shall, upon each request from the insurer, execute authorization to enable the insurer  
3 to obtain medical reports and copies of records.

4 (6) If, before the insurer makes payment of loss hereunder, the insured or the legal represen-  
5 tative of the insured institutes any legal action for bodily injury against any person or organization  
6 legally responsible for the use of a vehicle involved in the accident, a copy of the summons and  
7 complaint or other process served in connection with the legal action shall be forwarded imme-  
8 diately to the insurer by the insured or the legal representative of the insured.

9 (7)(a) The limit of liability stated in the declarations as applicable to "each person" is the limit  
10 of the insurer's liability for all damages because of bodily injury sustained by one person as the  
11 result of any one accident and, subject to the above provision respecting each person, the limit of  
12 liability stated in the declarations as applicable to "each accident" is the total limit of the  
13 company's liability for all damages because of bodily injury sustained by two or more persons as the  
14 result of any one accident.

15 (b) Any payment made under this coverage to or for an insured shall be applied in reduction  
16 of any amount that the insured may be entitled to recover from any person who is an insured under  
17 the bodily injury liability coverage of this policy.

18 (c) Any amount payable under the terms of this coverage because of bodily injury sustained in  
19 an accident by a person who is an insured under this coverage shall be reduced by:

20 (A) All sums paid on account of the bodily injury by or on behalf of the owner or operator of  
21 the uninsured vehicle and by or on behalf of any other person or organization jointly or severally  
22 liable together with the owner or operator for the bodily injury, including all sums paid under the  
23 bodily injury liability coverage of the policy; and

24 (B) The amount paid and the present value of all amounts payable on account of the bodily in-  
25 jury under any workers' compensation law, disability benefits law or any similar law.

26 (d) Any amount payable under the terms of this coverage because of bodily injury sustained in  
27 an accident by a person who is an insured under this coverage shall be reduced by the credit given  
28 to the insurer pursuant to subsection (4)(d)(C) or (D) of this section.

29 (e) The amount payable under the terms of this coverage may not be reduced by the amount of  
30 liability proceeds offered, described in subsection (4)(d)(B) or (D) of this section, that has not been  
31 paid to the injured person. If liability proceeds have been offered and not paid, the amount payable  
32 under the terms of the coverage shall include the amount of liability limits offered but not accepted  
33 due to the insurer's refusal to consent. The insured shall cooperate so as to permit the insurer to  
34 proceed by subrogation or assignment to prosecute the claim against the uninsured motorist.

35 (8) No action shall lie against the insurer unless, as a condition precedent thereto, the insured  
36 or the legal representative of the insured has fully complied with all the terms of this policy.

37 (9)(a) With respect to bodily injury to an insured:

38 (A) While occupying a vehicle owned by a named insured under this coverage, the insurance  
39 under this coverage is primary.

40 (B) While occupying a vehicle not owned by a named insured under this coverage, the insurance  
41 under this coverage shall apply only as excess insurance over any primary insurance available to  
42 the occupant that is similar to this coverage, and this excess insurance shall then apply only in the  
43 amount by which the applicable limit of liability of this excess coverage exceeds the sum of the  
44 applicable limits of liability of all primary insurance available to the occupant.

45 (b) If an insured is an insured under other primary or excess insurance available to the insured

1 that is similar to this coverage, then the insured's damages are deemed not to exceed the higher of  
 2 the applicable limits of liability of this insurance or the additional primary or excess insurance  
 3 available to the insured, and the insurer is not liable under this coverage for a greater proportion  
 4 of the insured's damages than the applicable limit of liability of this coverage bears to the sum of  
 5 the applicable limits of liability of this insurance and other primary or excess insurance available  
 6 to the insured.

7 (c) With respect to bodily injury to an insured while occupying any motor vehicle used as a  
 8 public or livery conveyance, the insurance under this coverage shall apply only as excess insurance  
 9 over any other insurance available to the insured that is similar to this coverage, and this insurance  
 10 shall then apply only in the amount by which the applicable limit of liability of this coverage ex-  
 11 ceeds the sum of the applicable limits of liability of all other insurance.

12 (10) If any person making claim hereunder and the insurer do not agree that the person is le-  
 13 gally entitled to recover damages from the owner or operator of an uninsured vehicle because of  
 14 bodily injury to the insured, or do not agree as to the amount of payment that may be owing under  
 15 this coverage, then, in the event the insured and the insurer elect by mutual agreement at the time  
 16 of the dispute to settle the matter by arbitration, the arbitration shall take place as described in  
 17 ORS 742.505. Any judgment upon the award rendered by the arbitrators may be entered in any court  
 18 having jurisdiction thereof, provided, however, that the costs to the insured of the arbitration pro-  
 19 ceeding do not exceed \$100 and that all other costs of arbitration are borne by the insurer.  
 20 "Costs" as used in this provision does not include attorney fees or expenses incurred in the pro-  
 21 duction of evidence or witnesses or the making of transcripts of the arbitration proceedings. The  
 22 person and the insurer each agree to consider themselves bound and to be bound by any award made  
 23 by the arbitrators pursuant to this coverage in the event of such election. At the election of the  
 24 insured, the arbitration shall be held:

25 (a) In the county and state of residence of the insured;

26 (b) In the county and state where the insured's cause of action against the uninsured motorist  
 27 arose; or

28 (c) At any other place mutually agreed upon by the insured and the insurer.

29 (11) In the event of payment to any person under this coverage:

30 (a) The insurer shall be entitled to the extent of the payment to the proceeds of any settlement  
 31 or judgment that may result from the exercise of any rights of recovery of the person against any  
 32 uninsured motorist legally responsible for the bodily injury because of which payment is made;

33 (b) The person shall hold in trust for the benefit of the insurer all rights of recovery that the  
 34 person shall have against such other uninsured person or organization because of the damages that  
 35 are the subject of claim made under this coverage, but only to the extent that the claim is made or  
 36 paid herein;

37 (c) If the insured is injured by the joint or concurrent act or acts of two or more persons, one  
 38 or more of whom is uninsured, the insured shall have the election to receive from the insurer any  
 39 payment to which the insured would be entitled under this coverage by reason of the act or acts  
 40 of the uninsured motorist, or the insured may, with the written consent of the insurer, proceed with  
 41 legal action against any or all persons claimed to be liable to the insured for the injuries. If the  
 42 insured elects to receive payment from the insurer under this coverage, then the insured shall hold  
 43 in trust for the benefit of the insurer all rights of recovery the insured shall have against any other  
 44 person, firm or organization because of the damages that are the subject of claim made under this  
 45 coverage, but only to the extent of the actual payment made by the insurer;



1 (d) The person shall do whatever is proper to secure and shall do nothing after loss to prejudice  
2 such rights;

3 (e) If requested in writing by the insurer, the person shall take, through any representative not  
4 in conflict in interest with the person, designated by the insurer, such action as may be necessary  
5 or appropriate to recover payment as damages from such other uninsured person or organization,  
6 such action to be taken in the name of the person, but only to the extent of the payment made  
7 hereunder. In the event of a recovery, the insurer shall be reimbursed out of the recovery for ex-  
8 penses, costs and attorney fees incurred by the insurer in connection therewith; and

9 (f) The person shall execute and deliver to the insurer any instruments and papers as may be  
10 appropriate to secure the rights and obligations of the person and the insurer established by this  
11 provision.

12 (12)(a) The parties to this coverage agree that no cause of action shall accrue to the insured  
13 under this coverage unless within two years from the date of the accident:

14 (A) Agreement as to the amount due under the policy has been concluded;

15 (B) The insured or the insurer has formally instituted arbitration proceedings;

16 (C) The insured has filed an action against the insurer; or

17 (D) Suit for bodily injury has been filed against the uninsured motorist and, within two years  
18 from the date of settlement or final judgment against the uninsured motorist, the insured has  
19 formally instituted arbitration proceedings or filed an action against the insurer.

20 (b) For purposes of this subsection:

21 (A) "Date of settlement" means the date on which a written settlement agreement or release is  
22 signed by an insured or, in the absence of these documents, the date on which the insured or the  
23 attorney for the insured receives payment of any sum required by the settlement agreement. An  
24 advance payment as defined in ORS 31.550 shall not be deemed a payment of a settlement for pur-  
25 poses of the time limitation in this subsection.

26 (B) "Final judgment" means a judgment that has become final by lapse of time for appeal or by  
27 entry in an appellate court of an appellate judgment.

28 **SECTION 67.** ORS 743.027 is amended to read:

29 743.027. A life or health insurance policy upon an individual, except a policy of group life in-  
30 surance or of group or blanket health insurance, may not be made or effectuated unless at the time  
31 of the making of the policy the individual insured, being of competent legal capacity to contract,  
32 applies therefor or has consented thereto in writing, except in the following cases:

33 (1) A spouse may effectuate such insurance upon the other spouse.

34 (2) Any person having an insurable interest in the life of a minor, or any person upon whom a  
35 minor is dependent for support and maintenance, may effectuate insurance upon the life of or per-  
36 taining to such minor.

37 (3) Family policies may be issued insuring any two or more members of a family on an applica-  
38 tion signed by either parent, a stepparent[, or by a husband or wife] or a spouse in a legally re-  
39 cognized marriage.

40 (4) A person may effectuate insurance that provides for the funeral expenses of an adult who is  
41 dependent upon the person for support and maintenance.

42 (5) A person may effectuate insurance that provides for the funeral expenses of an adult if the  
43 person:

44 (a) Is closely related to the adult by blood or by law or has a substantial interest in the adult  
45 engendered by love and affection; and

1 (b) Has a lawful and substantial interest in having the life, health and bodily safety of the adult  
2 continue.

3 **SECTION 68.** ORS 743A.084 is amended to read:

4 743A.084. Each policy of health insurance shall provide:

5 (1) The same payments for costs of maternity to unmarried women that it provides to married  
6 women, including the [*wives*] **spouses in legally recognized marriages** of insured persons choosing  
7 family coverage; and

8 (2) The same coverage for the child of an unmarried woman that the child of an insured married  
9 person choosing family coverage receives.

10

## Senate Bill 288

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Modifies reinstatement rights of unclassified and exempt services employees who have immediate prior former regular status in classified service.

### A BILL FOR AN ACT

1  
2 Relating to reinstatement rights of certain employees in state service; amending ORS 240.570.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 240.570, as amended by section 1, chapter 22, Oregon Laws 2014, is amended  
5 to read:

6 240.570. (1) Positions in the unclassified, management and exempt services may be filled by  
7 classified employees. After an employee is terminated from the unclassified or exempt service or  
8 removed from the management service, for reasons other than those specified in ORS 240.555, the  
9 state agency that employed the employee before the appointment to the unclassified, exempt or  
10 management service may, at the agency's sole discretion, restore the employee to a position held in  
11 the agency before the appointment if the employee meets the position requirements. If an employee  
12 is restored to a former position, the employee is subject to any applicable agency collective bar-  
13 gaining agreement.

14 (2) An appointing authority may assign, reassign and transfer management service employees for  
15 the good of the service and may remove employees from the management service due to reorgan-  
16 ization or lack of work.

17 (3) A management service employee is subject to a trial service period established pursuant to  
18 rules of the Personnel Division under ORS 240.250. Thereafter, the management service employee  
19 may be disciplined by reprimand, salary reduction, suspension or demotion or may be removed or  
20 dismissed from the management service if the employee is unable or unwilling to fully and faithfully  
21 perform the duties of the position satisfactorily.

22 (4) Management service employees who are assigned, reassigned, transferred or removed, as  
23 provided in subsection (2) of this section, and employees who are disciplined, removed or dismissed  
24 from the management service as authorized in subsection (3) of this section may appeal to the Em-  
25 ployment Relations Board in the manner provided by ORS 240.560.

26 (5)(a) Management service employees with immediate prior former regular status in the classi-  
27 fied service who are removed from trial service pursuant to ORS 240.410 have a right to be restored  
28 to their former positions.

29 (b) Except as provided in paragraph (a) of this subsection, [*management service*] employees with  
30 immediate prior former regular status in the classified service who are appointed to the unclassi-

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in boldfaced type.

1 **fied, exempt or** management service and who have not been [*dismissed*] **terminated from the**  
2 **unclassified or exempt service or removed** from the management service for a reason specified  
3 in ORS 240.555:

4 (A) Prior to January 1, 2015, have the right to restoration to the classified service for three  
5 years from the date of appointment to the **unclassified, exempt or** management service. If an  
6 **employee is restored to a former position, the employee is subject to any applicable agency**  
7 **collective bargaining agreement.**

8 (B) After December 31, 2014, have no right to restoration to the classified service.  
9

---

# Senate Bill 289

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Establishes legislative policy of conducting periodic review of state boards, commissions and other small entities within executive branch of state government to enhance budget and government efficiency, minimize duplication of effort and enhance efforts of such entities in meeting current needs of Oregonians. Directs presiding officers of Legislative Assembly to biennially appoint legislative committee to review efficacy of new and existing state boards, commissions and other entities with fewer than 50 full-time equivalent employees.

Establishes repeal schedule under which state boards, commissions and other small-sized entities within executive branch will be repealed, unless additional legislative action extends or eliminates repeal.

## A BILL FOR AN ACT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Relating to monitoring the efficacy of state government entities; creating new provisions; amending ORS 181.637 and 576.062; and repealing ORS 1.180, 1.410, 3.436, 8.455, 97.774, 101.140, 127.675, 131.906, 131A.455, 144.600, 144.775, 146.015, 147.560, 171.860, 172.010, 172.110, 173.315, 173.500, 176.262, 179.560, 180.520, 181.725, 182.128, 182.320, 182.538, 182.562, 183.690, 184.427, 184.486, 184.843, 185.005, 185.130, 185.320, 185.420, 185.510, 185.610, 185.620, 192.549, 196.150, 196.438, 197.160, 197.165, 200.025, 243.505, 243.952, 250.137, 273.554, 273.573, 276.055, 276.227, 284.107, 284.305, 284.315, 284.540, 284.555, 284.604, 284.706, 284.730, 285A.091, 285A.143, 285A.148, 286A.250, 286A.615, 287A.630, 289.100, 292.907, 294.885, 305.695, 306.135, 326.500, 327.500, 342.930, 343.287, 343.499, 346.120, 351.663, 351.671, 351.880, 352.202, 353.606, 358.511, 358.570, 358.622, 358.666, 359.020, 359.410, 366.212, 374.360, 377.835, 390.565, 390.977, 391.520, 396.145, 396.600, 401.109, 401.536, 401.915, 403.450, 406.210, 406.500, 410.320, 410.550, 410.603, 411.075, 413.006, 413.017, 413.301, 413.554, 413.570, 413.600, 414.211, 414.229, 414.353, 414.688, 417.030, 417.346, 418.243, 418.653, 418.658, 418.706, 418.784, 418.941, 418.985, 421.344, 421.621, 421.651, 430.050, 430.073, 430.241, 431.195, 431.290, 431.330, 431.580, 431.671, 431.673, 431.890, 431.976, 441.137, 441.221, 442.210, 442.475, 442.490, 442.820, 446.280, 446.543, 448.153, 453.645, 455.132, 455.138, 455.140, 455.492, 456.585, 458.525, 458.532, 458.555, 458.710, 462.210, 463.113, 463.149, 465.420, 468.533, 468A.215, 468A.330, 469.450, 469.480, 469.571, 470.070, 471.547, 475.303, 476.680, 477.440, 480.535, 496.085, 496.228, 496.286, 496.460, 498.825, 506.465, 507.040, 508.755, 509.590, 526.156, 526.225, 536.090, 541.900, 541.914, 542.620, 543A.400, 561.395, 561.700, 561.760, 565.021, 565.456, 569.600, 570.770, 571.025, 571.515, 576.753, 577.210, 578.030, 624.121, 633.479, 634.600, 634.657, 654.189, 656.790, 657.685, 657.695, 657.705, 660.110, 662.415, 670.700, 671.120, 671.459, 671.630, 672.240, 672.615, 673.410, 673.725, 674.305, 675.100, 675.310, 675.395, 675.590, 675.775, 676.800, 677.540, 677.780, 678.140, 678.800, 679.230, 680.556, 681.400, 682.039, 683.240, 683.250, 684.130, 685.145, 685.160, 686.210, 686.510, 687.115, 687.470, 688.160, 688.545, 688.705, 688.820, 689.115, 689.645, 690.155, 690.401, 691.485, 692.300, 693.115, 694.165, 696.405, 700.210, 732.820, 734.550,

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

1 735.045, 735.430, 741.029, 743.827, 757.830, 759.430, 774.030, 774.060, 776.105, 802.300, 802.350,  
 2 830.105 and 835.102 and section 3, chapter 564, Oregon Laws 2011.

3 **Be It Enacted by the People of the State of Oregon:**

4  
 5 **POLICY**

6  
 7 **SECTION 1. The Legislative Assembly finds and declares that:**

8 (1) Numerous boards, commissions and other small entities of state government exist in  
 9 state government;

10 (2) Budget and government efficiency can be optimized by routinely and periodically ex-  
 11 amining the purposes, business needs and duties of each state board, commission or other  
 12 small entity;

13 (3) Periodic review of boards, commissions and other small entities of state government  
 14 minimizes duplication of effort and enhances the efforts of these entities to focus on meeting  
 15 current needs of Oregonians; and

16 (4) The purpose of this section, section 2 of this 2015 Act, the amendments to ORS 181.637  
 17 and 576.062 by sections 276 to 327 of this 2015 Act and the repeal of statutes by sections 3 to  
 18 275 of this 2015 Act is to implement this periodic review by the Legislative Assembly.

19  
 20 **JOINT COMMITTEE**

21  
 22 **SECTION 2. (1) For each odd-numbered year regular session of the Legislative Assembly,**  
 23 **the President of the Senate and the Speaker of the House of Representatives shall jointly**  
 24 **appoint a legislative committee to review the continued efficacy of existing state boards,**  
 25 **commissions and other executive branch entities with staff of fewer than 50 full-time equiv-**  
 26 **alent employees.**

27 (2) The joint committee may not transact business unless a quorum is present. A quorum  
 28 consists of a majority of committee members from the House of Representatives and a ma-  
 29 jority of committee members from the Senate.

30 (3) Action by the joint committee requires the affirmative vote of a majority of commit-  
 31 tee members from the House of Representatives and a majority of committee members from  
 32 the Senate.

33 (4) Members of the joint committee are entitled to compensation and expense re-  
 34 imbursement as provided in ORS 171.072.

35 (5) The joint committee appointed under this section shall:

36 (a) Review all legislative measures establishing a new board, commission or other small  
 37 entity in the executive department, as defined in ORS 174.112, that is expected to have 50 or  
 38 fewer full-time equivalent employees if established; and

39 (b) Review existing boards, commissions and other small entities in the executive de-  
 40 partment, as defined in ORS 174.112, by undertaking consideration of legislative measures  
 41 that extend the existing sunset date applicable to a respective board, commission or other  
 42 small entity.

43 (6) The review of a new or existing board, commission or other small entity undertaken  
 44 by the joint committee may consider criteria or measures of performance, efficiency and  
 45 effectiveness that promote the policies set forth in section 1 of this 2015 Act or this section,

1 or the policies established by rule adopted by the joint committee.

2 (7) The reporting out of committee of a measure establishing a new board, commission  
3 or other small entity or extending the sunset date of an existing board, commission or other  
4 small entity to a future date serves as the approval by the joint committee of the establish-  
5 ment or continuation of the board, commission or other small entity.

6  
7 **SCHEDULED REVIEW OF EXISTING BOARDS,**  
8 **COMMISSIONS AND SMALL ENTITIES**  
9

10 **SECTION 3.** ORS 496.228, establishing the Access and Habitat Board, is repealed on June  
11 30, 2018.

12 **SECTION 4.** ORS 374.360, establishing the Access Management Dispute Review Board, is  
13 repealed on June 30, 2020.

14 **SECTION 5.** ORS 673.410, establishing the Oregon Board of Accountancy, is repealed on  
15 June 30, 2022.

16 **SECTION 6.** ORS 677.780, establishing the Acupuncture Advisory Committee, is repealed  
17 on June 30, 2018.

18 **SECTION 7.** ORS 183.690, establishing the Office of Administrative Hearings Oversight  
19 Committee, is repealed on June 30, 2020.

20 **SECTION 8.** ORS 185.005, establishing the Oregon Advocacy Commissions Office, is re-  
21 pealed on June 30, 2022.

22 **SECTION 9.** ORS 456.585, establishing the Agriculture Workforce Housing Facilitation  
23 Team, is repealed on June 30, 2018.

24 **SECTION 10.** ORS 430.241, establishing the Alcohol and Drug Policy Commission, is re-  
25 pealed on June 30, 2020.

26 **SECTION 11.** ORS 471.547, establishing the Alcohol Server Education Advisory Commit-  
27 tee, is repealed on June 30, 2022.

28 **SECTION 12.** ORS 390.565, establishing the All-Terrain Vehicle Advisory Committee, is  
29 repealed on June 30, 2018.

30 **SECTION 13.** ORS 561.760, establishing the Anhydrous Ammonia Additive Review Com-  
31 mittee, is repealed on June 30, 2020.

32 **SECTION 14.** ORS 674.305, establishing the Appraiser Certification and Licensure Board,  
33 is repealed on June 30, 2022.

34 **SECTION 15.** ORS 660.110, establishing the State Apprenticeship and Training Council, is  
35 repealed on June 30, 2018.

36 **SECTION 16.** ORS 671.120, establishing the State Board of Architect Examiners, is re-  
37 pealed on June 30, 2020.

38 **SECTION 17.** ORS 359.020, establishing the Oregon Arts Commission, is repealed on June  
39 30, 2022.

40 **SECTION 18.** ORS 185.610, establishing the Commission on Asian and Pacific Islander  
41 Affairs, is repealed on June 30, 2018.

42 **SECTION 19.** ORS 185.620, establishing the Asian and Pacific Islander Affairs Network,  
43 is repealed on June 30, 2020.

44 **SECTION 20.** ORS 131A.455, establishing the Asset Forfeiture Oversight Advisory Com-  
45 mittee, is repealed on June 30, 2022.

1        SECTION 21. ORS 463.149, establishing the Oregon State Athletic Commission Medical  
2 Advisory Committee, is repealed on June 30, 2018.

3        SECTION 22. ORS 463.113, establishing the Oregon State Athletic Commission, is repealed  
4 on June 30, 2020.

5        SECTION 23. ORS 688.705, establishing the Board of Athletic Trainers, is repealed on  
6 June 30, 2022.

7        SECTION 24. ORS 835.102, establishing the State Aviation Board, is repealed on June 30,  
8 2018.

9        SECTION 25. ORS 577.210, establishing the Oregon Beef Council, is repealed on June 30,  
10 2020.

11       SECTION 26. ORS 676.800, establishing the Behavior Analysis Regulatory Board, is re-  
12 pealed on June 30, 2022.

13       SECTION 27. ORS 185.420, establishing the Commission on Black Affairs, is repealed on  
14 June 30, 2018.

15       SECTION 28. ORS 346.120, establishing the Commission for the Blind, is repealed on June  
16 30, 2020.

17       SECTION 29. ORS 690.401, establishing the Board of Body Art Practitioners, is repealed  
18 on June 30, 2022.

19       SECTION 30. ORS 480.535, establishing the Board of Boiler Rules, is repealed on June 30,  
20 2018.

21       SECTION 31. ORS 455.132, establishing the Building Codes Structures Board, is repealed  
22 on June 30, 2020.

23       SECTION 32. ORS 276.227, establishing the Capital Projects Advisory Board, is repealed  
24 on June 30, 2022.

25       SECTION 33. ORS 276.055, establishing the Capitol Planning Commission, is repealed on  
26 June 30, 2018.

27       SECTION 34. ORS 173.500, establishing the Oregon State Capitol Foundation, is repealed  
28 on June 30, 2020.

29       SECTION 35. ORS 8.455, establishing the Certified Shorthand Reporters Advisory Com-  
30 mittee, is repealed on June 30, 2022.

31       SECTION 36. ORS 305.695, establishing the Oregon Charitable Checkoff Commission, is  
32 repealed on June 30, 2018.

33       SECTION 37. ORS 418.784, establishing the Advisory Council on Child Abuse Assessment,  
34 is repealed on June 30, 2020.

35       SECTION 38. ORS 418.985, establishing the Children's Wraparound Initiative Advisory  
36 Committee, is repealed on June 30, 2022.

37       SECTION 39. ORS 684.130, establishing the State Board of Chiropractic Examiners, is  
38 repealed on June 30, 2018.

39       SECTION 40. ORS 571.515, establishing the State Christmas Tree Advisory Committee, is  
40 repealed on June 30, 2020.

41       SECTION 41. ORS 197.160, establishing the State Citizen Involvement Advisory Commit-  
42 tee, is repealed on June 30, 2022.

43       SECTION 42. ORS 250.137, establishing the Citizens' Initiative Review Commission, is  
44 repealed on June 30, 2018.

45       SECTION 43. ORS 774.030, establishing the Citizens' Utility Board, is repealed on June



1 30, 2020.

2 SECTION 44. ORS 774.060, establishing the Citizens' Utility Board of Governors, is re-  
3 pealed on June 30, 2022.

4 SECTION 45. ORS 196.150, establishing the Columbia River Gorge Commission, is repealed  
5 on June 30, 2018.

6 SECTION 46. ORS 508.755, establishing the Commercial Fishery Permit Board, is repealed  
7 on June 30, 2020.

8 SECTION 47. ORS 284.730, establishing the Oregon Commercialized Research Fund Advi-  
9 sory Council, is repealed on June 30, 2022.

10 SECTION 48. ORS 458.710, establishing the Community Development Incentive Advisory  
11 Board, is repealed on June 30, 2018.

12 SECTION 49. ORS 757.830, establishing the Oregon Community Power Board Nominating  
13 Committee, is repealed on June 30, 2020.

14 SECTION 50. ORS 418.658, establishing the Oregon Community Stewardship Corps, is re-  
15 pealed on June 30, 2022.

16 SECTION 51. ORS 468A.330, establishing the Compliance Advisory Panel, is repealed on  
17 June 30, 2018.

18 SECTION 52. ORS 662.415, establishing the State Conciliation Service, is repealed on June  
19 30, 2020.

20 SECTION 53. ORS 431.330, establishing the Conference of Local Health Officials, is re-  
21 pealed on June 30, 2022.

22 SECTION 54. ORS 759.430, establishing the Connecting Oregon Communities Advisory  
23 Board, is repealed on June 30, 2018.

24 SECTION 55. ORS 455.492, establishing the Construction Industry Energy Board, is re-  
25 pealed on June 30, 2020.

26 SECTION 56. ORS 180.520, establishing the Consumer Advisory Council, is repealed on  
27 June 30, 2022.

28 SECTION 57. ORS 430.073, establishing the Consumer Advisory Council, is repealed on  
29 June 30, 2018.

30 SECTION 58. ORS 101.140, establishing the Continuing Care Retirement Community Ad-  
31 visory Council, is repealed on June 30, 2020.

32 SECTION 59. ORS 421.621, establishing the Corrections Facilities Siting Authority, is re-  
33 pealed on June 30, 2022.

34 SECTION 60. ORS 421.344, establishing Oregon Corrections Enterprises, is repealed on  
35 June 30, 2018.

36 SECTION 61. ORS 690.155, establishing the Board of Cosmetology, is repealed on June 30,  
37 2020.

38 SECTION 62. ORS 1.180, establishing the Advisory Committee on Court Security and  
39 Emergency Preparedness, is repealed on June 30, 2022.

40 SECTION 63. ORS 181.725, establishing the Criminal Justice Information Standards Ad-  
41 visory Board, is repealed on June 30, 2018.

42 SECTION 64. ORS 352.202, establishing the Oregon Criminal Justice Scientific Advisory  
43 Committee, is repealed on June 30, 2020.

44 SECTION 65. ORS 286A.250, establishing the State Debt Policy Advisory Commission, is  
45 repealed on June 30, 2022.

1       **SECTION 66.** ORS 243.505, establishing the Deferred Compensation Advisory Committee,  
2 is repealed on June 30, 2018.

3       **SECTION 67.** ORS 679.230, establishing the Oregon Board of Dentistry, is repealed on  
4 June 30, 2020.

5       **SECTION 68.** ORS 680.556, establishing the State Board of Denture Technology, is re-  
6 pealed on June 30, 2022.

7       **SECTION 69.** ORS 410.603, establishing the Developmental Disabilities and Mental Health  
8 Committee, is repealed on June 30, 2018.

9       **SECTION 70.** ORS 506.465, establishing the Developmental Fisheries Board, is repealed  
10 on June 30, 2020.

11       **SECTION 71.** ORS 687.470, establishing the State Board of Direct Entry Midwifery, is  
12 repealed on June 30, 2022.

13       **SECTION 72.** ORS 185.130, establishing the Oregon Disabilities Commission, is repealed  
14 on June 30, 2018.

15       **SECTION 73.** ORS 430.050, establishing the Mental Health Advisory Board and the Disa-  
16 bility Issues Advisory Committee, is repealed on June 30, 2020.

17       **SECTION 74.** ORS 448.153, establishing the State Drinking Water Advisory Committee,  
18 is repealed on June 30, 2022.

19       **SECTION 75.** Section 3, chapter 564, Oregon Laws 2011, establishing the Economic Re-  
20 covery Review Council, is repealed on June 30, 2018.

21       **SECTION 76.** ORS 284.555, establishing the Economic Revitalization Team, is repealed on  
22 June 30, 2020.

23       **SECTION 77.** ORS 469.480, establishing the Electric and Magnetic Field Committee, is  
24 repealed on June 30, 2022.

25       **SECTION 78.** ORS 455.138, establishing the Electrical and Elevator Board, is repealed on  
26 June 30, 2018.

27       **SECTION 79.** ORS 182.128, establishing the Electronic Government Portal Advisory  
28 Board, is repealed on June 30, 2020.

29       **SECTION 80.** ORS 477.440, establishing the Emergency Fire Cost Committee, is repealed  
30 on June 30, 2022.

31       **SECTION 81.** ORS 431.671, establishing the Emergency Medical Services for Children  
32 Advisory Committee, is repealed on June 30, 2018.

33       **SECTION 82.** ORS 682.039, establishing the State Emergency Medical Service Committee,  
34 is repealed on June 30, 2020.

35       **SECTION 83.** ORS 182.320, establishing the Employee Suggestion Awards Commission, is  
36 repealed on June 30, 2022.

37       **SECTION 84.** ORS 657.685, establishing the Employment Appeals Board, is repealed on  
38 June 30, 2018.

39       **SECTION 85.** ORS 657.695, establishing the Employment Department Advisory Council,  
40 is repealed on June 30, 2020.

41       **SECTION 86.** ORS 657.705, establishing the Oregon State Employment Service, is repealed  
42 on June 30, 2022.

43       **SECTION 87.** ORS 469.450, establishing the Energy Facility Siting Council, is repealed on  
44 June 30, 2018.

45       **SECTION 88.** ORS 672.240, establishing the State Board of Examiners for Engineering and

1 Land Surveying, is repealed on June 30, 2020.

2 SECTION 89. ORS 351.663, establishing the Engineering and Technology Industry Council,  
3 is repealed on June 30, 2022.

4 SECTION 90. ORS 700.210, establishing the Environmental Health Registration Board, is  
5 repealed on June 30, 2018.

6 SECTION 91. ORS 182.538, establishing the Environmental Justice Task Force, is repealed  
7 on June 30, 2020.

8 SECTION 92. ORS 686.510, establishing the Euthanasia Task Force, is repealed on June  
9 30, 2022.

10 SECTION 93. ORS 289.100, establishing the Oregon Facilities Authority, is repealed on  
11 June 30, 2018.

12 SECTION 94. ORS 565.021, establishing the State Fair Advisory Committee, is repealed  
13 on June 30, 2020.

14 SECTION 95. ORS 342.930, establishing the Fair Dismissal Appeals Board, is repealed on  
15 June 30, 2022.

16 SECTION 96. ORS 735.045, establishing the Oregon FAIR Plan Association, is repealed  
17 on June 30, 2018.

18 SECTION 97. ORS 411.075, establishing the Family Services Review Commission, is re-  
19 pealed on June 30, 2020.

20 SECTION 98. ORS 417.346, establishing the Family Support Advisory Council, is repealed  
21 on June 30, 2022.

22 SECTION 99. ORS 3.436, establishing the statewide family law advisory committee, is  
23 repealed on June 30, 2018.

24 SECTION 100. ORS 633.479, establishing the Fertilizer Research Committee, is repealed  
25 on June 30, 2020.

26 SECTION 101. ORS 284.315, establishing the Film and Video Board, is repealed on June  
27 30, 2022.

28 SECTION 102. ORS 284.305, establishing the Oregon Film and Video Office, is repealed  
29 on June 30, 2018.

30 SECTION 103. ORS 509.590, establishing the Fish Passage Task Force, is repealed on June  
31 30, 2020.

32 SECTION 104. ORS 496.085, establishing the Fish Screening Task Force, is repealed on  
33 June 30, 2022.

34 SECTION 105. ORS 624.121, establishing the State Food Service Advisory Committee, is  
35 repealed on June 30, 2018.

36 SECTION 106. ORS 526.225, establishing the Forest Research Laboratory Advisory Com-  
37 mittee, is repealed on June 30, 2020.

38 SECTION 107. ORS 526.156, establishing the Forest Trust Land Advisory Committee, is  
39 repealed on June 30, 2022.

40 SECTION 108. ORS 351.671, establishing the Forestry Education Council, is repealed on  
41 June 30, 2018.

42 SECTION 109. ORS 366.212, establishing the Freight Advisory Committee, is repealed on  
43 June 30, 2020.

44 SECTION 110. ORS 192.549, establishing the Advisory Committee on Genetic Privacy and  
45 Research, is repealed on June 30, 2022.

1        SECTION 111. ORS 672.615, establishing the State Board of Geologist Examiners, is re-  
2        pealed on June 30, 2018.

3        SECTION 112. ORS 468A.215, establishing the Oregon Global Warming Commission, is  
4        repealed on June 30, 2020.

5        SECTION 113. ORS 410.320, establishing the Governor's Commission on Senior Services,  
6        is repealed on June 30, 2022.

7        SECTION 114. ORS 176.262, establishing the Governor's Commission on the Law  
8        Enforcement Medal of Honor, is repealed on June 30, 2018.

9        SECTION 115. ORS 284.540, establishing the Governor's Council on Oregon's Economy,  
10       is repealed on June 30, 2020.

11       SECTION 116. ORS 476.680, establishing the Governor's Fire Service Policy Council, is  
12       repealed on June 30, 2022.

13       SECTION 117. ORS 536.090, establishing the ground water advisory committee, is repealed  
14       on June 30, 2018.

15       SECTION 118. ORS 469.571, establishing the Oregon Hanford Cleanup Board, is repealed  
16       on June 30, 2020.

17       SECTION 119. ORS 498.825, establishing the Oregon Hatchery Research Center Board, is  
18       repealed on June 30, 2022.

19       SECTION 120. ORS 743.827, establishing the Health Care Consumer Protection Advisory  
20       Committee, is repealed on June 30, 2018.

21       SECTION 121. ORS 413.017, establishing the Health Care Workforce Committee and the  
22       Public Health Benefit Purchasers Committee, is repealed on June 30, 2020.

23       SECTION 122. ORS 414.688, establishing the Health Evidence Review Commission, is re-  
24       pealed on June 30, 2022.

25       SECTION 123. ORS 413.301, establishing the Health Information Technology Oversight  
26       Council, is repealed on June 30, 2018.

27       SECTION 124. ORS 414.229, establishing the Office for Oregon Health Policy and Research  
28       Advisory Committee, is repealed on June 30, 2020.

29       SECTION 125. ORS 413.554, establishing the Oregon Council on Health Care Interpreters,  
30       is repealed on June 30, 2022.

31       SECTION 126. ORS 413.006, establishing the Oregon Health Policy Board, is repealed on  
32       June 30, 2018.

33       SECTION 127. ORS 431.195, establishing the Oregon Public Health Advisory Board, is re-  
34       pealed on June 30, 2020.

35       SECTION 128. ORS 694.165, establishing the Advisory Council on Hearing Aids, is repealed  
36       on June 30, 2022.

37       SECTION 129. ORS 358.570, establishing the Oregon Heritage Commission, is repealed on  
38       June 30, 2018.

39       SECTION 130. ORS 185.320, establishing the Commission on Hispanic Affairs, is repealed  
40       on June 30, 2020.

41       SECTION 131. ORS 358.511, establishing the Historic Assessment Review Committee, is  
42       repealed on June 30, 2022.

43       SECTION 132. ORS 97.774, establishing the Oregon Commission on Historic Cemeteries,  
44       is repealed on June 30, 2018.

45       SECTION 133. ORS 358.666, establishing the Historic Preservation Revolving Loan Fund

1 Review Committee, is repealed on June 30, 2020.

2 SECTION 134. ORS 358.622, establishing the State Advisory Committee on Historic Pres-  
3 ervation, is repealed on June 30, 2022.

4 SECTION 135. ORS 401.109, establishing the Oregon Homeland Security Council, is re-  
5 pealed on June 30, 2018.

6 SECTION 136. ORS 179.560, establishing the Oregon State Hospital Advisory Board, is  
7 repealed on June 30, 2020.

8 SECTION 137. ORS 458.532, establishing the Hunger Relief Task Force, is repealed on  
9 June 30, 2022.

10 SECTION 138. ORS 543A.400, establishing the Hydroelectric Application Review Team, is  
11 repealed on June 30, 2018.

12 SECTION 139. ORS 689.645, establishing the Immunization and Vaccination Advisory  
13 Committee, is repealed on June 30, 2020.

14 SECTION 140. ORS 541.914, establishing the Independent Multidisciplinary Science Team,  
15 is repealed on June 30, 2022.

16 SECTION 141. ORS 172.110, establishing the Commission on Indian Services, is repealed  
17 June 30, 2018.

18 SECTION 142. ORS 741.029, establishing the Individual and Employer Consumer Advisory  
19 Committee, is repealed on June 30, 2020.

20 SECTION 143. ORS 285A.091, establishing the Oregon Infrastructure Finance Authority  
21 Board, is repealed on June 30, 2022.

22 SECTION 144. ORS 284.706, establishing the Oregon Innovation Council, is repealed on  
23 June 30, 2018.

24 SECTION 145. ORS 734.550, establishing the Oregon Insurance Guaranty Association, is  
25 repealed on June 30, 2020.

26 SECTION 146. ORS 670.700, establishing the Interagency Compliance Network, is repealed  
27 on June 30, 2022.

28 SECTION 147. ORS 343.499, establishing the State Interagency Coordinating Council, is  
29 repealed on June 30, 2018.

30 SECTION 148. ORS 458.525, establishing the Interagency Council on Hunger and  
31 Homelessness, is repealed on June 30, 2020.

32 SECTION 149. ORS 403.450, establishing the State Interoperability Executive Council, is  
33 repealed on June 30, 2022.

34 SECTION 150. ORS 732.820, establishing the Interstate Insurance Product Regulation  
35 Commission, is repealed on June 30, 2018.

36 SECTION 151. ORS 144.600, establishing the Oregon State Council for Interstate Adult  
37 Offender Supervision, is repealed on June 30, 2020.

38 SECTION 152. ORS 417.030, establishing the Oregon State Council for Interstate Juvenile  
39 Supervision, is repealed on June 30, 2022.

40 SECTION 153. ORS 570.770, establishing the Invasive Species Council, is repealed on June  
41 30, 2018.

42 SECTION 154. ORS 1.410, establishing the Commission on Judicial Fitness and Disability,  
43 is repealed on June 30, 2020.

44 SECTION 155. ORS 542.620, establishing the Klamath River Compact Commission, is re-  
45 pealed on June 30, 2022.

1        SECTION 156. ORS 306.135, establishing the Oregon Land Information System Advisory  
2 Committee, is repealed on June 30, 2018.

3        SECTION 157. ORS 671.459, establishing the State Landscape Architect Board, is repealed  
4 on June 30, 2020.

5        SECTION 158. ORS 671.630, establishing the State Landscape Contractors Board, is re-  
6 pealed on June 30, 2022.

7        SECTION 159. ORS 173.315, establishing the Oregon Law Commission, is repealed on June  
8 30, 2018.

9        SECTION 160. ORS 131.906, establishing the Law Enforcement Contacts Policy and Data  
10 Review Committee, is repealed on June 30, 2020.

11       SECTION 161. ORS 691.485, establishing the Board of Licensed Dietitians, is repealed on  
12 June 30, 2022.

13       SECTION 162. ORS 675.775, establishing the Oregon Board of Licensed Professional  
14 Counselors and Therapists, is repealed on June 30, 2018.

15       SECTION 163. ORS 675.590, establishing the State Board of Licensed Social Workers, is  
16 repealed on June 30, 2020.

17       SECTION 164. ORS 401.536, establishing the Local Disaster Assistance Review Board, is  
18 repealed on June 30, 2022.

19       SECTION 165. ORS 197.165, establishing the Local Officials Advisory Committee, is re-  
20 pealed on June 30, 2018.

21       SECTION 166. ORS 446.543, establishing the Office of Manufactured Dwelling Park Com-  
22 munity Relations, is repealed on June 30, 2020.

23       SECTION 167. ORS 830.105, establishing the State Marine Board, is repealed on June 30,  
24 2022.

25       SECTION 168. ORS 776.105, establishing the Oregon Board of Maritime Pilots, is repealed  
26 on June 30, 2018.

27       SECTION 169. ORS 391.520, establishing the Oregon Mass Transportation Financing Au-  
28 thority, is repealed on June 30, 2020.

29       SECTION 170. ORS 687.115, establishing the State Board of Massage Therapists, is re-  
30 pealed on June 30, 2022.

31       SECTION 171. ORS 455.140, establishing the Mechanical Board, is repealed on June 30,  
32 2018.

33       SECTION 172. ORS 414.211, establishing the Medicaid Advisory Committee, is repealed  
34 on June 30, 2020.

35       SECTION 173. ORS 410.550, establishing the Medicaid Long Term Care Quality and Re-  
36 imbursement Advisory Council, is repealed on June 30, 2022.

37       SECTION 174. ORS 475.303, establishing the Advisory Committee on Medical Marijuana,  
38 is repealed on June 30, 2018.

39       SECTION 175. ORS 688.545, establishing the Board of Medical Imaging, is repealed on  
40 June 30, 2020.

41       SECTION 176. ORS 146.015, establishing the State Medical Examiner Advisory Board, is  
42 repealed on June 30, 2022.

43       SECTION 177. ORS 396.145, establishing the Military Council, is repealed on June 30, 2018.

44       SECTION 178. ORS 396.600, establishing the Task Force on Military Families, is repealed  
45 on June 30, 2020.

1        SECTION 179. ORS 634.600, establishing the Minor Crops Advisory Committee, is repealed  
2 on June 30, 2022.

3        SECTION 180. ORS 200.025, establishing the Office for Minority, Women and Emerging  
4 Small Business, is repealed on June 30, 2018.

5        SECTION 181. ORS 692.300, establishing the State Mortuary and Cemetery Board, is re-  
6 pealed on June 30, 2020.

7        SECTION 182. ORS 287A.630, establishing the Oregon Municipal Debt Advisory Commis-  
8 sion, is repealed on June 30, 2022.

9        SECTION 183. ORS 273.573, establishing the natural areas advisory committee, is re-  
10 pealed on June 30, 2018.

11       SECTION 184. ORS 685.160, establishing the Oregon Board of Naturopathic Medicine, is  
12 repealed on June 30, 2020.

13       SECTION 185. ORS 685.145, establishing the Council on Naturopathic Physicians  
14 Formulary, is repealed on June 30, 2022.

15       SECTION 186. ORS 561.700, establishing the New Crops Development Board, is repealed  
16 on June 30, 2018.

17       SECTION 187. ORS 571.025, establishing the State Nursery Research and Regulatory  
18 Committee, is repealed on June 30, 2020.

19       SECTION 188. ORS 678.800, establishing the Nursing Home Administrators Board, is re-  
20 pealed on June 30, 2022.

21       SECTION 189. ORS 353.606, establishing the Oregon Nursing Shortage Coalition Commit-  
22 tee, is repealed on June 30, 2018.

23       SECTION 190. ORS 678.140, establishing the Oregon State Board of Nursing, is repealed  
24 on June 30, 2020.

25       SECTION 191. ORS 675.310, establishing the Occupational Therapy Licensing Board, is  
26 repealed on June 30, 2022.

27       SECTION 192. ORS 196.438, establishing the Ocean Policy Advisory Council, is repealed  
28 on June 30, 2018.

29       SECTION 193. ORS 683.240, establishing the Council on Optometric Nontopical  
30 Formulary, is repealed on June 30, 2020.

31       SECTION 194. ORS 683.250, establishing the Oregon Board of Optometry, is repealed on  
32 June 30, 2022.

33       SECTION 195. ORS 285A.148, establishing the Oregon-China Sister State Committee, is  
34 repealed on June 30, 2018.

35       SECTION 196. ORS 418.243, establishing the Outdoor Youth Program Advisory Board, is  
36 repealed on June 30, 2020.

37       SECTION 197. ORS 507.040, establishing the Pacific States Marine Fisheries Commission,  
38 is repealed on June 30, 2022.

39       SECTION 198. ORS 413.570, establishing the Pain Management Commission, is repealed  
40 on June 30, 2018.

41       SECTION 199. ORS 442.820, establishing the Oregon Patient Safety Commission, is re-  
42 pealed on June 30, 2020.

43       SECTION 200. ORS 442.210, establishing the patient centered primary care home program  
44 advisory committee, is repealed on June 30, 2022.

45       SECTION 201. ORS 182.562, establishing the Committee on Performance Excellence, is

1 repealed on June 30, 2018.

2 SECTION 202. ORS 634.657, establishing the Integrated Pest Management Coordinating  
3 Committee, is repealed on June 30, 2020.

4 SECTION 203. ORS 414.353, establishing the Pharmacy and Therapeutics Committee, is  
5 repealed on June 30, 2022.

6 SECTION 204. ORS 689.115, establishing the State Board of Pharmacy, is repealed on  
7 June 30, 2018.

8 SECTION 205. ORS 688.160, establishing the Physical Therapist Licensing Board, is re-  
9 pealed on June 30, 2020.

10 SECTION 206. ORS 677.540, establishing the Physician Assistant Committee, is repealed  
11 on June 30, 2022.

12 SECTION 207. ORS 441.221, establishing the Advisory Committee on Physician Creden-  
13 tialing Information, is repealed on June 30, 2018.

14 SECTION 208. ORS 693.115, establishing the State Plumbing Board, is repealed on June  
15 30, 2020.

16 SECTION 209. ORS 431.890, establishing the Poison Prevention Task Force, is repealed  
17 on June 30, 2022.

18 SECTION 210. ORS 127.675, establishing the Oregon POLST Registry Advisory Commit-  
19 tee, is repealed on June 30, 2018.

20 SECTION 211. ORS 431.976, establishing the Prescription Monitoring Program Advisory  
21 Commission, is repealed on June 30, 2020.

22 SECTION 212. ORS 144.775, establishing the Advisory Commission on Prison Terms and  
23 Parole Standards, is repealed on June 30, 2022.

24 SECTION 213. ORS 421.651, establishing the Prison Advisory Committee, is repealed on  
25 June 30, 2018.

26 SECTION 214. ORS 286A.615, establishing the Private Activity Bond Committee, is re-  
27 pealed on June 30, 2020.

28 SECTION 215. ORS 284.604, establishing the Oregon Progress Board, is repealed on June  
29 30, 2022.

30 SECTION 216. ORS 675.100, establishing the State Board of Psychologist Examiners, is  
31 repealed on June 30, 2018.

32 SECTION 217. ORS 292.907, establishing the Public Officials Compensation Commission,  
33 is repealed on June 30, 2020.

34 SECTION 218. ORS 243.952, establishing the Public Safety Memorial Fund Board, is re-  
35 pealed on June 30, 2022.

36 SECTION 219. ORS 327.500, establishing the Quality Education Commission, is repealed  
37 on June 30, 2018.

38 SECTION 220. ORS 462.210, establishing the Oregon Racing Commission, is repealed on  
39 June 30, 2020.

40 SECTION 221. ORS 453.645, establishing the Radiation Advisory Committee, is repealed  
41 on June 30, 2022.

42 SECTION 222. ORS 696.405, establishing the Real Estate Board, is repealed on June 30,  
43 2018.

44 SECTION 223. ORS 390.977, establishing the Oregon Recreation Trails Advisory Council,  
45 is repealed on June 30, 2020.



1        SECTION 224. ORS 418.941, establishing the Refugee Child Welfare Advisory Committee,  
2 is repealed on June 30, 2022.

3        SECTION 225. ORS 465.420, establishing the Remedial Action Advisory Committee, is re-  
4 pealed on June 30, 2018.

5        SECTION 226. ORS 351.880, establishing the Council for Research Policy Recommen-  
6 dations, is repealed on June 30, 2020.

7        SECTION 227. ORS 446.280, establishing the Residential and Manufactured Structures  
8 Board, is repealed on June 30, 2022.

9        SECTION 228. ORS 441.137, establishing the Residential Facilities Advisory Committee,  
10 is repealed on June 30, 2018.

11        SECTION 229. ORS 688.820, establishing the Respiratory Therapist and Polysomnographic  
12 Technologist Licensing Board, is repealed on June 30, 2020.

13        SECTION 230. ORS 496.286, establishing the Restoration and Enhancement Board, is re-  
14 pealed on June 30, 2022.

15        SECTION 231. ORS 184.843, establishing the Road User Fee Task Force, is repealed on  
16 June 30, 2018.

17        SECTION 232. ORS 442.490, establishing the Rural Health Coordinating Council, is re-  
18 pealed on June 30, 2020.

19        SECTION 233. ORS 442.475, establishing the Office of Rural Health, is repealed on June  
20 30, 2022.

21        SECTION 234. ORS 654.189, establishing the Safe Employment Education and Training  
22 Advisory Committee, is repealed on June 30, 2018.

23        SECTION 235. ORS 496.460, establishing the Salmon and Trout Enhancement Program  
24 Advisory Committee, is repealed on June 30, 2020.

25        SECTION 236. ORS 401.915, establishing the Seismic Safety Policy Advisory Commission,  
26 is repealed on June 30, 2022.

27        SECTION 237. ORS 675.395, establishing the Sex Offender Treatment Board, is repealed  
28 on June 30, 2018.

29        SECTION 238. ORS 294.885, establishing the Oregon Short Term Fund Board, is repealed  
30 on June 30, 2020.

31        SECTION 239. ORS 285A.143, establishing the Sister State Committee, is repealed on June  
32 30, 2022.

33        SECTION 240. ORS 470.070, establishing the Small Scale Local Energy Project Advisory  
34 Committee, is repealed on June 30, 2018.

35        SECTION 241. ORS 561.395, establishing the Soil and Water Conservation Commission, is  
36 repealed on June 30, 2020.

37        SECTION 242. ORS 273.554, establishing the South Slough National Estuarine Research  
38 Reserve Management Commission, is repealed on June 30, 2022.

39        SECTION 243. ORS 343.287, establishing the State Advisory Council for Special Education,  
40 is repealed on June 30, 2018.

41        SECTION 244. ORS 681.400, establishing the State Board of Examiners for Speech-  
42 Language Pathology and Audiology, is repealed on June 30, 2020.

43        SECTION 245. ORS 431.290, establishing the Spinal Cord Injury Research Board, is re-  
44 pealed on June 30, 2022.

45        SECTION 246. ORS 565.456, establishing the State Fair Council, is repealed on June 30,

1 2018.

2 SECTION 247. ORS 326.500, establishing the STEM Investment Council, is repealed on  
3 June 30, 2020.

4 SECTION 248. ORS 431.673, establishing the Stroke Care Committee, is repealed on June  
5 30, 2022.

6 SECTION 249. ORS 735.430, establishing the Surplus Line Association of Oregon, is re-  
7 pealed on June 30, 2018.

8 SECTION 250. ORS 184.427, establishing the Sustainability Board, is repealed on June 30,  
9 2020.

10 SECTION 251. ORS 673.725, establishing the State Board of Tax Practitioners, is repealed  
11 on June 30, 2022.

12 SECTION 252. ORS 418.706, establishing the State Technical Assistance Team, is repealed  
13 on June 30, 2018.

14 SECTION 253. ORS 284.107, establishing the Oregon Tourism Commission, is repealed on  
15 June 30, 2020.

16 SECTION 254. ORS 413.600, establishing the Traditional Health Workers Commission, is  
17 repealed on June 30, 2022.

18 SECTION 255. ORS 184.486, establishing the Transparency Oregon Advisory Commission,  
19 is repealed on June 30, 2018.

20 SECTION 256. ORS 802.300, establishing the Transportation Safety Committee, is repealed  
21 on June 30, 2020.

22 SECTION 257. ORS 431.580, establishing the State Trauma Advisory Board, is repealed  
23 on June 30, 2022.

24 SECTION 258. ORS 377.835, establishing the Travel Information Council, is repealed on  
25 June 30, 2018.

26 SECTION 259. ORS 359.410, establishing the Trust for Cultural Development Board, is  
27 repealed on June 30, 2020.

28 SECTION 260. ORS 172.010, establishing the Commission on Uniform State Laws, is re-  
29 pealed on June 30, 2022.

30 SECTION 261. ORS 406.210, establishing the Veterans' Affairs Advisory Committee, is  
31 repealed on June 30, 2018.

32 SECTION 262. ORS 686.210, establishing the Oregon State Veterinary Medical Examining  
33 Board, is repealed on June 30, 2020.

34 SECTION 263. ORS 147.560, establishing the Task Force on Victims' Rights Enforcement,  
35 is repealed on June 30, 2022.

36 SECTION 264. ORS 458.555, establishing the Oregon Volunteers Commission for Volun-  
37 tary Action and Service, is repealed on June 30, 2018.

38 SECTION 265. ORS 541.900, establishing the Oregon Watershed Enhancement Board, is  
39 repealed on June 30, 2020.

40 SECTION 266. ORS 569.600, establishing the State Weed Board, is repealed on June 30,  
41 2022.

42 SECTION 267. ORS 171.860, establishing the Western States Legislative Forestry Task  
43 Force, is repealed on June 30, 2018.

44 SECTION 268. ORS 578.030, establishing the Oregon Wheat Commission, is repealed on  
45 June 30, 2020.

1        SECTION 269. ORS 468.533, establishing the Willamette River Cleanup Authority, is re-  
 2        pealed on June 30, 2022.

3        SECTION 270. ORS 576.753, establishing the Oregon Wine Board, is repealed on June 30,  
 4        2018.

5        SECTION 271. ORS 802.350, establishing the Winter Recreation Advisory Committee, is  
 6        repealed on June 30, 2020.

7        SECTION 272. ORS 185.510, establishing the Commission for Women, is repealed on June  
 8        30, 2022.

9        SECTION 273. ORS 656.790, establishing the Workers' Compensation Management-Labor  
 10        Advisory Committee, is repealed on June 30, 2018.

11        SECTION 274. ORS 406.500, establishing the World War II Memorial Task Force, is re-  
 12        pealed on June 30, 2020.

13        SECTION 275. ORS 418.653, establishing the Oregon Youth Conservation Corps Advisory  
 14        Committee, is repealed on June 30, 2022.

15        SECTION 276. ORS 181.637 is amended to read:

16        181.637. (1) The Board on Public Safety Standards and Training shall establish the following  
 17        policy committees:

- 18        [(a) *Corrections Policy Committee;*]
- 19        [(b)] (a) Fire Policy Committee;
- 20        [(c)] (b) Police Policy Committee;
- 21        [(d)] (c) Telecommunications Policy Committee; and
- 22        [(e)] (d) Private Security Policy Committee.

23        (2) The members of each policy committee shall select a chairperson and vice chairperson for  
 24        the policy committee. Only members of the policy committee who are also members of the board are  
 25        eligible to serve as a chairperson or vice chairperson. The vice chairperson may act as chairperson  
 26        in the absence of the chairperson.

27        [(3) *The Corrections Policy Committee consists of:*]

- 28        [(a) *All of the board members who represent the corrections discipline;*]
- 29        [(b) *The chief administrative officer of the training division of the Department of Corrections;*]
- 30        [(c) *A security manager from the Department of Corrections recommended by the Director of the*

31        *Department of Corrections; and]*

32        [(d) *The following, who may not be current board members, appointed by the chairperson of the*  
 33        *board:]*

- 34        [(A) *One person recommended by and representing the Oregon State Sheriffs' Association;*]
- 35        [(B) *Two persons recommended by and representing the Oregon Sheriff's Jail Command Council;*]
- 36        [(C) *One person recommended by and representing a statewide association of community corrections*  
 37        *directors;]*
- 38        [(D) *One nonmanagement corrections officer employed by the Department of Corrections;]*
- 39        [(E) *One corrections officer who is a female, who is employed by the Department of Corrections at*  
 40        *a women's correctional facility and who is a member of a bargaining unit; and]*
- 41        [(F) *Two nonmanagement corrections officers.]*

42        [(4)] (3) The Fire Policy Committee consists of:

- 43        (a) All of the board members who represent the fire service discipline; and
- 44        (b) The following, who may not be current board members, appointed by the chairperson of the  
 45        board:

- 1 (A) One person recommended by and representing a statewide association of fire instructors;
- 2 (B) One person recommended by and representing a statewide association of fire marshals;
- 3 (C) One person recommended by and representing community college fire programs;
- 4 (D) One nonmanagement firefighter recommended by a statewide organization of firefighters; and
- 5 (E) One person representing the forest protection agencies and recommended by the State
- 6 Forestry Department.

7 [(5)] (4) The Police Policy Committee consists of:

- 8 (a) All of the board members who represent the law enforcement discipline; and
- 9 (b) The following, who may not be current board members, appointed by the chairperson of the
- 10 board:

- 11 (A) One person recommended by and representing the Oregon Association Chiefs of Police;
- 12 (B) Two persons recommended by and representing the Oregon State Sheriffs' Association;
- 13 (C) One command officer recommended by and representing the Oregon State Police; and
- 14 (D) Three nonmanagement law enforcement officers.

15 [(6)] (5) The Telecommunications Policy Committee consists of:

- 16 (a) All of the board members who represent the telecommunications discipline; and
- 17 (b) The following, who may not be current board members, appointed by the chairperson of the
- 18 board:

- 19 (A) Two persons recommended by and representing a statewide association of public safety
- 20 communications officers;
- 21 (B) One person recommended by and representing the Oregon Association Chiefs of Police;
- 22 (C) One person recommended by and representing the Oregon State Police;
- 23 (D) Two persons representing telecommunicators;
- 24 (E) One person recommended by and representing the Oregon State Sheriffs' Association;
- 25 (F) One person recommended by and representing the Oregon Fire Chiefs Association;
- 26 (G) One person recommended by and representing the Emergency Medical Services and Trauma
- 27 Systems Program of the Oregon Health Authority; and
- 28 (H) One person representing emergency medical services providers and recommended by a
- 29 statewide association dealing with fire medical issues.

30 [(7)] (6) The Private Security Policy Committee consists of:

- 31 (a) All of the board members who represent the private security industry; and
- 32 (b) The following, who may not be current board members, appointed by the chairperson of the
- 33 board:

- 34 (A) One person representing unarmed private security professionals;
- 35 (B) One person representing armed private security professionals;
- 36 (C) One person representing the health care industry;
- 37 (D) One person representing the manufacturing industry;
- 38 (E) One person representing the retail industry;
- 39 (F) One person representing the hospitality industry;
- 40 (G) One person representing private business or a governmental entity that utilizes private se-
- 41 curity services;
- 42 (H) One person representing persons who monitor alarm systems;
- 43 (I) Two persons who are investigators licensed under ORS 703.430, one of whom is recommended
- 44 by the Oregon State Bar and one of whom is in private practice; and
- 45 (J) One person who represents the public at large and who is not related within the second de-

1 gree by affinity or consanguinity to a person who is employed or doing business as a private security  
 2 professional or executive manager, as defined in ORS 181.870, or as an investigator, as defined in  
 3 ORS 703.401.

4 [(8)] (7) In making appointments to the policy committees under this section, the chairperson  
 5 of the board shall seek to reflect the diversity of the state's population. An appointment made by  
 6 the chairperson of the board must be ratified by the board before the appointment is effective. The  
 7 chairperson of the board may remove an appointed member for just cause. An appointment to a  
 8 policy committee that is based on the member's employment is automatically revoked if the member  
 9 changes employment. The chairperson of the board shall fill a vacancy in the same manner as  
 10 making an initial appointment. The term of an appointed member is two years. An appointed member  
 11 may be appointed to a second term.

12 [(9)] (8) A policy committee may meet at such times and places as determined by the policy  
 13 committee in consultation with the Department of Public Safety Standards and Training. A majority  
 14 of a policy committee constitutes a quorum to conduct business. A policy committee may create  
 15 subcommittees if needed.

16 [(10)(a)] (9)(a) Each policy committee shall develop policies, requirements, standards and rules  
 17 relating to its specific discipline. A policy committee shall submit its policies, requirements, stan-  
 18 dards and rules to the board for the board's consideration. When a policy committee submits a pol-  
 19 icy, requirement, standard or rule to the board for the board's consideration, the board shall:

20 (A) Approve the policy, requirement, standard or rule;

21 (B) Disapprove the policy, requirement, standard or rule; or

22 (C) Defer a decision and return the matter to the policy committee for revision or reconsider-  
 23 ation.

24 (b) The board may defer a decision and return a matter submitted by a policy committee under  
 25 paragraph (a) of this subsection only once. If a policy, requirement, standard or rule that was re-  
 26 turned to a policy committee is resubmitted to the board, the board shall take all actions necessary  
 27 to implement the policy, requirement, standard or rule unless the board disapproves the policy, re-  
 28 quirement, standard or rule.

29 (c) Disapproval of a policy, requirement, standard or rule under paragraph (a) or (b) of this  
 30 subsection requires a two-thirds vote by the members of the board.

31 [(11)] (10) At any time after submitting a matter to the board, the chairperson of the policy  
 32 committee may withdraw the matter from the board's consideration.

33 **SECTION 277. The amendments to ORS 181.637 by section 276 of this 2015 Act become**  
 34 **operative on June 30, 2018.**

35 **SECTION 278.** ORS 181.637 is amended to read:

36 181.637. (1) The Board on Public Safety Standards and Training shall establish the following  
 37 policy committees:

38 (a) Corrections Policy Committee;

39 [(b) Fire Policy Committee,]

40 [(c)] (b) Police Policy Committee;

41 [(d)] (c) Telecommunications Policy Committee; and

42 [(e)] (d) Private Security Policy Committee.

43 (2) The members of each policy committee shall select a chairperson and vice chairperson for  
 44 the policy committee. Only members of the policy committee who are also members of the board are  
 45 eligible to serve as a chairperson or vice chairperson. The vice chairperson may act as chairperson

1 in the absence of the chairperson.

2 (3) The Corrections Policy Committee consists of:

3 (a) All of the board members who represent the corrections discipline;

4 (b) The chief administrative officer of the training division of the Department of Corrections;

5 (c) A security manager from the Department of Corrections recommended by the Director of the  
6 Department of Corrections; and

7 (d) The following, who may not be current board members, appointed by the chairperson of the  
8 board:

9 (A) One person recommended by and representing the Oregon State Sheriffs' Association;

10 (B) Two persons recommended by and representing the Oregon Sheriff's Jail Command Council;

11 (C) One person recommended by and representing a statewide association of community cor-  
12 rections directors;

13 (D) One nonmanagement corrections officer employed by the Department of Corrections;

14 (E) One corrections officer who is a female, who is employed by the Department of Corrections  
15 at a women's correctional facility and who is a member of a bargaining unit; and

16 (F) Two nonmanagement corrections officers.

17 *[(4) The Fire Policy Committee consists of:]*

18 *[(a) All of the board members who represent the fire service discipline; and]*

19 *[(b) The following, who may not be current board members, appointed by the chairperson of the  
20 board:]*

21 *[(A) One person recommended by and representing a statewide association of fire instructors;]*

22 *[(B) One person recommended by and representing a statewide association of fire marshals;]*

23 *[(C) One person recommended by and representing community college fire programs;]*

24 *[(D) One nonmanagement firefighter recommended by a statewide organization of firefighters;*

25 *and]*

26 *[(E) One person representing the forest protection agencies and recommended by the State Forestry  
27 Department.]*

28 *[(5)] (4) The Police Policy Committee consists of:*

29 (a) All of the board members who represent the law enforcement discipline; and

30 (b) The following, who may not be current board members, appointed by the chairperson of the  
31 board:

32 (A) One person recommended by and representing the Oregon Association Chiefs of Police;

33 (B) Two persons recommended by and representing the Oregon State Sheriffs' Association;

34 (C) One command officer recommended by and representing the Oregon State Police; and

35 (D) Three nonmanagement law enforcement officers.

36 *[(6)] (5) The Telecommunications Policy Committee consists of:*

37 (a) All of the board members who represent the telecommunications discipline; and

38 (b) The following, who may not be current board members, appointed by the chairperson of the  
39 board:

40 (A) Two persons recommended by and representing a statewide association of public safety  
41 communications officers;

42 (B) One person recommended by and representing the Oregon Association Chiefs of Police;

43 (C) One person recommended by and representing the Oregon State Police;

44 (D) Two persons representing telecommunicators;

45 (E) One person recommended by and representing the Oregon State Sheriffs' Association;

1 (F) One person recommended by and representing the Oregon Fire Chiefs Association;

2 (G) One person recommended by and representing the Emergency Medical Services and Trauma  
3 Systems Program of the Oregon Health Authority; and

4 (H) One person representing emergency medical services providers and recommended by a  
5 statewide association dealing with fire medical issues.

6 [(7)] (6) The Private Security Policy Committee consists of:

7 (a) All of the board members who represent the private security industry; and

8 (b) The following, who may not be current board members, appointed by the chairperson of the  
9 board:

10 (A) One person representing unarmed private security professionals;

11 (B) One person representing armed private security professionals;

12 (C) One person representing the health care industry;

13 (D) One person representing the manufacturing industry;

14 (E) One person representing the retail industry;

15 (F) One person representing the hospitality industry;

16 (G) One person representing private business or a governmental entity that utilizes private se-  
17 curity services;

18 (H) One person representing persons who monitor alarm systems;

19 (I) Two persons who are investigators licensed under ORS 703.430, one of whom is recommended  
20 by the Oregon State Bar and one of whom is in private practice; and

21 (J) One person who represents the public at large and who is not related within the second de-  
22 gree by affinity or consanguinity to a person who is employed or doing business as a private security  
23 professional or executive manager, as defined in ORS 181.870, or as an investigator, as defined in  
24 ORS 703.401.

25 [(8)] (7) In making appointments to the policy committees under this section, the chairperson  
26 of the board shall seek to reflect the diversity of the state's population. An appointment made by  
27 the chairperson of the board must be ratified by the board before the appointment is effective. The  
28 chairperson of the board may remove an appointed member for just cause. An appointment to a  
29 policy committee that is based on the member's employment is automatically revoked if the member  
30 changes employment. The chairperson of the board shall fill a vacancy in the same manner as  
31 making an initial appointment. The term of an appointed member is two years. An appointed member  
32 may be appointed to a second term.

33 [(9)] (8) A policy committee may meet at such times and places as determined by the policy  
34 committee in consultation with the Department of Public Safety Standards and Training. A majority  
35 of a policy committee constitutes a quorum to conduct business. A policy committee may create  
36 subcommittees if needed.

37 [(10)(a)] (9)(a) Each policy committee shall develop policies, requirements, standards and rules  
38 relating to its specific discipline. A policy committee shall submit its policies, requirements, stan-  
39 dards and rules to the board for the board's consideration. When a policy committee submits a pol-  
40 icy, requirement, standard or rule to the board for the board's consideration, the board shall:

41 (A) Approve the policy, requirement, standard or rule;

42 (B) Disapprove the policy, requirement, standard or rule; or

43 (C) Defer a decision and return the matter to the policy committee for revision or reconsider-  
44 ation.

45 (b) The board may defer a decision and return a matter submitted by a policy committee under

1 paragraph (a) of this subsection only once. If a policy, requirement, standard or rule that was re-  
 2 turned to a policy committee is resubmitted to the board, the board shall take all actions necessary  
 3 to implement the policy, requirement, standard or rule unless the board disapproves the policy, re-  
 4 quirement, standard or rule.

5 (c) Disapproval of a policy, requirement, standard or rule under paragraph (a) or (b) of this  
 6 subsection requires a two-thirds vote by the members of the board.

7 ~~[(11)]~~ (10) At any time after submitting a matter to the board, the chairperson of the policy  
 8 committee may withdraw the matter from the board's consideration.

9 **SECTION 279.** The amendments to ORS 181.637 by section 278 of this 2015 Act become  
 10 operative on June 30, 2020.

11 **SECTION 280.** ORS 181.637 is amended to read:

12 181.637. (1) The Board on Public Safety Standards and Training shall establish the following  
 13 policy committees:

14 (a) Corrections Policy Committee;

15 (b) Fire Policy Committee;

16 ~~[(c) Police Policy Committee;]~~

17 ~~[(d)]~~ (c) Telecommunications Policy Committee; and

18 ~~[(e)]~~ (d) Private Security Policy Committee.

19 (2) The members of each policy committee shall select a chairperson and vice chairperson for  
 20 the policy committee. Only members of the policy committee who are also members of the board are  
 21 eligible to serve as a chairperson or vice chairperson. The vice chairperson may act as chairperson  
 22 in the absence of the chairperson.

23 (3) The Corrections Policy Committee consists of:

24 (a) All of the board members who represent the corrections discipline;

25 (b) The chief administrative officer of the training division of the Department of Corrections;

26 (c) A security manager from the Department of Corrections recommended by the Director of the  
 27 Department of Corrections; and

28 (d) The following, who may not be current board members, appointed by the chairperson of the  
 29 board:

30 (A) One person recommended by and representing the Oregon State Sheriffs' Association;

31 (B) Two persons recommended by and representing the Oregon Sheriff's Jail Command Council;

32 (C) One person recommended by and representing a statewide association of community cor-  
 33 rections directors;

34 (D) One nonmanagement corrections officer employed by the Department of Corrections;

35 (E) One corrections officer who is a female, who is employed by the Department of Corrections  
 36 at a women's correctional facility and who is a member of a bargaining unit; and

37 (F) Two nonmanagement corrections officers.

38 (4) The Fire Policy Committee consists of:

39 (a) All of the board members who represent the fire service discipline; and

40 (b) The following, who may not be current board members, appointed by the chairperson of the  
 41 board:

42 (A) One person recommended by and representing a statewide association of fire instructors;

43 (B) One person recommended by and representing a statewide association of fire marshals;

44 (C) One person recommended by and representing community college fire programs;

45 (D) One nonmanagement firefighter recommended by a statewide organization of firefighters; and



1 (E) One person representing the forest protection agencies and recommended by the State  
 2 Forestry Department.

3 [(5) *The Police Policy Committee consists of:*

4 [(a) *All of the board members who represent the law enforcement discipline; and*]

5 [(b) *The following, who may not be current board members, appointed by the chairperson of the*  
 6 *board:*]

7 [(A) *One person recommended by and representing the Oregon Association Chiefs of Police;*]

8 [(B) *Two persons recommended by and representing the Oregon State Sheriffs' Association;*]

9 [(C) *One command officer recommended by and representing the Oregon State Police; and*]

10 [(D) *Three nonmanagement law enforcement officers.*]

11 [(6)] (5) The Telecommunications Policy Committee consists of:

12 (a) All of the board members who represent the telecommunications discipline; and

13 (b) The following, who may not be current board members, appointed by the chairperson of the  
 14 board:

15 (A) Two persons recommended by and representing a statewide association of public safety  
 16 communications officers;

17 (B) One person recommended by and representing the Oregon Association Chiefs of Police;

18 (C) One person recommended by and representing the Oregon State Police;

19 (D) Two persons representing telecommunicators;

20 (E) One person recommended by and representing the Oregon State Sheriffs' Association;

21 (F) One person recommended by and representing the Oregon Fire Chiefs Association;

22 (G) One person recommended by and representing the Emergency Medical Services and Trauma  
 23 Systems Program of the Oregon Health Authority; and

24 (H) One person representing emergency medical services providers and recommended by a  
 25 statewide association dealing with fire medical issues.

26 [(7)] (6) The Private Security Policy Committee consists of:

27 (a) All of the board members who represent the private security industry; and

28 (b) The following, who may not be current board members, appointed by the chairperson of the  
 29 board:

30 (A) One person representing unarmed private security professionals;

31 (B) One person representing armed private security professionals;

32 (C) One person representing the health care industry;

33 (D) One person representing the manufacturing industry;

34 (E) One person representing the retail industry;

35 (F) One person representing the hospitality industry;

36 (G) One person representing private business or a governmental entity that utilizes private se-  
 37 curity services;

38 (H) One person representing persons who monitor alarm systems;

39 (I) Two persons who are investigators licensed under ORS 703.430, one of whom is recommended  
 40 by the Oregon State Bar and one of whom is in private practice; and

41 (J) One person who represents the public at large and who is not related within the second de-  
 42 gree by affinity or consanguinity to a person who is employed or doing business as a private security  
 43 professional or executive manager, as defined in ORS 181.870, or as an investigator, as defined in  
 44 ORS 703.401.

45 [(8)] (7) In making appointments to the policy committees under this section, the chairperson

1 of the board shall seek to reflect the diversity of the state's population. An appointment made by  
 2 the chairperson of the board must be ratified by the board before the appointment is effective. The  
 3 chairperson of the board may remove an appointed member for just cause. An appointment to a  
 4 policy committee that is based on the member's employment is automatically revoked if the member  
 5 changes employment. The chairperson of the board shall fill a vacancy in the same manner as  
 6 making an initial appointment. The term of an appointed member is two years. An appointed member  
 7 may be appointed to a second term.

8        ~~[(9)]~~ (8) A policy committee may meet at such times and places as determined by the policy  
 9 committee in consultation with the Department of Public Safety Standards and Training. A majority  
 10 of a policy committee constitutes a quorum to conduct business. A policy committee may create  
 11 subcommittees if needed.

12        ~~[(10)(a)]~~ (9)(a) Each policy committee shall develop policies, requirements, standards and rules  
 13 relating to its specific discipline. A policy committee shall submit its policies, requirements, stan-  
 14 dards and rules to the board for the board's consideration. When a policy committee submits a pol-  
 15 icy, requirement, standard or rule to the board for the board's consideration, the board shall:

16        (A) Approve the policy, requirement, standard or rule;

17        (B) Disapprove the policy, requirement, standard or rule; or

18        (C) Defer a decision and return the matter to the policy committee for revision or reconsider-  
 19 ation.

20        (b) The board may defer a decision and return a matter submitted by a policy committee under  
 21 paragraph (a) of this subsection only once. If a policy, requirement, standard or rule that was re-  
 22 turned to a policy committee is resubmitted to the board, the board shall take all actions necessary  
 23 to implement the policy, requirement, standard or rule unless the board disapproves the policy, re-  
 24 quirement, standard or rule.

25        (c) Disapproval of a policy, requirement, standard or rule under paragraph (a) or (b) of this  
 26 subsection requires a two-thirds vote by the members of the board.

27        ~~[(11)]~~ (10) At any time after submitting a matter to the board, the chairperson of the policy  
 28 committee may withdraw the matter from the board's consideration.

29        **SECTION 281. The amendments to ORS 181.637 by section 280 of this 2015 Act become**  
 30 **operative on June 30, 2022.**

31        **SECTION 282.** ORS 181.637 is amended to read:

32        181.637. (1) The Board on Public Safety Standards and Training shall establish the following  
 33 policy committees:

34        (a) Corrections Policy Committee;

35        (b) Fire Policy Committee;

36        (c) Police Policy Committee; **and**

37        ~~[(d) Telecommunications Policy Committee; and]~~

38        ~~[(e)]~~ (d) Private Security Policy Committee.

39        (2) The members of each policy committee shall select a chairperson and vice chairperson for  
 40 the policy committee. Only members of the policy committee who are also members of the board are  
 41 eligible to serve as a chairperson or vice chairperson. The vice chairperson may act as chairperson  
 42 in the absence of the chairperson.

43        (3) The Corrections Policy Committee consists of:

44        (a) All of the board members who represent the corrections discipline;

45        (b) The chief administrative officer of the training division of the Department of Corrections;

1 (c) A security manager from the Department of Corrections recommended by the Director of the  
2 Department of Corrections; and

3 (d) The following, who may not be current board members, appointed by the chairperson of the  
4 board:

5 (A) One person recommended by and representing the Oregon State Sheriffs' Association;

6 (B) Two persons recommended by and representing the Oregon Sheriff's Jail Command Council;

7 (C) One person recommended by and representing a statewide association of community cor-  
8 rections directors;

9 (D) One nonmanagement corrections officer employed by the Department of Corrections;

10 (E) One corrections officer who is a female, who is employed by the Department of Corrections  
11 at a women's correctional facility and who is a member of a bargaining unit; and

12 (F) Two nonmanagement corrections officers.

13 (4) The Fire Policy Committee consists of:

14 (a) All of the board members who represent the fire service discipline; and

15 (b) The following, who may not be current board members, appointed by the chairperson of the  
16 board:

17 (A) One person recommended by and representing a statewide association of fire instructors;

18 (B) One person recommended by and representing a statewide association of fire marshals;

19 (C) One person recommended by and representing community college fire programs;

20 (D) One nonmanagement firefighter recommended by a statewide organization of firefighters; and

21 (E) One person representing the forest protection agencies and recommended by the State  
22 Forestry Department.

23 (5) The Police Policy Committee consists of:

24 (a) All of the board members who represent the law enforcement discipline; and

25 (b) The following, who may not be current board members, appointed by the chairperson of the  
26 board:

27 (A) One person recommended by and representing the Oregon Association Chiefs of Police;

28 (B) Two persons recommended by and representing the Oregon State Sheriffs' Association;

29 (C) One command officer recommended by and representing the Oregon State Police; and

30 (D) Three nonmanagement law enforcement officers.

31 *[(6) The Telecommunications Policy Committee consists of:]*

32 *[(a) All of the board members who represent the telecommunications discipline; and]*

33 *[(b) The following, who may not be current board members, appointed by the chairperson of the  
34 board:]*

35 *[(A) Two persons recommended by and representing a statewide association of public safety com-  
36 munications officers;]*

37 *[(B) One person recommended by and representing the Oregon Association Chiefs of Police;]*

38 *[(C) One person recommended by and representing the Oregon State Police;]*

39 *[(D) Two persons representing telecommunicators;]*

40 *[(E) One person recommended by and representing the Oregon State Sheriffs' Association;]*

41 *[(F) One person recommended by and representing the Oregon Fire Chiefs Association;]*

42 *[(G) One person recommended by and representing the Emergency Medical Services and Trauma  
43 Systems Program of the Oregon Health Authority; and]*

44 *[(H) One person representing emergency medical services providers and recommended by a state-  
45 wide association dealing with fire medical issues.]*

1        ~~[(7)]~~ (6) The Private Security Policy Committee consists of:

2        (a) All of the board members who represent the private security industry; and

3        (b) The following, who may not be current board members, appointed by the chairperson of the  
4 board:

5        (A) One person representing unarmed private security professionals;

6        (B) One person representing armed private security professionals;

7        (C) One person representing the health care industry;

8        (D) One person representing the manufacturing industry;

9        (E) One person representing the retail industry;

10       (F) One person representing the hospitality industry;

11       (G) One person representing private business or a governmental entity that utilizes private se-  
12 curity services;

13       (H) One person representing persons who monitor alarm systems;

14       (I) Two persons who are investigators licensed under ORS 703.430, one of whom is recommended  
15 by the Oregon State Bar and one of whom is in private practice; and

16       (J) One person who represents the public at large and who is not related within the second de-  
17 gree by affinity or consanguinity to a person who is employed or doing business as a private security  
18 professional or executive manager, as defined in ORS 181.870, or as an investigator, as defined in  
19 ORS 703.401.

20       ~~[(8)]~~ (7) In making appointments to the policy committees under this section, the chairperson  
21 of the board shall seek to reflect the diversity of the state's population. An appointment made by  
22 the chairperson of the board must be ratified by the board before the appointment is effective. The  
23 chairperson of the board may remove an appointed member for just cause. An appointment to a  
24 policy committee that is based on the member's employment is automatically revoked if the member  
25 changes employment. The chairperson of the board shall fill a vacancy in the same manner as  
26 making an initial appointment. The term of an appointed member is two years. An appointed member  
27 may be appointed to a second term.

28       ~~[(9)]~~ (8) A policy committee may meet at such times and places as determined by the policy  
29 committee in consultation with the Department of Public Safety Standards and Training. A majority  
30 of a policy committee constitutes a quorum to conduct business. A policy committee may create  
31 subcommittees if needed.

32       ~~[(10)(a)]~~ (9)(a) Each policy committee shall develop policies, requirements, standards and rules  
33 relating to its specific discipline. A policy committee shall submit its policies, requirements, stan-  
34 dards and rules to the board for the board's consideration. When a policy committee submits a pol-  
35 icy, requirement, standard or rule to the board for the board's consideration, the board shall:

36        (A) Approve the policy, requirement, standard or rule;

37        (B) Disapprove the policy, requirement, standard or rule; or

38        (C) Defer a decision and return the matter to the policy committee for revision or reconsider-  
39 ation.

40       (b) The board may defer a decision and return a matter submitted by a policy committee under  
41 paragraph (a) of this subsection only once. If a policy, requirement, standard or rule that was re-  
42 turned to a policy committee is resubmitted to the board, the board shall take all actions necessary  
43 to implement the policy, requirement, standard or rule unless the board disapproves the policy, re-  
44 quirement, standard or rule.

45       (c) Disapproval of a policy, requirement, standard or rule under paragraph (a) or (b) of this

1 subsection requires a two-thirds vote by the members of the board.

2 [(11)] (10) At any time after submitting a matter to the board, the chairperson of the policy  
3 committee may withdraw the matter from the board's consideration.

4 **SECTION 283. The amendments to ORS 181.637 by section 282 of this 2015 Act become**  
5 **operative on June 30, 2018.**

6 **SECTION 284.** ORS 181.637 is amended to read:

7 181.637. (1) The Board on Public Safety Standards and Training shall establish the following  
8 policy committees:

- 9 (a) Corrections Policy Committee;
- 10 (b) Fire Policy Committee;
- 11 (c) Police Policy Committee; **and**
- 12 (d) Telecommunications Policy Committee.; *and*]
- 13 [(e) Private Security Policy Committee.]

14 (2) The members of each policy committee shall select a chairperson and vice chairperson for  
15 the policy committee. Only members of the policy committee who are also members of the board are  
16 eligible to serve as a chairperson or vice chairperson. The vice chairperson may act as chairperson  
17 in the absence of the chairperson.

18 (3) The Corrections Policy Committee consists of:

- 19 (a) All of the board members who represent the corrections discipline;
- 20 (b) The chief administrative officer of the training division of the Department of Corrections;
- 21 (c) A security manager from the Department of Corrections recommended by the Director of the  
22 Department of Corrections; and

23 (d) The following, who may not be current board members, appointed by the chairperson of the  
24 board:

- 25 (A) One person recommended by and representing the Oregon State Sheriffs' Association;
- 26 (B) Two persons recommended by and representing the Oregon Sheriff's Jail Command Council;
- 27 (C) One person recommended by and representing a statewide association of community cor-  
28 rections directors;
- 29 (D) One nonmanagement corrections officer employed by the Department of Corrections;
- 30 (E) One corrections officer who is a female, who is employed by the Department of Corrections  
31 at a women's correctional facility and who is a member of a bargaining unit; and
- 32 (F) Two nonmanagement corrections officers.

33 (4) The Fire Policy Committee consists of:

- 34 (a) All of the board members who represent the fire service discipline; and
- 35 (b) The following, who may not be current board members, appointed by the chairperson of the  
36 board:

- 37 (A) One person recommended by and representing a statewide association of fire instructors;
- 38 (B) One person recommended by and representing a statewide association of fire marshals;
- 39 (C) One person recommended by and representing community college fire programs;
- 40 (D) One nonmanagement firefighter recommended by a statewide organization of firefighters; and
- 41 (E) One person representing the forest protection agencies and recommended by the State  
42 Forestry Department.

43 (5) The Police Policy Committee consists of:

- 44 (a) All of the board members who represent the law enforcement discipline; and
- 45 (b) The following, who may not be current board members, appointed by the chairperson of the

1 board:

2 (A) One person recommended by and representing the Oregon Association Chiefs of Police;

3 (B) Two persons recommended by and representing the Oregon State Sheriffs' Association;

4 (C) One command officer recommended by and representing the Oregon State Police; and

5 (D) Three nonmanagement law enforcement officers.

6 (6) The Telecommunications Policy Committee consists of:

7 (a) All of the board members who represent the telecommunications discipline; and

8 (b) The following, who may not be current board members, appointed by the chairperson of the  
9 board:

10 (A) Two persons recommended by and representing a statewide association of public safety  
11 communications officers;

12 (B) One person recommended by and representing the Oregon Association Chiefs of Police;

13 (C) One person recommended by and representing the Oregon State Police;

14 (D) Two persons representing telecommunicators;

15 (E) One person recommended by and representing the Oregon State Sheriffs' Association;

16 (F) One person recommended by and representing the Oregon Fire Chiefs Association;

17 (G) One person recommended by and representing the Emergency Medical Services and Trauma  
18 Systems Program of the Oregon Health Authority; and

19 (H) One person representing emergency medical services providers and recommended by a  
20 statewide association dealing with fire medical issues.

21 *[(7) The Private Security Policy Committee consists of:]*

22 *[(a) All of the board members who represent the private security industry; and]*

23 *[(b) The following, who may not be current board members, appointed by the chairperson of the  
24 board:]*

25 *[(A) One person representing unarmed private security professionals;]*

26 *[(B) One person representing armed private security professionals;]*

27 *[(C) One person representing the health care industry;]*

28 *[(D) One person representing the manufacturing industry;]*

29 *[(E) One person representing the retail industry;]*

30 *[(F) One person representing the hospitality industry;]*

31 *[(G) One person representing private business or a governmental entity that utilizes private security  
32 services;]*

33 *[(H) One person representing persons who monitor alarm systems;]*

34 *[(I) Two persons who are investigators licensed under ORS 703.430, one of whom is recommended  
35 by the Oregon State Bar and one of whom is in private practice; and]*

36 *[(J) One person who represents the public at large and who is not related within the second degree  
37 by affinity or consanguinity to a person who is employed or doing business as a private security pro-  
38 fessional or executive manager, as defined in ORS 181.870, or as an investigator, as defined in ORS  
39 703.401.]*

40 *[(8)] (7) In making appointments to the policy committees under this section, the chairperson  
41 of the board shall seek to reflect the diversity of the state's population. An appointment made by  
42 the chairperson of the board must be ratified by the board before the appointment is effective. The  
43 chairperson of the board may remove an appointed member for just cause. An appointment to a  
44 policy committee that is based on the member's employment is automatically revoked if the member  
45 changes employment. The chairperson of the board shall fill a vacancy in the same manner as*

1 making an initial appointment. The term of an appointed member is two years. An appointed member  
 2 may be appointed to a second term.

3 [(9)] (8) A policy committee may meet at such times and places as determined by the policy  
 4 committee in consultation with the Department of Public Safety Standards and Training. A majority  
 5 of a policy committee constitutes a quorum to conduct business. A policy committee may create  
 6 subcommittees if needed.

7 [(10)(a)] (9)(a) Each policy committee shall develop policies, requirements, standards and rules  
 8 relating to its specific discipline. A policy committee shall submit its policies, requirements, stan-  
 9 dards and rules to the board for the board's consideration. When a policy committee submits a pol-  
 10 icy, requirement, standard or rule to the board for the board's consideration, the board shall:

11 (A) Approve the policy, requirement, standard or rule;

12 (B) Disapprove the policy, requirement, standard or rule; or

13 (C) Defer a decision and return the matter to the policy committee for revision or reconsider-  
 14 ation.

15 (b) The board may defer a decision and return a matter submitted by a policy committee under  
 16 paragraph (a) of this subsection only once. If a policy, requirement, standard or rule that was re-  
 17 turned to a policy committee is resubmitted to the board, the board shall take all actions necessary  
 18 to implement the policy, requirement, standard or rule unless the board disapproves the policy, re-  
 19 quirement, standard or rule.

20 (c) Disapproval of a policy, requirement, standard or rule under paragraph (a) or (b) of this  
 21 subsection requires a two-thirds vote by the members of the board.

22 [(11)] (10) At any time after submitting a matter to the board, the chairperson of the policy  
 23 committee may withdraw the matter from the board's consideration.

24 **SECTION 285.** The amendments to ORS 181.637 by section 284 of this 2015 Act become  
 25 operative on June 30, 2020.

26 **SECTION 286.** ORS 576.062 is amended to read:

27 576.062. The following commodity commissions are established as state commissions:

28 [(1)] *The Oregon Dairy Products Commission.*

29 [(2)] (1) The Oregon Hazelnut Commission.

30 [(3)] (2) The Oregon Dungeness Crab Commission.

31 [(4)] (3) The Oregon Salmon Commission.

32 [(5)] (4) The Oregon Albacore Commission.

33 [(6)] (5) The Oregon Sheep Commission.

34 [(7)] (6) The Oregon Potato Commission.

35 [(8)] (7) The Oregon Alfalfa Seed Commission.

36 [(9)] (8) The Oregon Blueberry Commission.

37 [(10)] (9) The Oregon Clover Seed Commission.

38 [(11)] (10) The Oregon Fine Fescue Commission.

39 [(12)] (11) The Oregon Hop Commission.

40 [(13)] (12) The Oregon Mint Commission.

41 [(14)] (13) The Oregon Orchardgrass Seed Producers Commission.

42 [(15)] (14) The Oregon Processed Vegetable Commission.

43 [(16)] (15) The Oregon Raspberry and Blackberry Commission.

44 [(17)] (16) The Oregon Ryegrass Growers Seed Commission.

45 [(18)] (17) The Oregon Strawberry Commission.

- 1     ~~[(19)] (18)~~ The Oregon Sweet Cherry Commission.
- 2     ~~[(20)] (19)~~ The Oregon Tall Fescue Commission.
- 3     ~~[(21)] (20)~~ The Oregon Trawl Commission.

4     **SECTION 287.** The amendments to ORS 576.062 by section 286 of this 2015 Act become  
5 operative on June 30, 2022.

6     **SECTION 288.** ORS 576.062 is amended to read:

7     576.062. The following commodity commissions are established as state commissions:

- 8     (1) The Oregon Dairy Products Commission.
- 9     ~~[(2)]~~ *The Oregon Hazelnut Commission.*
- 10    ~~[(3)] (2)~~ The Oregon Dungeness Crab Commission.
- 11    ~~[(4)] (3)~~ The Oregon Salmon Commission.
- 12    ~~[(5)] (4)~~ The Oregon Albacore Commission.
- 13    ~~[(6)] (5)~~ The Oregon Sheep Commission.
- 14    ~~[(7)] (6)~~ The Oregon Potato Commission.
- 15    ~~[(8)] (7)~~ The Oregon Alfalfa Seed Commission.
- 16    ~~[(9)] (8)~~ The Oregon Blueberry Commission.
- 17    ~~[(10)] (9)~~ The Oregon Clover Seed Commission.
- 18    ~~[(11)] (10)~~ The Oregon Fine Fescue Commission.
- 19    ~~[(12)] (11)~~ The Oregon Hop Commission.
- 20    ~~[(13)] (12)~~ The Oregon Mint Commission.
- 21    ~~[(14)] (13)~~ The Oregon Orchardgrass Seed Producers Commission.
- 22    ~~[(15)] (14)~~ The Oregon Processed Vegetable Commission.
- 23    ~~[(16)] (15)~~ The Oregon Raspberry and Blackberry Commission.
- 24    ~~[(17)] (16)~~ The Oregon Ryegrass Growers Seed Commission.
- 25    ~~[(18)] (17)~~ The Oregon Strawberry Commission.
- 26    ~~[(19)] (18)~~ The Oregon Sweet Cherry Commission.
- 27    ~~[(20)] (19)~~ The Oregon Tall Fescue Commission.
- 28    ~~[(21)] (20)~~ The Oregon Trawl Commission.

29    **SECTION 289.** The amendments to ORS 576.062 by section 288 of this 2015 Act become  
30 operative on June 30, 2018.

31    **SECTION 290.** ORS 576.062 is amended to read:

32    576.062. The following commodity commissions are established as state commissions:

- 33    (1) The Oregon Dairy Products Commission.
- 34    (2) The Oregon Hazelnut Commission.
- 35    ~~[(3)]~~ *The Oregon Dungeness Crab Commission.*
- 36    ~~[(4)] (3)~~ The Oregon Salmon Commission.
- 37    ~~[(5)] (4)~~ The Oregon Albacore Commission.
- 38    ~~[(6)] (5)~~ The Oregon Sheep Commission.
- 39    ~~[(7)] (6)~~ The Oregon Potato Commission.
- 40    ~~[(8)] (7)~~ The Oregon Alfalfa Seed Commission.
- 41    ~~[(9)] (8)~~ The Oregon Blueberry Commission.
- 42    ~~[(10)] (9)~~ The Oregon Clover Seed Commission.
- 43    ~~[(11)] (10)~~ The Oregon Fine Fescue Commission.
- 44    ~~[(12)] (11)~~ The Oregon Hop Commission.
- 45    ~~[(13)] (12)~~ The Oregon Mint Commission.



- 1     ~~[(14)]~~ (13) The Oregon Orchardgrass Seed Producers Commission.
- 2     ~~[(15)]~~ (14) The Oregon Processed Vegetable Commission.
- 3     ~~[(16)]~~ (15) The Oregon Raspberry and Blackberry Commission.
- 4     ~~[(17)]~~ (16) The Oregon Ryegrass Growers Seed Commission.
- 5     ~~[(18)]~~ (17) The Oregon Strawberry Commission.
- 6     ~~[(19)]~~ (18) The Oregon Sweet Cherry Commission.
- 7     ~~[(20)]~~ (19) The Oregon Tall Fescue Commission.
- 8     ~~[(21)]~~ (20) The Oregon Trawl Commission.

9     **SECTION 291.** The amendments to ORS 576.062 by section 290 of this 2015 Act become  
 10 operative on June 30, 2020.

11     **SECTION 292.** ORS 576.062 is amended to read:

12     576.062. The following commodity commissions are established as state commissions:

- 13     (1) The Oregon Dairy Products Commission.
- 14     (2) The Oregon Hazelnut Commission.
- 15     (3) The Oregon Dungeness Crab Commission.
- 16     ~~[(4) *The Oregon Salmon Commission.*]~~
- 17     ~~[(5)]~~ (4) The Oregon Albacore Commission.
- 18     ~~[(6)]~~ (5) The Oregon Sheep Commission.
- 19     ~~[(7)]~~ (6) The Oregon Potato Commission.
- 20     ~~[(8)]~~ (7) The Oregon Alfalfa Seed Commission.
- 21     ~~[(9)]~~ (8) The Oregon Blueberry Commission.
- 22     ~~[(10)]~~ (9) The Oregon Clover Seed Commission.
- 23     ~~[(11)]~~ (10) The Oregon Fine Fescue Commission.
- 24     ~~[(12)]~~ (11) The Oregon Hop Commission.
- 25     ~~[(13)]~~ (12) The Oregon Mint Commission.
- 26     ~~[(14)]~~ (13) The Oregon Orchardgrass Seed Producers Commission.
- 27     ~~[(15)]~~ (14) The Oregon Processed Vegetable Commission.
- 28     ~~[(16)]~~ (15) The Oregon Raspberry and Blackberry Commission.
- 29     ~~[(17)]~~ (16) The Oregon Ryegrass Growers Seed Commission.
- 30     ~~[(18)]~~ (17) The Oregon Strawberry Commission.
- 31     ~~[(19)]~~ (18) The Oregon Sweet Cherry Commission.
- 32     ~~[(20)]~~ (19) The Oregon Tall Fescue Commission.
- 33     ~~[(21)]~~ (20) The Oregon Trawl Commission.

34     **SECTION 293.** The amendments to ORS 576.062 by section 292 of this 2015 Act become  
 35 operative on June 30, 2022.

36     **SECTION 294.** ORS 576.062 is amended to read:

37     576.062. The following commodity commissions are established as state commissions:

- 38     (1) The Oregon Dairy Products Commission.
- 39     (2) The Oregon Hazelnut Commission.
- 40     (3) The Oregon Dungeness Crab Commission.
- 41     (4) The Oregon Salmon Commission.
- 42     ~~[(5) *The Oregon Albacore Commission.*]~~
- 43     ~~[(6)]~~ (5) The Oregon Sheep Commission.
- 44     ~~[(7)]~~ (6) The Oregon Potato Commission.
- 45     ~~[(8)]~~ (7) The Oregon Alfalfa Seed Commission.

- 1     ~~[(9)]~~ (8) The Oregon Blueberry Commission.
- 2     ~~[(10)]~~ (9) The Oregon Clover Seed Commission.
- 3     ~~[(11)]~~ (10) The Oregon Fine Fescue Commission.
- 4     ~~[(12)]~~ (11) The Oregon Hop Commission.
- 5     ~~[(13)]~~ (12) The Oregon Mint Commission.
- 6     ~~[(14)]~~ (13) The Oregon Orchardgrass Seed Producers Commission.
- 7     ~~[(15)]~~ (14) The Oregon Processed Vegetable Commission.
- 8     ~~[(16)]~~ (15) The Oregon Raspberry and Blackberry Commission.
- 9     ~~[(17)]~~ (16) The Oregon Ryegrass Growers Seed Commission.
- 10    ~~[(18)]~~ (17) The Oregon Strawberry Commission.
- 11    ~~[(19)]~~ (18) The Oregon Sweet Cherry Commission.
- 12    ~~[(20)]~~ (19) The Oregon Tall Fescue Commission.
- 13    ~~[(21)]~~ (20) The Oregon Trawl Commission.

14     **SECTION 295.** The amendments to ORS 576.062 by section 294 of this 2015 Act become  
 15    operative on June 30, 2018.

16     **SECTION 296.** ORS 576.062 is amended to read:  
 17    576.062. The following commodity commissions are established as state commissions:

- 18    (1) The Oregon Dairy Products Commission.
- 19    (2) The Oregon Hazelnut Commission.
- 20    (3) The Oregon Dungeness Crab Commission.
- 21    (4) The Oregon Salmon Commission.
- 22    (5) The Oregon Albacore Commission.
- 23    ~~[(6) *The Oregon Sheep Commission.*]~~
- 24    ~~[(7)]~~ (6) The Oregon Potato Commission.
- 25    ~~[(8)]~~ (7) The Oregon Alfalfa Seed Commission.
- 26    ~~[(9)]~~ (8) The Oregon Blueberry Commission.
- 27    ~~[(10)]~~ (9) The Oregon Clover Seed Commission.
- 28    ~~[(11)]~~ (10) The Oregon Fine Fescue Commission.
- 29    ~~[(12)]~~ (11) The Oregon Hop Commission.
- 30    ~~[(13)]~~ (12) The Oregon Mint Commission.
- 31    ~~[(14)]~~ (13) The Oregon Orchardgrass Seed Producers Commission.
- 32    ~~[(15)]~~ (14) The Oregon Processed Vegetable Commission.
- 33    ~~[(16)]~~ (15) The Oregon Raspberry and Blackberry Commission.
- 34    ~~[(17)]~~ (16) The Oregon Ryegrass Growers Seed Commission.
- 35    ~~[(18)]~~ (17) The Oregon Strawberry Commission.
- 36    ~~[(19)]~~ (18) The Oregon Sweet Cherry Commission.
- 37    ~~[(20)]~~ (19) The Oregon Tall Fescue Commission.
- 38    ~~[(21)]~~ (20) The Oregon Trawl Commission.

39     **SECTION 297.** The amendments to ORS 576.062 by section 296 of this 2015 Act become  
 40    operative on June 30, 2020.

41     **SECTION 298.** ORS 576.062 is amended to read:  
 42    576.062. The following commodity commissions are established as state commissions:

- 43    (1) The Oregon Dairy Products Commission.
- 44    (2) The Oregon Hazelnut Commission.
- 45    (3) The Oregon Dungeness Crab Commission.

- 1 (4) The Oregon Salmon Commission.
- 2 (5) The Oregon Albacore Commission.
- 3 (6) The Oregon Sheep Commission.
- 4 [(7) *The Oregon Potato Commission.*]
- 5 [(8)] (7) The Oregon Alfalfa Seed Commission.
- 6 [(9)] (8) The Oregon Blueberry Commission.
- 7 [(10)] (9) The Oregon Clover Seed Commission.
- 8 [(11)] (10) The Oregon Fine Fescue Commission.
- 9 [(12)] (11) The Oregon Hop Commission.
- 10 [(13)] (12) The Oregon Mint Commission.
- 11 [(14)] (13) The Oregon Orchardgrass Seed Producers Commission.
- 12 [(15)] (14) The Oregon Processed Vegetable Commission.
- 13 [(16)] (15) The Oregon Raspberry and Blackberry Commission.
- 14 [(17)] (16) The Oregon Ryegrass Growers Seed Commission.
- 15 [(18)] (17) The Oregon Strawberry Commission.
- 16 [(19)] (18) The Oregon Sweet Cherry Commission.
- 17 [(20)] (19) The Oregon Tall Fescue Commission.
- 18 [(21)] (20) The Oregon Trawl Commission.

19 **SECTION 299.** The amendments to ORS 576.062 by section 298 of this 2015 Act become  
 20 operative on June 30, 2022.

21 **SECTION 300.** ORS 576.062 is amended to read:

22 576.062. The following commodity commissions are established as state commissions:

- 23 (1) The Oregon Dairy Products Commission.
- 24 (2) The Oregon Hazelnut Commission.
- 25 (3) The Oregon Dungeness Crab Commission.
- 26 (4) The Oregon Salmon Commission.
- 27 (5) The Oregon Albacore Commission.
- 28 (6) The Oregon Sheep Commission.
- 29 (7) The Oregon Potato Commission.
- 30 [(8) *The Oregon Alfalfa Seed Commission.*]
- 31 [(9)] (8) The Oregon Blueberry Commission.
- 32 [(10)] (9) The Oregon Clover Seed Commission.
- 33 [(11)] (10) The Oregon Fine Fescue Commission.
- 34 [(12)] (11) The Oregon Hop Commission.
- 35 [(13)] (12) The Oregon Mint Commission.
- 36 [(14)] (13) The Oregon Orchardgrass Seed Producers Commission.
- 37 [(15)] (14) The Oregon Processed Vegetable Commission.
- 38 [(16)] (15) The Oregon Raspberry and Blackberry Commission.
- 39 [(17)] (16) The Oregon Ryegrass Growers Seed Commission.
- 40 [(18)] (17) The Oregon Strawberry Commission.
- 41 [(19)] (18) The Oregon Sweet Cherry Commission.
- 42 [(20)] (19) The Oregon Tall Fescue Commission.
- 43 [(21)] (20) The Oregon Trawl Commission.

44 **SECTION 301.** The amendments to ORS 576.062 by section 300 of this 2015 Act become  
 45 operative on June 30, 2018.

1       **SECTION 302.** ORS 576.062 is amended to read:

2       576.062. The following commodity commissions are established as state commissions:

- 3       (1) The Oregon Dairy Products Commission.
- 4       (2) The Oregon Hazelnut Commission.
- 5       (3) The Oregon Dungeness Crab Commission.
- 6       (4) The Oregon Salmon Commission.
- 7       (5) The Oregon Albacore Commission.
- 8       (6) The Oregon Sheep Commission.
- 9       (7) The Oregon Potato Commission.
- 10      (8) The Oregon Alfalfa Seed Commission.

11      [[9] *The Oregon Blueberry Commission.*]

12      [[10] (9) The Oregon Clover Seed Commission.

13      [[11] (10) The Oregon Fine Fescue Commission.

14      [[12] (11) The Oregon Hop Commission.

15      [[13] (12) The Oregon Mint Commission.

16      [[14] (13) The Oregon Orchardgrass Seed Producers Commission.

17      [[15] (14) The Oregon Processed Vegetable Commission.

18      [[16] (15) The Oregon Raspberry and Blackberry Commission.

19      [[17] (16) The Oregon Ryegrass Growers Seed Commission.

20      [[18] (17) The Oregon Strawberry Commission.

21      [[19] (18) The Oregon Sweet Cherry Commission.

22      [[20] (19) The Oregon Tall Fescue Commission.

23      [[21] (20) The Oregon Trawl Commission.

24      **SECTION 303.** The amendments to ORS 576.062 by section 302 of this 2015 Act become  
 25      **operative on June 30, 2020.**

26      **SECTION 304.** ORS 576.062 is amended to read:

27      576.062. The following commodity commissions are established as state commissions:

- 28      (1) The Oregon Dairy Products Commission.
- 29      (2) The Oregon Hazelnut Commission.
- 30      (3) The Oregon Dungeness Crab Commission.
- 31      (4) The Oregon Salmon Commission.
- 32      (5) The Oregon Albacore Commission.
- 33      (6) The Oregon Sheep Commission.
- 34      (7) The Oregon Potato Commission.
- 35      (8) The Oregon Alfalfa Seed Commission.

36      (9) The Oregon Blueberry Commission.

37      [[10] *The Oregon Clover Seed Commission.*]

38      [[11] (10) The Oregon Fine Fescue Commission.

39      [[12] (11) The Oregon Hop Commission.

40      [[13] (12) The Oregon Mint Commission.

41      [[14] (13) The Oregon Orchardgrass Seed Producers Commission.

42      [[15] (14) The Oregon Processed Vegetable Commission.

43      [[16] (15) The Oregon Raspberry and Blackberry Commission.

44      [[17] (16) The Oregon Ryegrass Growers Seed Commission.

45      [[18] (17) The Oregon Strawberry Commission.

1 [(19)] (18) The Oregon Sweet Cherry Commission.

2 [(20)] (19) The Oregon Tall Fescue Commission.

3 [(21)] (20) The Oregon Trawl Commission.

4 **SECTION 305.** The amendments to ORS 576.062 by section 304 of this 2015 Act become  
5 operative on June 30, 2022.

6 **SECTION 306.** ORS 576.062 is amended to read:

7 576.062. The following commodity commissions are established as state commissions:

8 (1) The Oregon Dairy Products Commission.

9 (2) The Oregon Hazelnut Commission.

10 (3) The Oregon Dungeness Crab Commission.

11 (4) The Oregon Salmon Commission.

12 (5) The Oregon Albacore Commission.

13 (6) The Oregon Sheep Commission.

14 (7) The Oregon Potato Commission.

15 (8) The Oregon Alfalfa Seed Commission.

16 (9) The Oregon Blueberry Commission.

17 (10) The Oregon Clover Seed Commission.

18 [(11) *The Oregon Fine Fescue Commission.*]

19 [(12)] (11) The Oregon Hop Commission.

20 [(13)] (12) The Oregon Mint Commission.

21 [(14)] (13) The Oregon Orchardgrass Seed Producers Commission.

22 [(15)] (14) The Oregon Processed Vegetable Commission.

23 [(16)] (15) The Oregon Raspberry and Blackberry Commission.

24 [(17)] (16) The Oregon Ryegrass Growers Seed Commission.

25 [(18)] (17) The Oregon Strawberry Commission.

26 [(19)] (18) The Oregon Sweet Cherry Commission.

27 [(20)] (19) The Oregon Tall Fescue Commission.

28 [(21)] (20) The Oregon Trawl Commission.

29 **SECTION 307.** The amendments to ORS 576.062 by section 306 of this 2015 Act become  
30 operative on June 30, 2018.

31 **SECTION 308.** ORS 576.062 is amended to read:

32 576.062. The following commodity commissions are established as state commissions:

33 (1) The Oregon Dairy Products Commission.

34 (2) The Oregon Hazelnut Commission.

35 (3) The Oregon Dungeness Crab Commission.

36 (4) The Oregon Salmon Commission.

37 (5) The Oregon Albacore Commission.

38 (6) The Oregon Sheep Commission.

39 (7) The Oregon Potato Commission.

40 (8) The Oregon Alfalfa Seed Commission.

41 (9) The Oregon Blueberry Commission.

42 (10) The Oregon Clover Seed Commission.

43 (11) The Oregon Fine Fescue Commission.

44 [(12) *The Oregon Hop Commission.*]

45 [(13)] (12) The Oregon Mint Commission.

- 1     ~~[(14)] (13)~~ The Oregon Orchardgrass Seed Producers Commission.
- 2     ~~[(15)] (14)~~ The Oregon Processed Vegetable Commission.
- 3     ~~[(16)] (15)~~ The Oregon Raspberry and Blackberry Commission.
- 4     ~~[(17)] (16)~~ The Oregon Ryegrass Growers Seed Commission.
- 5     ~~[(18)] (17)~~ The Oregon Strawberry Commission.
- 6     ~~[(19)] (18)~~ The Oregon Sweet Cherry Commission.
- 7     ~~[(20)] (19)~~ The Oregon Tall Fescue Commission.
- 8     ~~[(21)] (20)~~ The Oregon Trawl Commission.

9     **SECTION 309.** The amendments to ORS 576.062 by section 308 of this 2015 Act become  
10  operative on June 30, 2020.

11     **SECTION 310.** ORS 576.062 is amended to read:

12     576.062. The following commodity commissions are established as state commissions:

- 13     (1) The Oregon Dairy Products Commission.
- 14     (2) The Oregon Hazelnut Commission.
- 15     (3) The Oregon Dungeness Crab Commission.
- 16     (4) The Oregon Salmon Commission.
- 17     (5) The Oregon Albacore Commission.
- 18     (6) The Oregon Sheep Commission.
- 19     (7) The Oregon Potato Commission.
- 20     (8) The Oregon Alfalfa Seed Commission.
- 21     (9) The Oregon Blueberry Commission.
- 22     (10) The Oregon Clover Seed Commission.
- 23     (11) The Oregon Fine Fescue Commission.
- 24     (12) The Oregon Hop Commission.

25     ~~[(13) *The Oregon Mint Commission.*]~~

- 26     ~~[(14)] (13)~~ The Oregon Orchardgrass Seed Producers Commission.
- 27     ~~[(15)] (14)~~ The Oregon Processed Vegetable Commission.
- 28     ~~[(16)] (15)~~ The Oregon Raspberry and Blackberry Commission.
- 29     ~~[(17)] (16)~~ The Oregon Ryegrass Growers Seed Commission.
- 30     ~~[(18)] (17)~~ The Oregon Strawberry Commission.
- 31     ~~[(19)] (18)~~ The Oregon Sweet Cherry Commission.
- 32     ~~[(20)] (19)~~ The Oregon Tall Fescue Commission.
- 33     ~~[(21)] (20)~~ The Oregon Trawl Commission.

34     **SECTION 311.** The amendments to ORS 576.062 by section 310 of this 2015 Act become  
35  operative on June 30, 2022.

36     **SECTION 312.** ORS 576.062 is amended to read:

37     576.062. The following commodity commissions are established as state commissions:

- 38     (1) The Oregon Dairy Products Commission.
- 39     (2) The Oregon Hazelnut Commission.
- 40     (3) The Oregon Dungeness Crab Commission.
- 41     (4) The Oregon Salmon Commission.
- 42     (5) The Oregon Albacore Commission.
- 43     (6) The Oregon Sheep Commission.
- 44     (7) The Oregon Potato Commission.
- 45     (8) The Oregon Alfalfa Seed Commission.

- 1 (9) The Oregon Blueberry Commission.
- 2 (10) The Oregon Clover Seed Commission.
- 3 (11) The Oregon Fine Fescue Commission.
- 4 (12) The Oregon Hop Commission.
- 5 (13) The Oregon Mint Commission.
- 6 *[(14) The Oregon Orchardgrass Seed Producers Commission.]*
- 7 *[(15)] (14) The Oregon Processed Vegetable Commission.*
- 8 *[(16)] (15) The Oregon Raspberry and Blackberry Commission.*
- 9 *[(17)] (16) The Oregon Ryegrass Growers Seed Commission.*
- 10 *[(18)] (17) The Oregon Strawberry Commission.*
- 11 *[(19)] (18) The Oregon Sweet Cherry Commission.*
- 12 *[(20)] (19) The Oregon Tall Fescue Commission.*
- 13 *[(21)] (20) The Oregon Trawl Commission.*

14 **SECTION 313.** The amendments to ORS 576.062 by section 312 of this 2015 Act become  
15 operative on June 30, 2018.

16 **SECTION 314.** ORS 576.062 is amended to read:

17 576.062. The following commodity commissions are established as state commissions:

- 18 (1) The Oregon Dairy Products Commission.
- 19 (2) The Oregon Hazelnut Commission.
- 20 (3) The Oregon Dungeness Crab Commission.
- 21 (4) The Oregon Salmon Commission.
- 22 (5) The Oregon Albacore Commission.
- 23 (6) The Oregon Sheep Commission.
- 24 (7) The Oregon Potato Commission.
- 25 (8) The Oregon Alfalfa Seed Commission.
- 26 (9) The Oregon Blueberry Commission.
- 27 (10) The Oregon Clover Seed Commission.
- 28 (11) The Oregon Fine Fescue Commission.
- 29 (12) The Oregon Hop Commission.
- 30 (13) The Oregon Mint Commission.
- 31 (14) The Oregon Orchardgrass Seed Producers Commission.
- 32 *[(15) The Oregon Processed Vegetable Commission.]*
- 33 *[(16)] (15) The Oregon Raspberry and Blackberry Commission.*
- 34 *[(17)] (16) The Oregon Ryegrass Growers Seed Commission.*
- 35 *[(18)] (17) The Oregon Strawberry Commission.*
- 36 *[(19)] (18) The Oregon Sweet Cherry Commission.*
- 37 *[(20)] (19) The Oregon Tall Fescue Commission.*
- 38 *[(21)] (20) The Oregon Trawl Commission.*

39 **SECTION 315.** The amendments to ORS 576.062 by section 314 of this 2015 Act become  
40 operative on June 30, 2020.

41 **SECTION 316.** ORS 576.062 is amended to read:

42 576.062. The following commodity commissions are established as state commissions:

- 43 (1) The Oregon Dairy Products Commission.
- 44 (2) The Oregon Hazelnut Commission.
- 45 (3) The Oregon Dungeness Crab Commission.

- 1 (4) The Oregon Salmon Commission.
- 2 (5) The Oregon Albacore Commission.
- 3 (6) The Oregon Sheep Commission.
- 4 (7) The Oregon Potato Commission.
- 5 (8) The Oregon Alfalfa Seed Commission.
- 6 (9) The Oregon Blueberry Commission.
- 7 (10) The Oregon Clover Seed Commission.
- 8 (11) The Oregon Fine Fescue Commission.
- 9 (12) The Oregon Hop Commission.
- 10 (13) The Oregon Mint Commission.
- 11 (14) The Oregon Orchardgrass Seed Producers Commission.
- 12 (15) The Oregon Processed Vegetable Commission.
- 13 *[(16) The Oregon Raspberry and Blackberry Commission.]*
- 14 *[(17)] (16)* The Oregon Ryegrass Growers Seed Commission.
- 15 *[(18)] (17)* The Oregon Strawberry Commission.
- 16 *[(19)] (18)* The Oregon Sweet Cherry Commission.
- 17 *[(20)] (19)* The Oregon Tall Fescue Commission.
- 18 *[(21)] (20)* The Oregon Trawl Commission.

19 **SECTION 317. The amendments to ORS 576.062 by section 316 of this 2015 Act become**  
 20 **operative on June 30, 2022.**

21 **SECTION 318.** ORS 576.062 is amended to read:  
 22 576.062. The following commodity commissions are established as state commissions:

- 23 (1) The Oregon Dairy Products Commission.
- 24 (2) The Oregon Hazelnut Commission.
- 25 (3) The Oregon Dungeness Crab Commission.
- 26 (4) The Oregon Salmon Commission.
- 27 (5) The Oregon Albacore Commission.
- 28 (6) The Oregon Sheep Commission.
- 29 (7) The Oregon Potato Commission.
- 30 (8) The Oregon Alfalfa Seed Commission.
- 31 (9) The Oregon Blueberry Commission.
- 32 (10) The Oregon Clover Seed Commission.
- 33 (11) The Oregon Fine Fescue Commission.
- 34 (12) The Oregon Hop Commission.
- 35 (13) The Oregon Mint Commission.
- 36 (14) The Oregon Orchardgrass Seed Producers Commission.
- 37 (15) The Oregon Processed Vegetable Commission.
- 38 (16) The Oregon Raspberry and Blackberry Commission.
- 39 *[(17) The Oregon Ryegrass Growers Seed Commission.]*
- 40 *[(18)] (17)* The Oregon Strawberry Commission.
- 41 *[(19)] (18)* The Oregon Sweet Cherry Commission.
- 42 *[(20)] (19)* The Oregon Tall Fescue Commission.
- 43 *[(21)] (20)* The Oregon Trawl Commission.

44 **SECTION 319. The amendments to ORS 576.062 by section 318 of this 2015 Act become**  
 45 **operative on June 30, 2018.**



- 1     **SECTION 320.** ORS 576.062 is amended to read:  
 2     576.062. The following commodity commissions are established as state commissions:  
 3     (1) The Oregon Dairy Products Commission.  
 4     (2) The Oregon Hazelnut Commission.  
 5     (3) The Oregon Dungeness Crab Commission.  
 6     (4) The Oregon Salmon Commission.  
 7     (5) The Oregon Albacore Commission.  
 8     (6) The Oregon Sheep Commission.  
 9     (7) The Oregon Potato Commission.  
 10    (8) The Oregon Alfalfa Seed Commission.  
 11    (9) The Oregon Blueberry Commission.  
 12    (10) The Oregon Clover Seed Commission.  
 13    (11) The Oregon Fine Fescue Commission.  
 14    (12) The Oregon Hop Commission.  
 15    (13) The Oregon Mint Commission.  
 16    (14) The Oregon Orchardgrass Seed Producers Commission.  
 17    (15) The Oregon Processed Vegetable Commission.  
 18    (16) The Oregon Raspberry and Blackberry Commission.  
 19    (17) The Oregon Ryegrass Growers Seed Commission.  
 20    [(18) *The Oregon Strawberry Commission.*]  
 21    [(19)] (18) The Oregon Sweet Cherry Commission.  
 22    [(20)] (19) The Oregon Tall Fescue Commission.  
 23    [(21)] (20) The Oregon Trawl Commission.

24     **SECTION 321.** The amendments to ORS 576.062 by section 320 of this 2015 Act become  
 25    operative on June 30, 2020.

- 26     **SECTION 322.** ORS 576.062 is amended to read:  
 27     576.062. The following commodity commissions are established as state commissions:  
 28     (1) The Oregon Dairy Products Commission.  
 29     (2) The Oregon Hazelnut Commission.  
 30     (3) The Oregon Dungeness Crab Commission.  
 31     (4) The Oregon Salmon Commission.  
 32     (5) The Oregon Albacore Commission.  
 33     (6) The Oregon Sheep Commission.  
 34     (7) The Oregon Potato Commission.  
 35     (8) The Oregon Alfalfa Seed Commission.  
 36     (9) The Oregon Blueberry Commission.  
 37     (10) The Oregon Clover Seed Commission.  
 38     (11) The Oregon Fine Fescue Commission.  
 39     (12) The Oregon Hop Commission.  
 40     (13) The Oregon Mint Commission.  
 41     (14) The Oregon Orchardgrass Seed Producers Commission.  
 42     (15) The Oregon Processed Vegetable Commission.  
 43     (16) The Oregon Raspberry and Blackberry Commission.  
 44     (17) The Oregon Ryegrass Growers Seed Commission.  
 45     (18) The Oregon Strawberry Commission.

- 1     ~~[(19) The Oregon Sweet Cherry Commission.]~~
- 2     ~~[(20)] (19) The Oregon Tall Fescue Commission.~~
- 3     ~~[(21)] (20) The Oregon Trawl Commission.~~

4     **SECTION 323. The amendments to ORS 576.062 by section 322 of this 2015 Act become**  
 5 **operative on June 30, 2022.**

6     SECTION 324. ORS 576.062 is amended to read:

7     576.062. The following commodity commissions are established as state commissions:

- 8     (1) The Oregon Dairy Products Commission.
- 9     (2) The Oregon Hazelnut Commission.
- 10    (3) The Oregon Dungeness Crab Commission.
- 11    (4) The Oregon Salmon Commission.
- 12    (5) The Oregon Albacore Commission.
- 13    (6) The Oregon Sheep Commission.
- 14    (7) The Oregon Potato Commission.
- 15    (8) The Oregon Alfalfa Seed Commission.
- 16    (9) The Oregon Blueberry Commission.
- 17    (10) The Oregon Clover Seed Commission.
- 18    (11) The Oregon Fine Fescue Commission.
- 19    (12) The Oregon Hop Commission.
- 20    (13) The Oregon Mint Commission.
- 21    (14) The Oregon Orchardgrass Seed Producers Commission.
- 22    (15) The Oregon Processed Vegetable Commission.
- 23    (16) The Oregon Raspberry and Blackberry Commission.
- 24    (17) The Oregon Ryegrass Growers Seed Commission.
- 25    (18) The Oregon Strawberry Commission.
- 26    (19) The Oregon Sweet Cherry Commission.
- 27    ~~[(20) The Oregon Tall Fescue Commission.]~~
- 28    ~~[(21)] (20) The Oregon Trawl Commission.~~

29    **SECTION 325. The amendments to ORS 576.062 by section 324 of this 2015 Act become**  
 30 **operative on June 30, 2018.**

31    SECTION 326. ORS 576.062 is amended to read:

32    576.062. The following commodity commissions are established as state commissions:

- 33    (1) The Oregon Dairy Products Commission.
- 34    (2) The Oregon Hazelnut Commission.
- 35    (3) The Oregon Dungeness Crab Commission.
- 36    (4) The Oregon Salmon Commission.
- 37    (5) The Oregon Albacore Commission.
- 38    (6) The Oregon Sheep Commission.
- 39    (7) The Oregon Potato Commission.
- 40    (8) The Oregon Alfalfa Seed Commission.
- 41    (9) The Oregon Blueberry Commission.
- 42    (10) The Oregon Clover Seed Commission.
- 43    (11) The Oregon Fine Fescue Commission.
- 44    (12) The Oregon Hop Commission.
- 45    (13) The Oregon Mint Commission.

- 1 (14) The Oregon Orchardgrass Seed Producers Commission.
- 2 (15) The Oregon Processed Vegetable Commission.
- 3 (16) The Oregon Raspberry and Blackberry Commission.
- 4 (17) The Oregon Ryegrass Growers Seed Commission.
- 5 (18) The Oregon Strawberry Commission.
- 6 (19) The Oregon Sweet Cherry Commission.
- 7 (20) The Oregon Tall Fescue Commission.
- 8 *[(21) The Oregon Trawl Commission.]*

9 **SECTION 327.** The amendments to ORS 576.062 by section 326 of this 2015 Act become  
10 operative on June 30, 2020.

11

12

**CAPTIONS**

13

14 **SECTION 328.** The unit captions used in this 2015 Act are provided only for the conven-  
15 ience of the reader and do not become part of the statutory law of this state or express any  
16 legislative intent in the enactment of this 2015 Act.

17

# Senate Bill 291

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Modifies circumstances under which injured state worker has right to reinstatement or reemployment with employer at injury.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to employment of injured workers; amending ORS 659A.052; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 659A.052 is amended to read:

5 659A.052. (1) For the purpose of administration of ORS 659A.043 and 659A.046, **if an injured**  
6 **worker has been determined to be medically stationary and:**

7 (a) [*An*] **The injured worker was** employed at the time of injury by any agency in the legislative  
8 department of the government of this state, **the injured worker** shall have the right to rein-  
9 statement or reemployment at any available and suitable position in any agency in the legislative  
10 department.

11 (b) [*An*] **The injured worker was** employed at the time of injury by any agency in the judicial  
12 department of the government of this state, **the injured worker** shall have the right to rein-  
13 statement or reemployment at any available and suitable position in any agency in the judicial de-  
14 partment.

15 (c) [*An*] **The injured worker was** employed at the time of injury by any agency of the executive  
16 or administrative department of the government of this state, **the injured worker** shall have the  
17 right to reinstatement or reemployment at any available and suitable position in any agency of the  
18 executive or administrative department.

19 (2) Notwithstanding ORS 659A.043 and 659A.046, an injured worker referred to in subsection (1)  
20 of this section has preference for entry level and light duty assignments with agencies described in  
21 subsection (1) of this section. The legislative and judicial departments of the government of this  
22 state may adopt rules to define entry level and light duty assignments. The Administrator of the  
23 Personnel Division by rule shall adopt a process to identify entry level and light duty assignments  
24 within the executive or administrative department of the government of this state.

25 (3) In accordance with any applicable provision of ORS chapter 240, the Administrator of the  
26 Personnel Division shall compel compliance with this section and ORS 659A.043 and 659A.046 by  
27 any agency of the executive or administrative department of the government of this state.

28 (4) **As used in this section, "medically stationary" has the meaning given that term in**  
29 **ORS 656.005.**

30 **SECTION 2.** This 2015 Act being necessary for the immediate preservation of the public

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in boldfaced type.

1 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
2 **on its passage.**  
3 \_\_\_\_\_

## **Chief Operating Office**

### **Significant Proposed Program Changes from 2013-15**

The work of Statewide Initiatives, which primarily consists of managing change initiatives that impact multiple agencies or the enterprise of state government as a whole, is still relatively new to the department. The work generally involves business process re-engineering, facilitation, communication and professional project management.

In the 2015-2017 biennium, statewide initiatives are expected to continue to increase in response to the demands for improvements in state government operations from the Enterprise Leadership Team, the Governor and the Legislature.

Staffing for Statewide Initiatives requires high-level implementation experience, and deep program research and analysis skills. It also requires strong project coordination skills. A combination of entry-level Project Manager 1, Operations and Policy Analyst 4, and Policy and Budget Analyst positions provides the necessary skill-sets and helps create a career ladder to foster professional development in this field.

The Governor's Budget for the Office of the COO, Statewide Initiatives continues this work and includes a policy option package to convert three current Limited Duration positions to permanent positions.

## **Chief Information Office**

### **Significant Proposed Program Changes from 2013-15**

The State Chief Information Office has gone through major changes including changes in leadership. 2013 was a time of transition where the office was led by an interim CIO until the nationwide search was conducted and a new permanent CIO was hired in 2104. This new leadership has implemented an IT Governance structure similar to the new model proposed in Oregon and has continued the work started in 2013. The strategic direction for IT will continue to change through the upcoming biennium. Major changes include:

- More effective oversight through a new oversight stage gate model, providing a mechanism for project funding which aligns with the readiness of IT projects.
- Review of current common IT services and their delivery models.
- Implementation of an enterprise project portfolio management product (PPM tool) to support the management and oversight of major projects submitted by the agencies. The tool will also add transparency to IT investments and status across the enterprise for better prioritization and decision making.
- Full implementation of a comprehensive IT governance model that allows for educating the enterprise on IT governance maturity. The program also puts in place the necessary resources, strategies and tools for better strategic decision making and provides the facilitation and information needed to enable leaders to identify and prioritize utility (common) IT services and shared services across all agencies and assists in the successful implementation strategies of IT solutions.
- Continued enterprise asset identification and security vulnerability management through use of automated tools and improved policies and processes.
- Implementation of enterprise architecture meta models to structure IT solutions that supports the most efficient and secure environment meeting the enterprise business

needs. Effective enterprise architecture is a key means to achieving effective business strategy through information technology.

The Office of the State CIO is understaffed for current workload. To achieve the proposed changes and have significant impact toward IT transformation in the State, a policies option package has been submitted for the minimal required resources.

## **ENTERPRISE GOODS AND SERVICES**

### **Significant Proposed Program Changes from 2013-15**

#### **RISK MANAGEMENT (RM 065-05)**

Moving the Enterprise Goods and Services (EGS) Risk Management program budget for Attorney General (AG) Charges from Other Funds Limited to Other Funds Non-Limited.

Department of Justice (DOJ) AG charges for the Special Litigation Unit and the Civil Litigation Unit are not predictable; they are currently significant and continue to increase. Budgeting these costs within the EGS Risk Management program as an Other Funds Limited expenditure results in the program using limitation budgeted to pay for critical, normal operating costs (personal services and services and supplies) to pay for the unbudgeted AG litigation costs. This negatively impacts the effectiveness of the Risk Management program. An alternative, submitting requests for additional funding to the Emergency Board exists. Emergency Board requests follow a specific timeline, which likely would not be consistent with the timing needed to pay the AG fees. Waiting for Emergency Board approval could still result in cash flow problems for Risk Management, even with a high confidence level that approval will be granted. Either action, increasing a Risk Management Non-Limited budget item, or increasing the Risk Management Limited budget through an Emergency Board request, results in a justified budget increase for the program. Utilizing Non-Limited funding provides the flexibility needed to more effectively deal with the unpredictable nature of litigation; while at the same time enabling the Risk Management operating program activities to remain as stable as possible.

#### **Enterprise Human Resource Services**

### **Significant Program Changes from 2013-2015**

- The program will seek to expand the number of agencies and state personnel receiving services from the client agency program, thereby increasing the ratio of HR staff to employee population served.
- The program is going to continue to evaluate its performance in relation to the Service Level Agreement set by the Customer Utility Board, and research methods and processes to improve performance.

UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2013-15 & 2015-17 BIENNIA

Agency: Department of Administrative Services  
 Contact Person: Donna Haole Valenzuela, 503-378-2277

(a) Other Fund Type	(b) Program Area (SGR)	(c) Treasury Fund #/Name	(d) Category/Description	(e) Constitutional and/or Statutory reference	(f) 2013-15 Ending Balance In LAB	(g) 2015-17 Ending Balance Revised	(h) 2015-17 Ending Balance In CSL	(i) Revised	(j) Comments	(k) Comments
Limited	030 - Chief Operating Office	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627, 738	1,927,193	899,683	3,801,390	895,060	60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	898,644
Limited	035 - Chief Financial Office	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	5,674,390	2,128,566	2,712,412	1,487,260	60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	1,227,527
Limited	040 - Chief Information Office	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627, 746	3,985,275	1,765,151	2,253,403	182,117	60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	816,843
Limited	045 - Chief Human Resource Office	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	865,257	316,768	449,707	1,683,108	60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	869,882
Limited	055 - Office of Administrative Hears	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	85,088	-	-	85,088	includes final debt service payment of \$1.3m. 60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	-
Limited	055 - Enterprise Technology Services	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	4,896,650	2,726,703	-	6,843,386	Estimated debt service of \$7.4m due at the beginning of the following biennium. 60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	16,596,304
Limited	060 - Enterprise Asset Management	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	18,504,527	4,896,199	14,597,740	7,707,253	60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	7,957,810
Limited	065 - Enterprise Goods and Services	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	6,445,949	14,186,091	9,535,591	9,921,127	60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	7,156,573
Non-Limited	065 - Enterprise Goods and Services	1070012000 - Insurance Fund	Investment Pool: Reserves	Chapter 627	91,183,667	66,720,077	80,915,457	80,915,457	Estimated ending balance due to actuarial reports and estimated settlement payouts	-
Limited	070 - Enterprise Human Resource Services	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	1,763,714	179,628	123,793	325,990	60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	545,270
Limited	075 - DAS Business Services	1070015000 - OR Dept of Admin Services Operating	Operations	Chapter 627	419,628	(170,737)	2,338,956	475,545	2015-2017: CSL balance includes amounts for 15-17 policy option packages, including Mass Incentivity. 60-day working capital; (Admin OH + LAB Budget) * 60 days wc)	967,847
Capital Improvements	088 - Capital Improvements	1070004000 - Capital Projects Fund	Other	Chapter 627	368,938	-	-	-	Dedicated funds	-
Capital Construction	089 - Capital Construction	1070015000 - OR Dept of Admin Services Operating	Other	Chapter 727	2,051,737	-	-	-	Dedicated funds	-
Limited	090 - Miscellaneous Distributions	1070015000 - OR Dept of Admin Services Operating	Other	Chapters 627, 723	19,093,941	-	-	45,465	Dedicated funds	-
Non-Limited	090 - Miscellaneous Distributions	1070015000 - OR Dept of Admin Services Operating	Other	Chapters 627, 723	704,283	-	-	-	Dedicated funds	-
Limited	091 - Shared Services Fund	Part of General Fund Account	Other	Chapters 627	-	-	-	-	Dedicated funds	-
Limited	092 - Tobacco Settlement	1070002001	Other	Chapter 627	49,691,950	-	21,661,259	15,940,733	Dedicated funds	-
Debt Service	092 - Tobacco Settlement	1070015000 - OR Dept of Admin Services Operating	Other	Chapter 627	85,163,831	-	131,255,102	-	Dedicated funds	-
Debt Service	093 - DAS Debt Service	1070001080 Article XI-O Bond	Other	Chapter 627	-	-	-	-	Dedicated funds	-
Limited	094 - Bonds	1070001368 Article XI-M & N Bond Admin Fund, 070001442 Article XI-Q Bond Fund - Taxable, 1070015000 - OR Dept of Admin Services Operating, 1070001367 Article XI-M & N Bond Fund	Other	Chapter 627	2,003,164	-	-	-	Dedicated funds	-
Debt Service Limited	094 - Bonds	107001088 Article XI-O Bond Fund	Other	Chapter 627	29,150,017	-	-	-	Dedicated funds	-
Limited	096 - Education Stability Fund	1070013000 Education Stability Fund, 1070013001 Oregon Growth Account	Other	Chapter 627	5,188,955	-	12,219,703	12,219,703	Dedicated funds	-



UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2013-15 & 2015-17 BIENNIA

Agency: Department of Administrative Services  
 Contact Person: Donna Nicole Valenzuela, 503-378-2277

(a) Other Fund Type	(b) Program Area (SCR)	(c) Treasury Fund #/Name	(d) Category/Description	(e) Constitutional and/or Statutory reference	(f) 2013-15 Ending Balance In LAB Revised	(g) 2015-17 Ending Balance In CSL Revised	(h) 2015-17 Ending Balance Revised	(j) Comments	(k) Comments
Limited	099 - Special Government Payments	1070015000 - OR Dept of Admin Services Operating Projects - OF 1070000401 DAS General Fund Appropriation: 1070015000 - OR Dept of Admin Services Operating Projects - OF 1070000401 DAS General Fund	Other	Chapter 627	-	-	-	Dedicated funds	
Debt Service	099 - Special Government Payments	1070015000 - OR Dept of Admin Services Operating Projects - OF 1070000401 DAS General Fund Appropriation:	Other	Chapter 627	-	-	-	Dedicated funds	

**Objective: Provide updated Other Funds ending balance information for potential use in the development of the 2015-17 legislatively adopted budget.**

**Instructions:**

- Column (a): Select one of the following: Limited, Nonlimited, Capital Improvement, Capital Construction, Debt Service, or Debt Service Nonlimited.
- Column (b): Select the appropriate Summary Cross Reference number and name from those included in the 2013-15 Legislatively Approved Budget. If this changed from previous structures, please note the change in Comments (Column (j)).
- Column (c): Select the appropriate, statutorily established Treasury Fund name and account number where fund balance resides. If the official fund or account name is different than the commonly used reference, please include the working title of the fund or account in Column (i).
- Column (d): Select one of the following: Operations, Trust Fund, Grant Fund, Investment Pool, Loan Program, or Other. If "Other", please specify. If "Operations", in Comments (Column (j)), specify the number of months the reserve covers, the methodology used to determine the reserve amount, and the minimum need for cash flow purposes.
- Column (e): List the Constitutional, Federal, or Statutory references that establish or limits the use of the funds.
- Columns (f) and (g): Use the appropriate, audited amount from the 2013-15 Legislatively Approved Budget and the 2015-17 Current Service Level as of the Agency Request Budget.
- Columns (h) and (i): Provide updated ending balances based on revised expenditure patterns or revenue trends. Do not include adjustments for reduction options that have been submitted unless the options have already been implemented as part of the 2013-15 General Fund approved budget or otherwise incorporated in the 2013-15 LAB. The revised column (i) can be used for the balances included in the Governor's budget if available at the time of submittal. Provide a description of revisions in Comments (Column (j)).
- Column (j): Please note any reasons for significant changes in balances previously reported during the 2013 session.

**Additional Materials:** If the revised ending balances (Columns (g) or (h)) reflect a variance greater than 5% or \$50,000 from the amounts included in the LAB (Columns (f) or (i)), attach supporting memo or spreadsheet to detail the revised forecast.

Column (k): Added. Per column D, if Operations specify the number of months the reserve covers, the methodology used to determine the reserve amount, and the minimum need for cash flow purposes. Added column K to identify the ending capital needed based on October 2014 accounting month close.

		2015-17 Budget Reduction						
A	3	5	6	8	10	14	15	
DAS Priority (ranked with highest priority first)	Dept. Initials (DCR)	Program Unit/Activity Description	GF	OF	Total Funds	FTE	Impact of Reduction on Services and Outcomes	
1	055-05	ETS	-	8,409,638	8,409,638	-	Agencies will be responsible for their own billing process, communications with the vendor and decisions on purchased services.	
2	060-03	EAM	-	4,625,959	4,625,959	-	Agency tenants in self-support buildings will have their rent reduced by the amount of the utilities, then pay utility costs directly to providers. Impact of this reduction will require: 1) investment to install meters at several power sources to delineate usage per building; 2) DAS rental agreements to be updated to eliminate utility costs; 3) additional effort for each agency tenant to process their own utility payment; and 4) for buildings with multiple tenants, one agency will need to take the lead within that structure to delineate costs appropriately to other agency tenants.	
3	060-07	EAM	-	281,282	281,282	-	Surplus no longer uses the vendor eBay for online auction sales which resulted in a reduction in fees paid to that vendor. Instead, the new vendors charges a buyer premium to the auction winners. This reduction in services and supplies is currently implemented and will carry over to the next biennium.	
4	060-06	EAM	-	250,000	250,000	-	Fleet has extended Preventative Maintenance (PM) schedules this biennium from 5000 miles to 7500. This is estimated to reduce the volume of PM services by 2500 visits with a corresponding reduction in services and supplies expenditures for these services. This reduction is currently implemented and will carry-over to the next biennium.	
5	099-03	OPB	49,250	-	49,250	-	Reduce Special Payment to external recipient	
6	065-04	EGS	-	2,983,990	2,983,990	-	This reduction will require additional agencies to pre-pay for postage and could possibly delay production mail jobs due to the processing or postage payment. Additional accounting resources will be needed to facilitate pre-pay.	
7	099-11	Historical	73,875	-	73,875	-	Reduce Special Payment to external recipient	
8	060-03	EAM	-	153,393	153,393	-	Agency tenants in self-support buildings will have their rent reduced by the amount of the landscape contract. Impact of this reduction will require 1) landscape services to be contracted directly by the agency and 2) DAS rental agreements to be updated to eliminate landscape services.	
9	060-03	EAM	-	339,628	339,628	-	Agency tenants in self-support buildings will have their rent reduced by the amount of the custodial contract. Impact of this reduction will require 1) custodial services to be contracted directly by the agency and 2) DAS rental agreements to be updated to eliminate custodial services.	
10	090-01	COO	-	264,255	264,255	-	Reduces the ability for the Chief Operating Office to hire trained external professionals to provide strategic guidance, change management expertise and other specialized skills to assist in managing and transforming the operation of state government.	
11	060-07	EAM	-	165,997	165,997	1	Elimination of this position was made permanent this biennium. Even with an increased workload for remaining employees the program expects minimal delays in service to customers.	
12	065-03	EGS	-	60,000	60,000	-	This reduction will result in less consultation with Department of Justice (DOJ) on moderate risk issues. In addition, elimination of training except that related to professional certification.	
13	095-01	EGS	-	350,000	350,000	-	This reduction will have little impact on Enterprise Goods and Services.	
14	090-04	COO	-	268,292	268,292	1	Reduces ability for the Office of Economic Analysis to conduct economic and demographic research, analysis and forecasts outside the current reports required by statute. Eliminating this position will reduce the availability of data and analysis for policymakers and the public.	
15	065-02	EGS	-	325,000	325,000	-	This reduction resulted from a savings realized from lower than anticipated costs. The impact could cause a budget shortfall from unanticipated rate increases from other state services.	
16	099-07	County Fair	366,938	-	366,938	-	Reduce Special Payment to external recipient	
17	065-02	EGS	-	375,000	375,000	-	This reduction resulted from a savings realized from lower than anticipated costs. The impact could cause a budget shortfall from unanticipated rate increases from other state services.	
18	065-05	EGS	-	500,000	500,000	-	This reduction eliminates our ability to add enhanced features to our existing vendor Risk Management Information System. These features include tracking locations, self-insurance and commercial policies and improved reserve analysis. The result is inability to maximize use of technology to manage claims and underwrite risk exposures.	
19	075-01	DBS	-	180,945	180,945	-	Reduces ability to replace hardware/software in 2015-2017. Lifecycle of desktops will be extended for another biennium.	
20	065-04	EGS	-	200,000	200,000	-	This reduction has potential for long-term harm to the business and would reduce Publishing and Distribution's ability to meet the changing requirements of customers. Funds for operating leases are supported in rates charged to our customers.	

		2015-17 Budget Reduction										
A		3	5	6	8	10	14					
DAS Priority (ranked with highest priority first)	Dept. Initials (DCR)	Program Unit/Activity Description	GF	OF	Total Funds	Pos.	FTE	Impact of Reduction on Services and Outcomes				
21	055-06	ETS Reduce Network Passthrough	-	2,678,849	2,678,849	-	-	Requested agency projects would have to be prioritized or not be implemented or agency network usage would likely be reduced to compensate for this reduction.				
22	060-03	EAM Eliminate custodial services; Self Support building tenants would contract directly with vendor	-	266,848	266,848	5	5.00	Eliminates five positions at the Albina, OSP Crime Lab and OR-OSHA offices in Portland. The impact of the reduction will require these tenants to contract custodial services at a Qualified Rehabilitation Center (QRC) at a lower cost and at a lower level of service. Reduces services and supplies and capital outlay expenditures by discontinuing Interagency Agreements (IGAs) with local government and university customers of permanently assigned vehicles. Most vehicles from these customers would be used to replace aged and high mileage vehicles for state agencies leading to a reduced need for replacement vehicle capital outlay funds. Customers would be required to seek vehicle rentals and/or leasing from a private vendor, which is estimated at a higher cost than DAS rates.				
23	060-09	EAM Reduce the number of permanently assigned vehicles	-	2,825,000	2,825,000	-	-	Contractors are hired because Enterprise Technology Services does not have the skill set or a full-time employee to support all requests - reducing the professional services will decrease efficiency and timeliness in delivering services to our customers. Elimination of this position would not only increase workload but would also eliminate the supervision of the 10 full-time night shift employees.				
24	055-05	ETS Reduces the ability to hire outside contractors for IT related projects	-	5,021,967	5,021,967	-	-	Professional Services is necessary when technical projects are beyond the scope of Publishing and Distribution's staff. Elimination of these funds would cause P&D to not perform certain customer related projects.				
25	065-04	EGS Eliminate Secure Print/Production (Night team lead)	-	155,320	155,320	1	1.00	Unable to fulfill Service Level Agreement (SLA) training obligations and will need to address with the Customer Utility Board (CUB) and customers. Negative impact on technical expertise.				
26	065-04	EGS Production Print - Professional Services	-	40,000	40,000	-	-	This reduction has potential for long-term harm to the business and would reduce Publishing and Distribution's ability to meet the changing requirements of our customers. Funds for operating leases are supported in rates charged to our customers.				
27	065-05	EGS Reduces CUB related opportunities	-	35,916	35,916	-	-	Reduces services and supplies expenditure of the seasonally assigned vehicle pool, primarily used by the Department of Fish and Wildlife, Oregon State Parks, and the Oregon Department of Transportation, by 75%. This reduction is used to maintain and fuel the seasonal vehicle pool. This would require agencies to acquire seasonal vehicles through a private vendor, which is estimated to cost twice to three times the amount of DAS rates.				
28	065-04	EGS Secure Print - Operating Leases	-	200,000	200,000	-	-	Reduces ability to complete financial systems projects at the pace required; every year the system must be updated with new tax tables; PEGB insurance changes; and enterprise-wide system improvement projects; this could lead to incorrect paychecks for employees.				
29	060-08	EAM Reduce the number of seasonally assigned vehicles	-	519,463	519,463	-	-	Contractors are hired because Enterprise Technology Services does not have the skill set or a full-time employee to support all requests - reducing the professional services will decrease efficiency and timeliness in delivering services to our customers.				
30	065-02	EGS Eliminates ability to perform new/updated systems projects	-	210,628	210,628	1	1.00	Eliminates a position responsible for managing the state QRF program.				
31	055-06	ETS Reduces the ability to hire outside contractors for IT related projects	-	2,462,295	2,462,295	-	-	This reduction will eliminate dedicated Enterprise project management, performance reporting, road map development, and enterprise information technology coordination (e.g., Transparency reporting and website updates, enterprise software licenses, and IT opportunity assessments for future enterprise and shared services initiatives). The division's capacity will be diminished and workload will have to be absorbed by remaining staff on a best effort basis.				
32	035-05	CFO Eliminate state oversight of the Qualified Rehabilitation Facility Program	-	229,481	229,481	1	1.00	This position is responsible for negotiating labor agreements, participating in issue resolution, and assisting in arbitrations. The elimination of the position results in increased risk and we will need to obtain additional services from Department of Justice (DOJ) to perform a larger portion of these duties.				
33	040-04	CIO Eliminate enterprise oversight and reporting	-	227,452	227,452	1	1.00	Eliminating this position will result in the loss of ability to coordinate with agency work groups on special projects such as e-discovery, national organizations (e.g., National Association of State Chief Information Officers (NASCIO) Workgroups and Awards programs) and coordination of Chief Information Office activities.				
34	045-06	CHRO Reduces staffing in Labor Relations	-	228,995	228,995	1	1.00	The loss of this position will reduce Enterprise Human Resource Services' capability to provide timely input of personnel actions (i.e., pay raises, position management, new hire paperwork, etc.).				
35	040-02	CIO Eliminates ability to conduct special IT projects	-	259,957	259,957	1	1.00	Eliminates three positions that provide support for the Capital Planning Commission, the Capital Planning Advisory Board and all Chief Financial Office capacity for long-range				
36	070-01	EHRIS Eliminates office administration capability	-	123,193	123,193	1	1.00	Eliminates office administration capability				
37	065-04	CFO Eliminate CFO support for Long Range Facility Planning	-	689,958	689,958	3	3.00	Eliminates office administration capability				

		2016-17 Budget Reduction										
		3	5	6	8	10	14					
DAS Priority (ranked with highest priority first)	Dept. Initials (DCR)			GF	OF	Total Funds	Pos.	FTE	Impact of Reduction on Services and Outcomes			
38	045-04	CHRO	Eliminate Class & Comp studies	-	228,995	228,995	1	1.00	The elimination of this position will result in the inability to continue with classification and compensation studies, and will greatly reduce our ability to accurately cost labor contracts. Timelines for current initiatives will need to be evaluated and adjusted due to reduced resources, and quality assurance and research regarding equitable compensation will be reduced. Agencies will have to wait longer for classification reviews and compensation requests, which may impact budget development timelines and recruitment activities.			
39	070-05	EHRIS	Eliminate Administration and records/data reporting	-	538,166	538,166	3	3.00	The loss of two positions would reduce all basic, but necessary human resource data entry for all of DAS and multitude of state agencies. The elimination would require, at a minimum, reduction of 50 percent of the state agencies we serve as clients and a reduction in performance expectations as dictated by the Customer Utility Board (CUB). The impact of the third position would eliminate almost 50% of Enterprise Human Resource Services' capability to provide reporting and data analysis for all state agencies including the Governor's Office. This would require a reduction in performance expectations for EHRIS as dictated by the CUB.			
40	055-05	CFO	Eliminate most procurement policy functions	-	497,423	497,423	2	2.00	Eliminates two policy positions and shifts most responsibilities to Enterprise Goods and Services (EGS). Retains one position for statewide coordination activities with EGS.			
41	045-04	CHRO	Eliminate Class & Comp studies	-	259,897	259,897	1	1.00	The elimination of this position will result in the inability to continue with classification and compensation studies, and will greatly reduce our ability to accurately cost labor contracts. Timelines for current initiatives will need to be evaluated and adjusted due to reduced resources, and quality assurance and research regarding equitable compensation will be reduced. Agencies will have to wait longer for classification reviews and compensation requests, which may impact budget development timelines and recruitment activities.			
42	055-02	EGS	Eliminates customer service performance & possible increase in errors	-	162,907	162,907	1	1.00	Eliminating this position could cause reduced customer service and longer wait times when staff are absent.			
43	055-06	EGS	Eliminates the ability for public outreach	-	139,702	139,702	1	1.00	Elimination of this position could cause reduced customer service and longer wait time for invoicing.			
44	055-06	EGS	Eliminates customer service performance & possible increase in errors	-	154,301	154,301	1	1.00	Elimination of this position could cause reduced customer service and longer wait time for payment processing.			
45	040-02	CIO	Eliminate oversight in the ITIP program	-	259,857	259,857	1	1.00	This reduction will require the revision or rescinding of the Statewide IT Investment Review and Approval Policy and the Technology Strategy Development and Quality Assurance Reviews Policy and may require statutory revisions (ORS 291.038 & ORS 184.473-184.477). Impacts include: <ul style="list-style-type: none"> <li>• Reduced Chief Information Office (CIO) capacity to review and provide recommendations on agency IT related budget requests to the State Chief Information Officer, the Department of Administrative Services (DAS) Chief Financial Officer (CFO) or Legislative Fiscal Office (LFO) as part of the biennial budgeting process.</li> <li>• Reduced CIO capacity to conduct Information Technology (IT) project reviews and provide recommendations to the State CIO, DAS Director, CFO, or LFO as required by the Statewide IT Investment Review and Approval Policy (which provides the State CIO with a gate review capability prior to IT projects moving to procurement).</li> <li>• Elimination of the IT oversight coordinator position eliminates dedicated major IT services price agreement to the DAS Procurement Services office.</li> </ul> Reduces ability of the Chief Operating Office to conduct large, cross-agency transformation/business improvement projects. Higher level project staff are critical to ensuring the success of statewide projects. This position helps provide strategic project coordination skills and is a key position for maintaining a career ladder within the office and for succession planning. Eliminating this position will leave only one higher level, permanent position in the project management arena.			
46	050-01	COO	Eliminate ability to conduct cross-agency transformations	-	269,292	269,292	1	1.00	The elimination of this position will remove the function of executive recruitment for agency directors, boards and commissions and the Governor's Office. This position is also responsible for developing retention and succession planning strategies in collaboration with agencies and Chief Human Resources Office staff. Executive recruitment activities will need to be conducted through contracted services and an overall strategy for succession planning and recruitment will be delayed.			
47	045-02	CHRO	Eliminate the function of executive recruitment	-	202,233	202,233	1	1.00	With the reduction of staff over the past few years, this position is scheduled to be re-classified into the operations area of Publishing and Distribution. This position will be responsible for bridging the Services and Production areas, streamlining the flow of work.			
48	055-04	EGS	Eliminates customer service performance & possible increase in errors	-	146,650	146,650	1	1.00				

		2015-17 Budget Reduction							
		3	5	6	8	10	14	15	
DAS Priority (ranked with highest priority first)	Dept. Initials (DCR)	Program Unit/Activity Description	GF	OF	Total Funds	Pos.	FTE	Impact of Reduction on Services and Outcomes	
49	065-03	EAM Transfer custodial positions to ODOT	-	375,294	375,294	3	3.00	Transfers three custodian positions to the Oregon Department of Transportation (ODOT). This impact will 1) require DAS to eliminate the service level agreement with ODOT for Custodial Services at the Headquarters building in Salem and 2) permanently reduce the personal services budget.	
50	065-02	EGS Eliminates customer service performance & possible increase in errors	-	175,054	175,054	1	1.00	With fewer analysts' positions, this elimination could cause a reactive versus proactive approach to problem solving, and some agency questions may go unanswered or not be answered timely.	
51	065-03	EGS Eliminates ability to collect data for various projects	-	114,470	114,470	1	1.00	Elimination of this position will result in the ability to collect data for rate model, and reduced ability to offer training to enterprise as the trainers would have to absorb the work of material preparation, registration, and Learn updates.	
52	065-03	EGS Eliminates resources for improvement projects	-	219,023	219,023	1	1.00	Statewide procurement improvement projects would need to locate a replacement resource for Forms & Templates project team as well as a resource for sustaining project outcomes. In addition, Procurement Services would be unable to further its work in providing tools & information to procurement offices throughout the enterprise.	
53	065-08	EGS Eliminates the ability to fully automate claims	-	143,376	143,376	1	1.00	Elimination of this position could cause reduced customer service and disrupt cash flow for agencies.	
54	065-04	EGS Abolish specialist in Shipping and Receiving area	-	111,552	111,552	1	1.00	This would eliminate the only dedicated position to Shipping and Receiving. With the elimination of this position, duties would be shared among remaining staff in the bindery unit, resulting in increased turnaround time for customers' bindery jobs.	
55	065-03	EGS Eliminates customer service performance & possible increase in errors	-	211,758	211,758	1	1.00	Elimination of this position reduces capacity to obtain quotes on outsourced print work at Publishing and Distribution (P&D), and a 50% reduction in the ability to consult with P&D customers on printing specifications.	
56	065-03	EGS Eliminates enterprise training opportunities	-	181,662	181,662	1	1.00	Elimination of this position reduces procurement course offerings by 30%, inability to continue migration to e-learning, eliminates customer training, and new/advanced offerings.	
57	065-05	EGS Eliminates customer service performance & possible increase in errors	-	143,376	143,376	1	1.00	Lose ability to move forward with fully automating claims process and having paperless files. Accounts payable duties would move to administrative specialist position and all other duties would move to higher level position.	
58	065-03	EGS Eliminates customer service performance & possible increase in errors	-	203,632	203,632	1	1.00	Elimination of this position reduces the ability to respond to agency and enterprise procurement requests related to IT procurement in a timely manner, and will also reduce procurement leadership of high risk/high dollar information technology procurements.	
59	065-03	EGS Eliminates customer service performance & possible increase in errors	-	210,628	210,628	1	1.00	Elimination of this position will increase Procurement Services' supervisor to staff ratio to 1 to 16. This will impact oversight of high-risk, high-dollar procurements, and the ability to further the cultural and programmatic transformation of the unit as the remaining three managers would need to manage the day-to-day operations in addition to extra workload.	
60	065-05	EGS Eliminates customer service performance & possible increase in errors	-	138,702	138,702	1	1.00	Risk will no longer be able to handle citizen complaints. If both administrative positions are cut, higher paid staff will be doing more administrative work such as scheduling and planning meetings, etc.	
61	065-05	EGS Eliminates expertise in Risk arena while increasing DOJ costs	-	237,390	237,390	1	1.00	Litigated employment claims will be handled by the Department of Justice (DOJ) with very little input from Risk. Expect increased defense costs and settlement costs - all of which will be passed onto agencies.	
62	065-05	EGS Eliminates opportunity for financial recovery of claims	-	172,015	172,015	1	1.00	Adjusters will handle their own subrogation, resulting in reduced financial recovery due to increased workload and fewer resources focused on recovery.	
63	065-05	EGS Eliminates expertise in Risk arena while increasing DOJ costs	-	210,628	210,628	1	1.00	Agencies will need to utilize the Department of Justice (DOJ) for contract reviews resulting in increased cost to agencies. Agency outreach activities will be minimized - no Risk Connection, no RiskKey Notes, no economic assessments.	
64	065-06	EIS Reduces the ability to meet on-demand customer requests	-	2,818,915	2,818,915	-	-	This reduction would reduce the ability of Enterprise Technology Services to adapt to on-demand requests by customers. This will likely force customers down information technology paths that may not be optimal for their situation.	
65	065-05	EGS Shifts Risk management responsibilities to Administrator	-	304,492	304,492	1	1.00	Move duties of the Finance Analyst and Insurance Manager to EGS Administrator, lead worker for risk claims unit and one for claims. Claims Manager is sole manager. Supervisor to staff ratio could be as high as 1 to 20 and hinders leadership for complex risk work.	
66	065-05	EGS Eliminates IT expertise while increasing cost to the program	-	159,868	159,868	1	1.00	Administration of the Risk Management Information System would move to an Administrative Assistant position. Certificates of Insurance would be handled by an administrative assistant with an operations and policy analyst oversight. With this position elimination, Risk loses technological expertise, resulting in a greater cost to the Risk program.	
67	065-06	EGS Eliminates customer service performance & possible increase in errors	-	129,444	129,444	1	1.00	This is the only administrative position in Shared Financial Services (SFS) supporting a team of 28; eliminating this position could cause reduced customer service and support for the SFS program while moving clerical functions to higher level accounting positions.	
			490,063	31,358,325	31,848,388	51	51.00		

10700-0A5  
 REPR CODE CHANGES  
 SUPERVISORY TO NON-SUPERVISORY; NON-SUPERVISORY TO SUPERVISORY  
 EFFECTIVE 7/1/11 THROUGH CURRENT  
 REPORT DATE 1/20/2015  
 ASSET CLASS 2 DATA  
 DATA FROM PPDB EMPLOYEE ONLINE RECORD  
 REPORT NO: EHR50898

POSNO	EIN	NAME	OLD CLSC	OLD REPR DESC	OLD CLASS DESC	NEW CLSC	NEW REPR DESC	NEW CLASS DESC	BASE ATE	OLD BASE RATE	EFF DATE
0014025	CR0095623	KEITH, KRISTIN K	MMS X7000 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER A	MMN X0873 AA	MGT SVC NONSUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER A	\$ 5,032.00	\$ 5,052.00	7/1/2013
0210004	CR0108283	STROEBEL, PAMELA JOYCE	MESNZ0712 AA	EXEC SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER G	MMN X0873 AA	MGT SVC NONSUPERVISORY	OPERATIONS & POLICY ANALYST 4	\$ 7,332.00	\$ 7,332.00	9/10/2012
0251017	CR0062857	ADELMAN, JOE F	MMS X1443 IA	MGT SVC SUPERVISORY	DATA RESOURCES MANAGER	GA CL488 IA	SEIU LOCAL 503 OPEU-STRIKEABLE	INFO SYSTEMS SPECIALIST 8	\$ 8,490.00	\$ 8,490.00	9/10/2012
0520005	CR0136786	CHARLES, RHONDA LORENE	MMS X7000 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER A	GA C0860 AA	SEIU LOCAL 503 OPEU-STRIKEABLE	PROGRAM ANALYST 1	\$ 9,438.00	\$ 9,377.00	9/10/2012
0520081	CR0005561	LANTZ, DONNA LEE	MMS X7008 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER E	MMN X0873 AA	MGT SVC NONSUPERVISORY	OPERATIONS & POLICY ANALYST 4	\$ 6,688.00	\$ 6,688.00	9/10/2012
2850801	CR0029237	SWARTWOUT, HEATH	MMS X4046 AA	MGT SVC SUPERVISORY	MAINT & OPER SUPV	GA C4039 AA	SEIU LOCAL 503 OPEU-STRIKEABLE	PHYSIC/ELECTRIC SECRTY TECH 3	\$ 4,856.00	\$ 4,809.00	8/1/2012
4002302	CR0189920	GREEN, ASHBEL S	MMS X7010 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER F	MMN X7010 AA	MGT SVC NONSUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER F	\$ 7,332.00	\$ 7,332.00	7/2/2012
0082010	CR0130995	SMITH, CYRIL R	MMS X7008 IA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER E	MMN X1488 IA	MGT SVC NONSUPERVISORY	INFO SYSTEMS SPECIALIST 8	\$ 9,085.00	\$ 8,824.00	8/1/2013
1808061	CR0060097	CHAMBERS, JANET	MMS X0806 AA	MGT SVC SUPERVISORY	OFFICE MANAGER 2	UA C0871 AA	UNREPRESENTED	INFO SYSTEMS SPECIALIST 2	\$ 5,025.00	\$ 4,100.00	7/1/2012
0108901	CR0189305	WARNER, SUMMER L	MESNZ0830 AA	EXEC SVC SUPERVISORY	EXECUTIVE ASSISTANT	MENNZ0830 AA	EXEC SVC NONSUPERVISORY	EXECUTIVE ASSISTANT	\$ 9,913.00	\$ 9,913.00	7/1/2012
0970101	CR0009381	LANCASTER, DIANNE	MMS X7010 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER F	MMN X1143 AA	MGT SVC NONSUPERVISORY	POLICY AND BUDGET ANALYST	\$ 8,490.00	\$ 8,490.00	7/1/2012
0448501	CR0178106	GUARNES, FRANCIS M	MMS X1411 IA	MGT SVC SUPERVISORY	SYSTEMS & PROGRAMMING SUPV 2	GA CL488 IA	SEIU LOCAL 503 OPEU-STRIKEABLE	INFO SYSTEMS SPECIALIST 8	\$ 7,515.50	\$ 7,515.50	9/10/2012
0970021	CR0081406	GALLAGHER, DEBORAH J	MMS X7006 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER D	MMN X0872 AA	MGT SVC NONSUPERVISORY	OPERATIONS & POLICY ANALYST 3	\$ 7,038.00	\$ 6,760.00	8/1/2013
0970044	CR0029125	FRETWELL, KENT W	MMS X7006 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER D	MMN X0869 AA	MGT SVC NONSUPERVISORY	PROGRAM ANALYST 4	\$ 6,992.00	\$ 6,992.00	7/1/2012
0914941	CR0111007	ROBERTSON, GLENN	MMS X7006 IA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER B	GA CL488 IA	SEIU LOCAL 503 OPEU-STRIKEABLE	INFO SYSTEMS SPECIALIST 8	\$ 6,507.00	\$ 6,274.00	7/1/2012
0101141	CR0204581	SMITH, ROBERTA LYNN	MMS X7002 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER B	GA C0212 AA	SEIU LOCAL 503 OPEU-STRIKEABLE	ACCOUNTING TECHNICIAN 3	\$ 2,624.00	\$ 2,624.00	6/11/2012
0410803	CR0188309	ZIELINSKI, CAROL A	MMS X0119 AA	MGT SVC SUPERVISORY	EXECUTIVE SUPPORT SPECIALIST 2	UA X0119 AA	UNREPRESENTED	EXECUTIVE SUPPORT SPECIALIST 2	\$ 2,989.00	\$ 2,925.00	7/1/2012
1185103	CR0198965	GRINDY, ERIC A	MMS X0863 AA	MGT SVC SUPERVISORY	PROGRAM ANALYST 4	MMN X0863 AA	MGT SVC NONSUPERVISORY	PROGRAM ANALYST 4	\$ 5,736.00	\$ 5,756.00	7/1/2012
1170001	CR0108487	MORIN, MICHELLE M	MMS X7000 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER A	GA C0212 AA	SEIU LOCAL 503 OPEU-STRIKEABLE	ACCOUNTING TECHNICIAN 3	\$ 4,100.00	\$ 4,100.00	9/10/2012
2548740	CR0018553	RONDEWA, CATHERINE B	MMS X0806 AA	MGT SVC SUPERVISORY	OFFICE MANAGER 2	MMN X0806 AA	MGT SVC NONSUPERVISORY	OFFICE MANAGER 2	\$ 4,159.00	\$ 4,159.00	7/1/2013
2270101	CR0001714	LESTER, MELVIN	MMS X7010 IA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER F	GA CL488 IA	SEIU LOCAL 503 OPEU-STRIKEABLE	INFO SYSTEMS SPECIALIST 8	\$ 6,089.00	\$ 6,089.00	9/10/2012
0370121	CR0327105	FLOYD, GEROLD J	MMS X7010 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER F	MMN X0873 AA	MGT SVC NONSUPERVISORY	OPERATIONS & POLICY ANALYST 4	\$ 6,663.00	\$ 6,663.00	9/10/2012
3570122	CR0212815	WIEWEL, ALICE H	MENN Z7012 AA	EXEC SVC NONSUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER G	MMS X7012 AA	MGT SVC SUPERVISORY	PRINCIPAL EXECUTIVE/MANAGER G	\$ 9,955.00	\$ 9,955.00	11/1/2013

AGENCY 10700-DAS  
NEW HIRES

EFFECTIVE 7/1/2013 THROUGH 12/31/2014

REPORT DATE 1/20/2014

ASSET CLASS 2 DATA

DATA FROM PPDB ONLINE EMPLOYEE RECORD

REPORT NO: EHRNEWH

NAME	POSNO	CLASS	CLASS DESC	BASE RATE	RNG	STP	ACTION	EFF-DTE	JUSTIFICATION
HAMILTON, GERALD J	3070161	Z7014	PRINCIPAL EXECUTIVE/MANAGER H	\$ 10,278.00	40X	00	NEW HIRE	7/1/2013	
LIU, LIN	2548813	C1488	INFO SYSTEMS SPECIALIST 8	\$ 5,491.00	33	02	NEW HIRE	7/1/2013	
STANG, TOBY BRAIL	4001002	C5207	CLAIMS REPRESENTATIVE 1	\$ 3,332.00	22	03	NEW HIRE	7/1/2013	
HACKWORTH, JORDAN LEE	2548607	C1484	INFO SYSTEMS SPECIALIST 4	\$ 4,578.00	25	06	NEW HIRE	7/8/2013	
SPARKS, CATHERINE DEE	1473401	C4417	AUTOMOTIVE SERVICE TECHNICIAN	\$ 2,662.00	11	09	NEW HIRE	7/15/2013	
MASSIE, KEITH J	0240026	C1488	INFO SYSTEMS SPECIALIST 8	\$ 6,600.00	33	06	NEW HIRE	7/29/2013	
JOHNSTON, KEITH WAYNE	0111072	C0107	ADMINISTRATIVE SPECIALIST 1	\$ 2,451.00	17	01	NEW HIRE	7/31/2013	
ONEILL, IAN PATRICK	7400103	C4109	GROUNDS MAINTENANCE WORKER 1	\$ 2,191.00	14	01	NEW HIRE	8/2/2013	
LANE, LALEYNTA CRISTIA	6501041	C0104	OFFICE SPECIALIST 2	\$ 2,451.00	15	03	NEW HIRE	8/5/2013	
ANGLEMIER, JOHN RICHAR	1304382	C0438	PROCUREMENT & CONTRACT SPEC 3	\$ 5,341.00	29	06	NEW HIRE	8/12/2013	
HENDRIX, TYLER DEVIN	9908703	C0870	OPERATIONS & POLICY ANALYST 1	\$ 3,652.00	23	04	NEW HIRE	8/12/2013	
THOMSON, STAR C	0312119	C1217	ACCOUNTANT 3	\$ 4,413.00	27	04	NEW HIRE	8/12/2013	
LISPER, MICHELLE AVIV	0014010	X1143	POLICY AND BUDGET ANALYST	\$ 7,093.00	35	04	NEW HIRE	8/19/2013	
HAYER, LISA KARINE	9904371	C0437	PROCUREMENT & CONTRACT SPEC 2	\$ 4,210.00	27	03	NEW HIRE	8/20/2013	
TOMINAGA, MELISSA ANN	0156004	C1216	ACCOUNTANT 2	\$ 3,652.00	23	04	NEW HIRE	8/26/2013	
DENOUDEN, ROBERT S	0448601	X0873	OPERATIONS & POLICY ANALYST 4	\$ 7,093.00	32	07	NEW HIRE	8/30/2013	
CRAIN, JOSHUA D	9904372	C0437	PROCUREMENT & CONTRACT SPEC 2	\$ 4,210.00	27	03	NEW HIRE	9/3/2013	
ELSNER, EHREN	0153029	C4404	MAIL DELIVERY DRIVER	\$ 2,280.00	14	02	NEW HIRE	9/16/2013	
QUINTON, HOPE KAREN EL	0531601	C0435	PROCUREMENT AND CONTRACT ASST	\$ 2,775.00	19	02	NEW HIRE	9/16/2013	
MILLER, TIMOTHY J	0941169	C4116	LABORER/STUDENT WORKER	\$ 2,113.00	12	02	NEW HIRE	9/30/2013	
BRENDLE, THOMAS JEFFER	2548709	C1487	INFO SYSTEMS SPECIALIST 7	\$ 6,952.00	31	09	NEW HIRE	10/1/2013	
EVANS, WINNIE L	2548611	C1486	INFO SYSTEMS SPECIALIST 6	\$ 4,347.00	29	01	NEW HIRE	10/1/2013	
MILLER, JEREMY WILLIAM	1142132	C4008	ELECTRICIAN 2	\$ 5,341.00	26	09	NEW HIRE	10/1/2013	
PADHYA, JANAKKUMAR DIL	2548852	C1488	INFO SYSTEMS SPECIALIST 8	\$ 6,915.00	33	07	NEW HIRE	10/4/2013	
FORD, ALLYSON	3008651	C0854	PROJECT MANAGER 1	\$ 3,837.00	26	02	NEW HIRE	10/7/2013	
LEE, CHRISTAL ANNE	3008651	C0854	PROJECT MANAGER 1	\$ 3,837.00	26	02	NEW HIRE	10/7/2013	
FAWVER, MONIQUE RACHEL	0153005	C1217	ACCOUNTANT 3	\$ 4,413.00	27	04	NEW HIRE	10/10/2013	
ALLEN, MANDY L	2548719	C0108	ADMINISTRATIVE SPECIALIST 2	\$ 3,484.00	19	07	NEW HIRE	10/21/2013	
DEAN, DAREN F	2861208	C4101	CUSTODIAN	\$ 1,973.00	10	02	NEW HIRE	11/1/2013	
LEWIS, DEWAYNE	6410149	C4101	CUSTODIAN	\$ 1,973.00	10	02	NEW HIRE	11/1/2013	
CHRISTENSEN, DANIEL	1185103	X0863	PROGRAM ANALYST 4	\$ 5,839.00	31	04	NEW HIRE	11/4/2013	
SMERDON, TIMOTHY SCOTT	6140803	C1488	INFO SYSTEMS SPECIALIST 8	\$ 5,491.00	33	02	NEW HIRE	11/4/2013	
KALATHOTI, BHUVANA S	2548728	C1488	INFO SYSTEMS SPECIALIST 8	\$ 7,582.00	33	09	NEW HIRE	11/5/2013	

AGENCY 10700-DAS  
NEW HIRES

EFFECTIVE 7/1/2013 THROUGH 12/31/2014

REPORT DATE 1/20/2014

ASSET CLASS 2 DATA

DATA FROM PPDB ONLINE EMPLOYEE RECORD

REPORT NO: EHRSEWH

NAME	POSNO	CLASS	CLASS DESC	BASE RATE	RNG	STP	ACTION	EFF-DTE	JUSTIFICATION
PALMER, DOUGLAS K	1291401	C4404	MAIL DELIVERY DRIVER	\$ 2,352.00	14	03	NEW HIRE	11/7/2013	
DOLL, NANCY ANN	1301073	C0107	ADMINISTRATIVE SPECIALIST 1	\$ 2,451.00	17	01	NEW HIRE	11/12/2013	
ALLEN, SUSAN RENEE	4002302	X1143	POLICY AND BUDGET ANALYST	\$ 8,206.00	35	07	NEW HIRE	11/18/2013	
BARTOSZ, DONNA A	0153007	C1217	ACCOUNTANT 3	\$ 4,019.00	27	02	NEW HIRE	11/25/2013	
CUNNINGHAM, BRADLEY PA	1870082	X7010	PRINCIPAL EXECUTIVE/MANAGER F	\$ 7,438.00	35X	06	NEW HIRE	11/25/2013	
STEPHENS, SHERRY MURIE	6410152	C4101	CUSTODIAN	\$ 2,113.00	10	04	NEW HIRE	11/25/2013	
HAWES, HEATHER DAWN	6026201	C0435	PROCUREMENT AND CONTRACT ASST	\$ 3,225.00	19	05	NEW HIRE	12/2/2013	
HYLTON, LISA B	0112071	X0873	OPERATIONS & POLICY ANALYST 4	\$ 6,226.00	32	04	NEW HIRE	12/16/2013	
KAZLAUSKAS, DARRIN DWA	1870061	Z7012	PRINCIPAL EXECUTIVE/MANAGER G	\$ 9,171.00	38X	07	NEW HIRE	12/16/2013	
SATTLER, MICHAEL A	8600604	C0403	MAIL EQUIPMENT OPERATOR 1	\$ 2,145.00	12	02	NEW HIRE	12/23/2013	
SMITH, RACHEL R	1304372	C0437	PROCUREMENT & CONTRACT SPEC 2	\$ 4,079.00	27	02	NEW HIRE	12/26/2013	
CLARK, CLAIR E	3511782	X1178	PUBLIC ADMINISTRATIVE TRAINEE	\$ 3,838.00	25	01	NEW HIRE	1/6/2014	
MOFFETT, ROBERT G	0302121	C0212	ACCOUNTING TECHNICIAN 3	\$ 3,077.00	19	04	NEW HIRE	1/6/2014	
PETTIT, ALEX Z	0210005	Z7014	PRINCIPAL EXECUTIVE/MANAGER H	\$ 14,916.00	40X	09	NEW HIRE	1/6/2014	
TANNER, JOSHUA M	0414073	C1486	INFO SYSTEMS SPECIALIST 6	\$ 5,065.00	29	04	NEW HIRE	1/6/2014	
ZIKE, MADILYN L	0670141	Z7014	PRINCIPAL EXECUTIVE/MANAGER H	\$ 11,139.00	40X	09	NEW HIRE	1/13/2014	
ALVISO, ALBERT S	9944041	C4404	MAIL DELIVERY DRIVER	\$ 2,314.00	14	02	NEW HIRE	1/16/2014	
CLAWSON, JUDITH E	9908704	C0870	OPERATIONS & POLICY ANALYST 1	\$ 3,225.00	23	01	NEW HIRE	1/27/2014	
SMITH, KALENE M	5514815	C1482	INFO SYSTEMS SPECIALIST 2	\$ 3,917.00	21	07	NEW HIRE	1/27/2014	
MILLER, DANIEL JAMES	6410203	C4034	FACILITY ENERGY TECHNICIAN 3	\$ 4,479.00	24	07	NEW HIRE	2/3/2014	
SALOV, LYUBOV Y	0153020	C0212	ACCOUNTING TECHNICIAN 3	\$ 3,382.00	19	06	NEW HIRE	2/3/2014	
DELANEY, JENNIFER L	5514862	C1486	INFO SYSTEMS SPECIALIST 6	\$ 4,412.00	29	01	NEW HIRE	2/18/2014	
PHILLIPS, LEVI B	1141201	C4012	FACILITY MAINTENANCE SPEC	\$ 2,584.00	18	01	NEW HIRE	2/18/2014	
SEXTON, ERIC W	9908702	C0870	OPERATIONS & POLICY ANALYST 1	\$ 3,707.00	23	04	NEW HIRE	2/19/2014	
YARNELL, KIP N	5514863	C1486	INFO SYSTEMS SPECIALIST 6	\$ 5,553.00	29	06	NEW HIRE	3/3/2014	
ROTHWEILER, EMILY K	0153021	C0211	ACCOUNTING TECHNICIAN 2	\$ 2,488.00	17	01	NEW HIRE	3/5/2014	
JUSTIS, CARMALEE F	0925121	C2512	ELECTRONIC PUB DESIGN SPEC 3	\$ 3,225.00	23	01	NEW HIRE	3/10/2014	
PAYNE, BRIAN M	5514811	C1481	INFO SYSTEMS SPECIALIST 1	\$ 3,502.00	17	08	NEW HIRE	3/10/2014	
WALSTER, LAURA RENE	0920053	X0104	OFFICE SPECIALIST 2	\$ 2,749.00	15	04	NEW HIRE	3/10/2014	
BALTARZAR, NOE	0910205	C0104	OFFICE SPECIALIST 2	\$ 2,387.00	15	02	NEW HIRE	3/17/2014	
MCGUIRE, SEAN PATRICK	0470087	X0872	OPERATIONS & POLICY ANALYST 3	\$ 5,384.00	30	03	NEW HIRE	3/24/2014	
ROBICHAUD, PATRICK CON	1144094	C4008	ELECTRICIAN 2	\$ 5,421.00	26	09	NEW HIRE	4/1/2014	
SUNKEN, GWENDOLYN KAY	0901075	C0119	EXECUTIVE SUPPORT SPECIALIST 2	\$ 3,707.00	19	08	NEW HIRE	4/7/2014	



AGENCY 10700-DAS  
 NEW HIRES  
 EFFECTIVE 7/1/2013 THROUGH 12/31/2014  
 REPORT DATE 1/20/2014  
 ASSET CLASS 2 DATA  
 DATA FROM PPDB ONLINE EMPLOYEE RECORD  
 REPORT NO: EHRNEWB

NAME	POSNO	CLASS	CLASS DESC	BASE RATE	RNG	STP	ACTION	EFF-DTE	JUSTIFICATION
POOLE, BONNIE	0530032	X0119	EXECUTIVE SUPPORT SPECIALIST 2	\$ 3,838.00	19	07	NEW HIRE	4/28/2014	
HERNDON, RICHARD T	2851001	C4101	CUSTODIAN	\$ 2,145.00	10	04	NEW HIRE	5/1/2014	
STRONG, WILLIAM E	7501218	C4101	CUSTODIAN	\$ 2,003.00	10	02	NEW HIRE	5/1/2014	
WILCOX, CHRIS MATTHEW	0485317	X1245	FISCAL ANALYST 3	\$ 5,128.00	30	02	NEW HIRE	5/1/2014	
OTTO, BRIDGET A	1308731	X0873	OPERATIONS & POLICY ANALYST 4	\$ 7,550.00	32	08	NEW HIRE	5/5/2014	
ACREE, AMY L	0410803	C0118	EXECUTIVE SUPPORT SPECIALIST 1	\$ 3,077.00	17	06	NEW HIRE	5/7/2014	
PARSONS, JOVONNE A	9913191	X1319	HUMAN RESOURCE ASSISTANT	\$ 2,749.00	18	01	NEW HIRE	5/12/2014	
UNDERWOOD, ROBERT J	9908543	C0854	PROJECT MANAGER 1	\$ 4,929.00	26	07	NEW HIRE	5/12/2014	
WALZ, MICHELLE A	1802051	C0212	ACCOUNTING TECHNICIAN 3	\$ 2,817.00	19	02	NEW HIRE	5/14/2014	
SAMA, ENRIQUE	0520101	X1327	HR CONSULTANT 2	\$ 6,226.00	32	04	NEW HIRE	5/27/2014	
STEIN, PAUL C	2548816	C1488	INFO SYSTEMS SPECIALIST 8	\$ 7,696.00	33	09	NEW HIRE	5/27/2014	
CHALCRAFT, HEATHER M	8600254	C0403	MAIL EQUIPMENT OPERATOR 1	\$ 2,145.00	12	02	NEW HIRE	6/2/2014	
OLIVOS-ROOD, HILARY A	0950601	C0107	ADMINISTRATIVE SPECIALIST 1	\$ 2,817.00	17	04	NEW HIRE	6/9/2014	
MOSLEY, CHARLES S	2548865	C1488	INFO SYSTEMS SPECIALIST 8	\$ 7,696.00	33	09	NEW HIRE	6/30/2014	
NANCE, P ELAINE	0222001	C1485	INFO SYSTEMS SPECIALIST 5	\$ 4,322.00	28	02	NEW HIRE	7/1/2014	
BECK, JENNIFER L	0153021	C0211	ACCOUNTING TECHNICIAN 2	\$ 2,702.00	17	03	NEW HIRE	7/7/2014	
MARTIN, CHRISTOPHER W	6602111	C0211	ACCOUNTING TECHNICIAN 2	\$ 2,488.00	17	01	NEW HIRE	7/7/2014	
TIPSWORD, BRIAN S	0940801	C1485	INFO SYSTEMS SPECIALIST 5	\$ 4,322.00	28	02	NEW HIRE	7/7/2014	
WIRKKULA, MICHAEL J	4081601	C0860	PROGRAM ANALYST 1	\$ 4,697.00	23	09	NEW HIRE	7/7/2014	
HORTON, MATTHEW L	0951001	C4404	MAIL DELIVERY DRIVER	\$ 2,314.00	14	02	NEW HIRE	7/16/2014	
HAWKS, PAMELA S	0520050	X0118	EXECUTIVE SUPPORT SPECIALIST 1	\$ 3,477.00	17	07	NEW HIRE	7/22/2014	
BARRIOS, MICHAEL S	9944041	C4404	MAIL DELIVERY DRIVER	\$ 2,488.00	14	04	NEW HIRE	7/28/2014	
WATSON, BARBARA J	0153026	C1217	ACCOUNTANT 3	\$ 5,421.00	27	08	NEW HIRE	8/4/2014	
KUMPULA, DARWIN D	0880602	X7008	PRINCIPAL EXECUTIVE/MANAGER E	\$ 6,532.00	33X	05	NEW HIRE	8/11/2014	
POARCH, AARON E	5514888	C1483	INFO SYSTEMS SPECIALIST 3	\$ 3,568.00	24	02	NEW HIRE	8/11/2014	
HOONHOUT, MATTHEW SCC	5514887	C1483	INFO SYSTEMS SPECIALIST 3	\$ 3,406.00	24	01	NEW HIRE	8/18/2014	
NELSON, DAVID N	2548301	C1483	INFO SYSTEMS SPECIALIST 3	\$ 3,406.00	24	01	NEW HIRE	8/19/2014	
ROSE, STEPHEN A	1210104	C4103	CUSTODIAL SERVICES COORDINATOR	\$ 2,224.00	13	02	NEW HIRE	8/25/2014	
HUDDLESTON, JUSTIN D	9912342	C1243	FISCAL ANALYST 1	\$ 3,607.00	23	03	NEW HIRE	9/1/2014	
BIRES, RYAN D	1473401	C4417	AUTOMOTIVE SERVICE TECHNICIAN	\$ 2,110.00	11	02	NEW HIRE	9/8/2014	
SHEARER, MATTHEW D	2548877	C1488	INFO SYSTEMS SPECIALIST 8	\$ 5,573.00	33	00	NEW HIRE	9/8/2014	
EDLUND, KOELBY R	6440907	C4033	FACILITY ENERGY TECHNICIAN 2	\$ 3,450.00	20	05	NEW HIRE	9/15/2014	
SCOFIELD, MELISSA L	0401181	C0104	OFFICE SPECIALIST 2	\$ 2,538.00	15	03	NEW HIRE	9/17/2014	

AGENCY 10700-DAS  
NEW HIRES

EFFECTIVE 7/1/2013 THROUGH 12/31/2014

REPORT DATE 1/20/2014

ASSET CLASS 2 DATA

DATA FROM PPDB ONLINE EMPLOYEE RECORD

REPORT NO: EHRSEWH

NAME	POSNO	CLASS	CLASS DESC	BASE RATE	RNG	STP	ACTION	EFF-DTE	JUSTIFICATION
GILBERT, SHARON LEE	2548706	C1487	INFO SYSTEMS SPECIALIST 7	\$ 5,218.00	31	02	NEW HIRE	9/22/2014	
VILLA, FRANK D	2548403	C1483	INFO SYSTEMS SPECIALIST 3	\$ 3,474.00	24	01	NEW HIRE	9/24/2014	
ROBERTSON, STRUAN M	2548202	C1482	INFO SYSTEMS SPECIALIST 2	\$ 3,037.00	21	01	NEW HIRE	10/1/2014	
STENCEL, MICHAEL	0110010	Z7014	PRINCIPAL EXECUTIVE/MANAGER H	\$ 10,826.00	40X	08	NEW HIRE	10/6/2014	
ANDERSON, CONNOR WELL	2548809	C1488	INFO SYSTEMS SPECIALIST 8	\$ 5,684.00	33	02	NEW HIRE	10/13/2014	
WOODE, LILLIMAE ELIZAB	9912431	C1243	FISCAL ANALYST 1	\$ 3,450.00	23	02	NEW HIRE	10/13/2014	
TONG, BRIAN S	2548863	X7008	PRINCIPAL EXECUTIVE/MANAGER E	\$ 6,663.00	33X	02	NEW HIRE	10/27/2014	
GESNER, AUBREY A	6502111	C0211	ACCOUNTING TECHNICIAN 2	\$ 2,538.00	17	01	NEW HIRE	11/1/2014	
PROFFITT, KIMBERLY B	0611899	X1324	STATE LABOR RELATIONS MANAGER	\$ 8,087.00	35	06	NEW HIRE	11/24/2014	
DYER, DEBRA J	0153014	C0103	OFFICE SPECIALIST 1	\$ 2,360.00	12	04	NEW HIRE	12/1/2014	
GERMUNSON, JOLINA L	0910206	C0108	ADMINISTRATIVE SPECIALIST 2	\$ 2,756.00	19	01	NEW HIRE	12/1/2014	
GREENE, JEFFREY L	0231010	C1488	INFO SYSTEMS SPECIALIST 8	\$ 5,953.00	33	03	NEW HIRE	12/22/2014	
OWEN, MICHAEL I	2548504	C1485	INFO SYSTEMS SPECIALIST 5	\$ 4,408.00	28	02	NEW HIRE	12/22/2014	

AGENCY 10700-DAS  
 RECLASSIFICATIONS  
 EFFECTIVE 7/1/2013 THROUGH 12/31/2014  
 REPORT DATE 1/20/2014  
 ASSET CLASS 2 DATA  
 DATA FROM PPDB ONLINE EMPLOYEE RECORD  
 REPORT NO: EHRSRCLS

NAME	POSNO	APPT TYPE	CLASS	CLASS DESC	OLD BASE RATE	NEW BASE RATE	INCREASE AMOUNT	ACTION	EFF DATE	JUSTIFICATION
MILEY, JEANETTE	0700013	P	X7008	PRINCIPAL EXECUTIVE/MANAGER E	\$ 6,597.50	\$ 7,438.00	\$ 840.50	Reclass Up	7/1/2013	
NIECE, YULIA	6010306	P	C0435	PROCUREMENT AND CONTRACT ASST	\$ 2,965.50	\$ 3,177.00	\$ 211.50	Reclass Up	7/1/2013	
SCHACHER, ELAINE G	0014030	P	C0871	OPERATIONS & POLICY ANALYST 2	\$ 3,928.50	\$ 4,413.00	\$ 484.50	Reclass Up	7/1/2013	
TAYLOR, CARRIL	0520050	P	X0118	EXECUTIVE SUPPORT SPECIALIST 1	\$ 3,539.00	\$ 3,539.00	\$ -	Reclass Equal	7/1/2013	
TURPIN, ADRIAN M	0014023	P	C1488	INFO SYSTEMS SPECIALIST 8	\$ 7,137.00	\$ 7,240.00	\$ 103.00	Reclass Up	7/1/2013	
GALLAGHER, DEBORAH J	0970021	P	X0872	OPERATIONS & POLICY ANALYST 3	\$ 6,760.00	\$ 7,093.00	\$ 333.00	Reclass Down	8/1/2013	
SMITH, CYRIL R	0032010	P	X1488	INFO SYSTEMS SPECIALIST 8	\$ 8,824.00	\$ 9,035.00	\$ 211.00	Reclass Down	8/1/2013	
SWARTWOUT, HEATH	2850801	P	C4039	PHYSCL/ELECTRNC SECURITY TECH 3	\$ 4,809.00	\$ 4,856.00	\$ 47.00	Reclass Down	8/1/2013	
WHITTAKER, JEFFREY A	1112451	P	C1244	FISCAL ANALYST 2	\$ 6,760.00	\$ 6,760.00	\$ -	Reclass Down	8/1/2013	
YOUNG, STACIE RENE	0871801	P	C0212	ACCOUNTING TECHNICIAN 3	\$ 3,484.00	\$ 3,652.00	\$ 168.00	Reclass Down	8/1/2013	
JONES, KELLIE S	0910205	P	C0104	OFFICE SPECIALIST 2	\$ 2,280.00	\$ 2,451.00	\$ 171.00	Reclass Up	10/1/2013	
LEAHY, NORA E	0911408	P	C0107	ADMINISTRATIVE SPECIALIST 1	\$ 3,032.00	\$ 3,332.00	\$ 300.00	Reclass Up	10/1/2013	
LYNCH, RICHARD I	0944202	P	C4402	TRUCK DRIVER 2	\$ 3,177.00	\$ 3,484.00	\$ 307.00	Reclass Up	10/1/2013	
OTTO, LINDA MARIA	0002916	P	C0404	MAIL EQUIPMENT OPERATOR 2	\$ 2,817.00	\$ 2,942.00	\$ 125.00	Reclass Up	1/1/2014	
VANELVERDINGHE, DUSTIN	2514858	P	C1487	INFO SYSTEMS SPECIALIST 7	\$ 5,065.00	\$ 5,116.00	\$ 51.00	Reclass Up	3/1/2014	
KLEMM, KRISTINE JULIA	0014500	P	C0119	EXECUTIVE SUPPORT SPECIALIST 2	\$ 3,178.00	\$ 3,226.00	\$ 48.00	Reclass Equal	3/7/2014	
NATVIG, ABBY RUTH	0910206	P	C0108	ADMINISTRATIVE SPECIALIST 2	\$ 3,382.00	\$ 3,536.00	\$ 154.00	Reclass Up	4/1/2014	
FERNANDEZ, MINI	0312181	P	X7008	PRINCIPAL EXECUTIVE/MANAGER E	\$ 5,927.00	\$ 6,226.00	\$ 299.00	Reclass Up	6/1/2014	
CHAMBERS, JANET	1808061	P	X0872	OPERATIONS & POLICY ANALYST 3	\$ 6,046.00	\$ 6,663.00	\$ 617.00	Reclass Up	10/1/2014	
EMERSON, TOLLIE D	6001072	P	C0107	ADMINISTRATIVE SPECIALIST 1	\$ 2,756.00	\$ 2,756.00	\$ -	Reclass Equal	11/19/2014	
LEWIS, TOD J	6001071	P	C0107	ADMINISTRATIVE SPECIALIST 1	\$ 3,001.00	\$ 3,001.00	\$ -	Reclass Equal	11/20/2014	

## BUDGET NARRATIVE

### Major Information Technology Projects (\$500,000-plus)

The following are IT-related policy option packages over \$500,000. Descriptions of these appear in the program unit section of this budget request:

**Package No. 112 – Security and IT Operations Audit Support:** Both the Secretary of State and independent auditors have made recommendations related to best practices to ensure the confidentiality, integrity and availability of the systems necessary to support agency core business functions. This package includes personnel and better tools to monitor the transactions occurring on the state's systems, to help ensure agency data remains safe, tracking access to state systems is only by authorized personnel, and changes to state systems are logged and approved.

**Package No. 113 – Support Growth in Customer Usage of IT:** This package request is for Enterprise Technology Services (ETS) to purchase necessary hardware, software, and professional services and establish positions which are required to support growth for existing and new services for agencies. This increase in demand results from the modernization of state processes to leverage advances in computing technology and from the public's increased expectation of electronic interaction with government from access points like mobile devices. ETS deploys and supports core infrastructure including computing, storage and network platforms supporting agency operations. ETS' budget does not sufficiently support those applications and functions that are currently in operation and does not contain funding for projected expansion in demand for existing services or delivery of new services.

**Package No. 114 – Support Usage Growth for DAS:** Enterprise Technology Services (ETS) Application Delivery is currently funded to provide only the most basic application maintenance in support of the daily operational needs of DAS. DAS applications as a whole are written in and reside on aging and in some cases unsupported program languages and architecture. Current funding does not provide for the long-term care, maintenance or sustainability of these systems; nor does it provide for staffing to meet increasing DAS demands for new applications in support of DAS strategic goals.

**Package No. 115 – Support Agency Large IT Projects:** This package did not move forward in the Governor's Budget.

**Package No. 116 – Support Agency Direct IT Purchases:** This package did not move forward in the Governor's Budget.

INFORMATION TECHNOLOGY PROJECTS 2015- 2017

Agency: DEPARTMENT of ADMINISTRATIVE SERVICES

Project Name	Project Description	Estimated Start Date	Estimated End Date	Project cost to date	Estimated Costs 15-17	All biennia total project cost	Base or POP	Project Phase: I=Initiation P=Planning E=Execution C=Close-out	If continuing project: Has it been rebaselined for cost, scope or schedule? Y/N - If Y, how many times?	Purpose: L=Lifecycle Replace U=Upgrade system N= New system	What Program, or line of business, does the project support?
HRIS Replacement Project	Acquire a new HR application for the Enterprise to replace PPDB/PICS legacy systems.	6/1/2013	12/1/2017	\$2,000,000	\$20,000,000	24,017,221	POP	P & E	N	N	Human Resources Enterprise-wide
Configuration Management System	Implement Configuration Management system to track changes to hardware and software. Phase 1	9/1/2015	6/30/2017	\$ -	\$2,634,158	\$2,634,158	POP	I	N/A	N	Computing Storage Network Managed Services Workplace Productivity
Monitoring Software	Purchase and install an all encompassing monitoring toolset will allow for monitoring of all the state's infrastructure and agency applications running on any platform. Phase 1	9/1/2015	6/30/2017	\$ -	\$2,634,158	\$2,634,158	POP	I	N/A	U	Computing Storage Network Managed Services Workplace Productivity
Privilege User Access Tool	Tool to manage and report privileged user access to systems hosted at the data center. This new service is to meet security audit findings.	9/1/2015	6/30/2017	\$ -	\$1,000,000	\$1,000,000	POP	I	N/A	N	Computing Storage Network Managed Services Workplace Productivity
Automation	Automate provisioning and other routine tasks which require manual support delaying server delivery time. Phase 1	9/1/2015	6/30/2017	\$ -	\$1,682,079	\$1,682,079	POP	I	N	N	Computing Storage Network Managed Services Workplace Productivity
Support Storage Growth	Purchase additional storage capacity and staff to keep up with the growing demand of storage growth, new customers and new service offerings.	9/1/2015	6/30/2017	\$ -	\$3,613,790	\$3,613,790	POP	N/A	N/A	A- Adding Capacity	Computing Storage Network Managed Services Workplace Productivity
Support Server Growth	Windows servers continues to be one of the areas with the greatest growth and change requests. Additional positions are required to support these activities as is funding to procure new hardware and software.	9/1/2015	6/30/2017	\$ -	\$2,877,580	\$2,877,580	POP	N/A	N/A	A- Adding Capacity	Computing Storage Network Managed Services Workplace Productivity

Agency: DEPARTMENT of ADMINISTRATIVE SERVICES

Project Name	Project Description	Estimated Start Date	Estimated End Date	Project cost to date	Estimated Costs 15-17	All biennia total project cost	Base or POP	Project Phase: I=Initiation P=Planning E=Execution C=Close-out	If continuing project: Has it been rebaselined for cost, scope or schedule? Y/N - If Y, how many times?	Purpose: L=Lifecycle Replace U=Upgrade system N= New system	What Program, or line of business, does the project support?
Log Event Correlation and Monitoring Tool & 1/2 Position	Security tool that collects, monitors, analyzes and reports security events. This new service will monitor SDC managed server instances and network devices to meet security audit findings. 0.5 FTE to review logs for suspicious activities.	9/1/2015	6/30/2017	\$ -	\$908,540	\$908,540	POP	P	N/A	N	Security
Vulnerability Scanning Tool & 1/2 Position	Scanning tool would allow for vulnerability scanning of all servers on the data center floor to find security exploits to remediate and to meet security audit findings. 0.5 FTE to performance regular scans of state's infrastructure.	9/1/2015	6/30/2017	\$ -	\$323,708	\$323,708	POP	P	N/A	N	Security
Mainframe Capacity	Support mainframe upgrade which will occur in 2015-17	9/1/2015	6/30/2017	\$ -	\$500,000	\$500,000	POP	P	N/A	U	Mainframe
Implement IPv6	IT professional services, FTE and equipment to support conversion to IPv6. Request from agencies in support of application upgrades is expected.	9/1/2015	6/30/2017	\$ -	\$1,384,158	\$1,384,158	POP	P	N/A	U	Solutions
Storage for Infrequent Accessed Files	Infrequent file storage access would move files that have not been accessed for a given time to less expensive storage and remove files from the backup system. Cost avoidance would be achieved through slowing down the growth rate of primary storage and backups.	9/1/2015	6/30/2017	\$ -	\$500,000	\$500,000	POP	P	N/A	L	Storage

Agency: DEPARTMENT of ADMINISTRATIVE SERVICES

Project Name	Project Description	Estimated Start Date	Estimated End Date	Project cost to date	Estimated Costs 15-17	All biennia total project cost	Base or POP	Project Phase: I=Initiation P=Planning E=Execution C=Close-out	If continuing project: Has it been rebaselined for cost, scope or schedule? Y/N - If Y, how many times?	Purpose: L=Lifecycle Replace U=Upgrade system N=New system	What Program, or line of business, does the project support?
Performance Management	Performance management software w/ 220 seats. This investment will allow ETS to manage to our strategic plan, cascading goals from the strategic plan down to the individual. \$50,000/year software costs \$100,000 implementation cost, one time. 2 FTE to support program area ongoing.	9/1/2015	6/30/2017	\$ -	\$834,158	\$834,158	POP	P	N/A	N	Admin - Service Solutions
Proactive Customer Service	Establish online service catalog and customer portal to support automated provisioning, performance reporting and customer support.	9/1/2015	6/30/2017	\$ -	\$450,000	\$450,000	POP	P	N/A	U	Admin - Service Solutions
Primary Storage Disk Encryption	To meet federal regulatory compliance for sensitive data such as HIPAA, FTI (Federal Tax Information) and other sensitive private data types.	9/1/2015	6/30/2017	\$ -	\$600,000	\$600,000	POP	P	N/A	L	Storage
Long Term Storage	Long term storage would remove files from primary storage and backups, and stored in the event the file would need to be accessed at a later time. Cost avoidance could be achieved through slowing down growth of Primary storage and backups.	9/1/2015	6/30/2017	\$ -	\$700,000	\$700,000	POP	P	N/A	L	Storage
File Searching for Evidence Preservation and Legal Hold of Data	Currently the agencies do not have a simple method to search for evidence or a consistent process for legal hold of data for investigation. This would provide an effective way to search through all online, archive and backup copies of an agency's information.	9/1/2015	6/30/2017	\$ -	\$500,000	\$500,000	POP	P	N/A	U	Storage
New Shared Application Platform (NEW) Tactical 2.4		9/1/2015	6/30/2017	\$ -	\$200,000	\$200,000		P	N/A	N	Applications

Agency: DEPARTMENT of ADMINISTRATIVE SERVICES

Project Name	Project Description	Estimated Start Date	Estimated End Date	Project cost to date	Estimated Costs 15-17	All biennia total project cost	Base or POP	Project Phase: I=Initiation P=Planning E=Execution C=Close-out	If continuing project: Has it been rebaselined for cost, scope or schedule? Y/N - If Y, how many times?	Purpose: L=Lifecycle Replace U=Upgrade system N= New system	What Program, or line of business, does the project support?
Knowledge Management Tactical 3.1,2		9/1/2015	6/30/2017	\$ -	\$200,000	\$200,000		P	N/A	U	Network
Employee Time Tracking Tactical 6.2		9/1/2015	6/30/2017	\$ -	\$250,000	\$250,000		P	N/A	U	Admin - Plans and Controls
IT Service Management Tactical 6.6		9/1/2015	6/30/2017	\$ -	\$500,000	\$500,000		P	N/A	U	Security
Billing System Enhancements Tactical 6.7		9/1/2015	6/30/2017	\$ -	\$250,000	\$250,000		P	N/A	U	Admin - Service Solutions
Email Archiving Solution (Quest Archive Migr.)		9/1/2015	6/30/2017	\$ -	\$221,200	\$221,200	Base	E	N	L	Applications
Virtual Storage Platform - Mt		9/1/2015	6/30/2017	\$ -	\$219,684	\$219,684	Base	E	N	L	Distributed
VMWARE PROD SUP/SUB VSPHERE 5 ENT PLUS 1 PROC 1 YR		9/1/2015	6/30/2017	\$ -	\$335,172	\$335,172	Base	E	N	L	Distributed
Bladologic Automation Suite Server Automation License Add-on Qty 1800		9/1/2015	6/30/2017	\$ -	\$169,884	\$169,884	Base	E	N	L	Distributed
LVcenter PROD SUP Adv 1yr		9/1/2015	6/30/2017	\$ -	\$167,800	\$167,800	Base	E	N	L	Distributed
Basic Supt Coverage VMware Vshere 5 Std for 1 Processor (w/32 gb vr)		9/1/2015	6/30/2017	\$ -	\$156,810	\$156,810	Base	E	N	L	Distributed
OMEGAMON XE DB2 PE V5		9/1/2015	6/30/2017	\$ -	\$160,300	\$160,300	Base	E	N	L	Mainframe
ASG-Viewdirect-MVS-CICS Server		9/1/2015	6/30/2017	\$ -	\$206,178	\$206,178	Base	E	N	L	Mainframe
ASG-Viewdirect-MVS-VTAM Server		9/1/2015	6/30/2017	\$ -	\$206,178	\$206,178	Base	E	N	L	Mainframe
CA MF Upgrade Support Fee		9/1/2015	6/30/2017	\$ -	\$1,803,806	\$1,803,806	Base	E	N	L	Mainframe
CA MF Usage and Maintenance		9/1/2015	6/30/2017	\$ -	\$5,765,050	\$5,765,050	Base	E	N	L	Mainframe
CA Vantage Automation Option Maintenance		9/1/2015	6/30/2017	\$ -	\$153,584	\$153,584	Base	E	N	L	Mainframe
Test & Debug		9/1/2015	6/30/2017	\$ -	\$335,214	\$335,214	Base	E	N	L	Mainframe
Finalist & Code 1		9/1/2015	6/30/2017	\$ -	\$357,336	\$357,336	Base	E	N	L	Mainframe
Nommed Annual LPAR SW Maint		9/1/2015	6/30/2017	\$ -	\$199,880	\$199,880	Base	E	N	L	Mainframe
MPX for zIOS		9/1/2015	6/30/2017	\$ -	\$242,453	\$242,453	Base	E	N	L	Mainframe
Sirius/IBM Capacity Backup Mainframe Mt		9/1/2015	6/30/2017	\$ -	\$218,677	\$218,677	Base	E	N	L	Mainframe
IBM/CICS TS for zIOS V5		9/1/2015	6/30/2017	\$ -	\$1,421,668	\$1,421,668	Base	E	N	L	Mainframe
IBM/COBOL V4		9/1/2015	6/30/2017	\$ -	\$177,945	\$177,945	Base	E	N	L	Mainframe
IBM/DB2 UDB for zIOS		9/1/2015	6/30/2017	\$ -	\$1,229,601	\$1,229,601	Base	E	N	L	Mainframe



Agency: DEPARTMENT of ADMINISTRATIVE SERVICES

Project Name	Project Description	Estimated Start Date	Estimated End Date	Project cost to date	Estimated Costs 15-17	All biennia total project cost	Base or POP	Project Phase: I=Initiation P=Planning E=Execution C=Close-out	If continuing project: Has it been rebaselined for cost, scope or schedule? Y/N - If Y, how many times?	Purpose: L=Lifecycle Replace U=Upgrade system N= New system	What Program, or line of business, does the project support?
IBM/Tivoli Netview for z/OS		9/1/2015	6/30/2017	\$ -	\$309,687	\$309,687	Base	E	N	L	Mainframe
IBM/IMS Database Manager		9/1/2015	6/30/2017	\$ -	\$1,275,332	\$1,275,332	Base	E	N	L	Mainframe
IBM/z/OS V1 Base Edition-Processor Perpetual		9/1/2015	6/30/2017	\$ -	\$2,166,891	\$2,166,891	Base	E	N	L	Mainframe
Oracle Database Enterprise Edition-Processor		9/1/2015	6/30/2017	\$ -	\$363,838	\$363,838	Base	E	N	L	Midrange
UNIX Systems Account Advocate - SDC located		9/1/2015	6/30/2017	\$ -	\$159,503	\$159,503	Base	E	N	L	Midrange
Feature Processor Activation 4755		9/1/2015	6/30/2017	\$ -	\$490,633	\$490,633	Base	E	N	L	Midrange
IBM Power 595		9/1/2015	6/30/2017	\$ -	\$329,923	\$329,923	Base	E	N	L	Midrange
IBM Power 595		9/1/2015	6/30/2017	\$ -	\$264,143	\$264,143	Base	E	N	L	Midrange
Smartnet Hardware Maintenance	Smartnet Hardware Maintenance	9/1/2015	6/30/2017	\$ -	\$680,888	\$680,888	Base	E	N	L	Network
Smartnet Hardware Maintenance	Smartnet Hardware Maintenance	9/1/2015	6/30/2017	\$ -	\$1,552,425	\$1,552,425	Base	E	N	L	Network
Enterprise as Network Optimization Service	Enterprise as Network Optimization Service SG-1 ZN-6	9/1/2015	6/30/2017	\$ -	\$1,065,439	\$1,065,439	Base	E	N	L	Network
AMS2500 Rack Mount System		9/1/2015	6/30/2017	\$ -	\$224,064	\$224,064	Base	E	N	L	Storage
Cisco Directors		9/1/2015	6/30/2017	\$ -	\$205,477	\$205,477	Base	E	N	L	Storage
Unified Storage 130 Montana Project		9/1/2015	6/30/2017	\$ -	\$335,778	\$335,778	Base	E	N	L	Storage
USPV Maintenance		9/1/2015	6/30/2017	\$ -	\$488,007	\$488,007	Base	E	N	L	Storage
CommVault Simpana		9/1/2015	6/30/2017	\$ -	\$398,092	\$398,092	Base	E	N	L	Recovery
Hitachi HDPS Capacity License Maintenance		9/1/2015	6/30/2017	\$ -	\$375,748	\$375,748	Base	E	N	L	Recovery
IBM ServiceElite TS1120 Tape Drives		9/1/2015	6/30/2017	\$ -	\$308,767	\$308,767	Base	E	N	L	Recovery

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

- 1) Portland State Office Building exterior upgrade and window replacement Phase 1 - \$1,500,000, Other Funds. This phase is in order to conduct additional testing and develop replacement window systems, hire contractors, conduct aggressive penetration testing, and conduct advance space planning for tenants.
- 2) Department of Environmental Quality Public Health Lab Upgrade Emergency Generator - \$2,926,140, Other Funds. The project will add an additional emergency generator to provide entire building backup in the event of a power failure.
- 3) Electrical System Upgrades and Replacement in multiple buildings - \$4,199,195, Other Funds. The project is to upgrade switch keepers, electrical panels, increase electrical capacity, and replace lighting systems in multiple buildings.
- 4) Portland Crime Lab Upgrades - \$1,003,006, Other Funds. The project will replace the chiller, replace chilled water pumps, replace the cooling tower, and upgrade exterior walls.
- 5) Employment Building Upgrades - \$2,217,398, Other Funds. The project will replace the chillers, replace the cooling tower, replace the AC units, replace chilled water lines, and restroom upgrades.
- 6) Building Automation Upgrade Phase 2 of 3 - \$1,000,000, Other Funds. The project will continue the upgrading of all of the controls in DAS owned buildings.
- 7) Human Services Building cooling tower replacement - \$1,701,702, Other Funds. The project will replace the cooling towers.
- 8) General Service and Annex Buildings Upgrades - \$1,264,227, Other Funds. The project will replace the HVAC units on both buildings, upgrade air distribution system in main building, upgrade the HVAC controls in main building, and reroof the annex.
- 9) Central Point: Package A/C unit Replacement - \$1,423,367, Other Funds. The project will replace and upgrade all of the existing air conditioning units on the roof.
- 10) Planning - \$350,000, Other Funds
- 11) Renovation of DAS Executive Building - \$19,000,000 (Article XI-Q Bonds) Improvements to the HVAC and electrical systems, replacement of the fire alarm system, replacement of the emergency generator, and construction of a code compliant egress stair enclosure, and fire/life safety upgrades.
- 12) Capital Repair and Renewal - \$30,000,000 (Article XI-Q Bonds) Bonding to support the replacement of major building systems and energy efficiency upgrades. The bond funding debt payment will be made through increased fees of the uniform rent program.
- 13) Capital Investments / Acquisition - \$17,000,000 (Article XI-Q Bonds) Funds will be used to create long-term savings through the purchase of property the State of Oregon would otherwise be leasing at a higher cost.

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

		AMOUNT AND FUND SOURCE			LEASED SPACE IMPACT		
		Budget	Capital Projects Fund	Other Sources	Added State-Owned Office Space	Remaining Salem Leased Office Space SF*	Remaining Total Office Leased Space SF*
<b>2015-17 MAJOR CONSTRUCTION/ACQUISITIONS</b>							
1	Portland State Office Building exterior upgrades and window replacement Phase 1	\$1,500,000	\$1,500,000				
2	Department of Environmental Quality Public Health Lab: Upgrade Emergency Generator	\$2,926,140	\$2,926,140				
3	Portland Crime Lab Upgrades	\$1,003,006	\$1,003,006				
4	Employment Building Upgrades	\$2,217,398	\$2,217,398				
5	Electrical Upgrades and Replacements	\$4,199,195	\$4,199,195				
6	Building Automation Upgrade Phase 2 of 3	\$1,000,000	\$1,000,000				
7	Human Services Building cooling tower replacement	\$1,701,702	\$1,701,702				
8	General Service and Annex Building Upgrades	\$1,264,227	\$1,264,227				
9	Central Point Package A/C unit Replacement	\$1,423,367	\$1,423,367				
10	Planning	\$350,000	\$350,000				
11	Renovation of DAS Executive Building (1)	\$19,000,000	\$19,000,000				
12	Capital Renewal and Repair (1)	\$30,000,000	\$30,000,000				
13	Capital Investments / Acquisition (1)	\$17,000,000	\$17,000,000				
		<b>\$83,585,035</b>	<b>\$83,585,035</b>			<b>1,307,497</b>	<b>4,374,061</b>

(1) Article XI-Q Bonds

\* Leased office space as of June 2006

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Portland State Office Building exterior upgrades and window replacement Phase 1 -- \$1,500,000, Other Funds	<b>Land Use/Zoning Requirements Satisfied:</b>			<b>Estimated Completion Date:</b> July 2017
<b>Project Address/Location:</b> PSOB, Portland	<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Yes N/A	No N/A	<b>Priority:</b> 1
		<b>Comments:</b> None		
		<b>No. of Floors/Square Footage:</b> N/A		

**Project Narrative**

**Statement:** The windows are leaking and the flashing around the windows is ineffective. There is water intrusion into the building, the window glazing is not energy efficient.

**Project Description:** The project will be the first phase in upgrading the windows, roof, window sealant, flashing, and repair interior walls. This phase will be to conduct an in depth study with testing of the most effective way to mitigate the leaks. It will include window system designs and some window system replacements and testing. The balance for the project will be requested in 17-19.

**Cost Benefit:** These replacements and upgrades will increase the life of the building and prevent future water intrusion.

Provision for Future Expansion: N/A	Structural Framing: N/A	Flooring: N/A
	Exterior Walls:	Heating/Cooling: N/A
Provisions for Use Change: N/A	Interior Finish: replace sheetrock, finish , and paint as needed	Special Equipment: N/A
	Windows: replace all leaking exterior windows	Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Department of Environmental Quality Public Health Lab Upgrade Emergency Generator - \$2,926,140, Other Funds	Land Use/Zoning Requirements Satisfied:		Estimated Completion Date: June 2015
<b>Project Address/Location:</b> DEQ/PHL Lab, Hillsboro	Yes N/A	No N/A	Priority: 2
<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Comments: None		No. of Floors/Square Footage:

### Project Narrative

**Statement:** The existing emergency generator is too small to run all of the building function that are critical to the tenant's mission. The current system does not switch over reliably.

**Project Description:** Replace existing generator with a larger capacity generator with more reliable ignition system and all of the infrastructure. Add generator to provide emergency power of entire building including PHL Facilities, refrigerators and other equipment. According to the work description, the load should be divided between DEQ and PHL, but also keep the entire facility on line.

**Cost Benefit:** The upgrade will provide reliable emergency power for critical laboratory functions related to public health.

Provision for Future Expansion: N/A	Structural Framing: N/A	Flooring: N/A
Provisions for Use Change: N/A	Exterior Walls: N/A Interior Finish: N/A Windows: N/A	Heating/Cooling: N/A Special Equipment: N/A Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Portland Crime Lab Upgrades - \$1,003,006, Other Funds  Project Address/Location : Portland	<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Yes  Comments: None	No  Comments: None	N/A  Comments: None	N/A  Comments: None	Estimated Completion Date: June 2016  Priority: 3  No. of Floors/Square Footage:
----------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------	---------------------------	--------------------------	---------------------------	---------------------------	----------------------------------------------------------------------------------------------

**Project Narrative**

**Statement:** The existing chiller and cooling tower are very old, have high maintenance costs, and are not efficient.

**Project Description:** This project includes replacing the existing water cooled chiller, cooling tower, chilled water and condenser water pumps, and upgrade the electrical feeders

**Cost Benefit:** Replacing with more energy efficient equipment, use smaller equipment with less energy usage.

Provision for Future Expansion: N/A	Structural Framing: N/A  Exterior Walls: N/A	Flooring: N/A
Provisions for Use Change: N/A	Interior Finish: N/A  Windows: N/A	Heating/Cooling: energy efficiency equipment and more efficient equipment  Special Equipment: N/A  Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Employment Building Upgrades - \$2,217,398, Other Funds	Land Use/Zoning Requirements Satisfied:			Estimated Completion Date: June 2017
<b>Project Address/Location :</b> Salem	<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Yes N/A	No N/A	Priority: 4
		Comments: None		
		Comments: None		
		No. of Floors/Square Footage:		

**Project Narrative** The Employment building is an aging building and due to space consolidation the cooling system is not adequate for the building. The systems are old, inefficient, and not designed for the current building use.

**Statement:** The two screw chillers are old and the control program is obsolete and no longer supported. The air conditioning units that cool the computer room are also old and are very difficult to maintain and keep running. The restrooms in the building need to be upgraded to existing standards.

**Project Description:** The project will replace chillers in the Employment Building as well as the chilled water systems that feed the units. Replace all six computer room air-conditioning units. Upgrade all building restrooms.

**Cost Benefit:** Replacement parts not available, cooling cannot be adequately maintained in the buildings, and new units will be more energy efficient.

Provision for Future Expansion: N/A	Structural Framing: N/A	Flooring: N/A
	Exterior Walls: N/A	Heating/Cooling: upgrading existing systems
Provisions for Use Change: N/A	Interior Finish: upgrade restrooms	Special Equipment: N/A
	Windows: N/A	Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Electrical Upgrades and Replacement - \$4,199,195, Other Funds  Project Address/Location : Portland	Estimated Completion Date: June 2016  Priority: 5
Land Use/Zoning Requirements Satisfied:	
<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Yes      N/A No      N/A
Comments: None	Comments: None
No. of Floors/Square Footage:	

**Project Narrative**

**Statement:** The existing electrical system in Human Services, Labor and Industries, Agriculture, Public Service and Justice Buildings cannot meet the condensed footprints of the agencies. The electrical systems in these buildings cannot meet the current, let alone future, demands.

**Project Description:** This project includes upgrading the electrical capacity of two buildings and upgrade old electrical panels in three buildings.

**Cost Benefit:** Replacing with more energy efficient equipment, use smaller equipment with less energy usage. Tenants are adding more staff in existing footprints and additional energy is needed.

Provision for Future Expansion: N/A	Structural Framing: N/A  Exterior Walls: N/A	Flooring: N/A  Electrical: energy efficiency equipment and more efficient equipment
Provisions for Use Change: N/A	Interior Finish: N/A  Windows: N/A	Special Equipment: N/A  Usable Unenclosed Areas: N/A



## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Building Automation Upgrade Phase 2 of 3- \$1,000,000, Other Funds	Land Use/Zoning Requirements Satisfied:			Estimated Completion Date: June 2017
<b>Project Address/Location :</b> Various	<input type="checkbox"/> New	Yes	No	Priority: 6
	<input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	N/A	N/A	
		Comments: None		No. of Floors/Square Footage:
		Comments: None		

**Project Narrative**

**Statement:** This will complete the building automation upgrade project started in 2013-15.

**Project Description:** The project will upgrade the HVAC system automation in the buildings not completed in 2013-15.

**Cost Benefit:** New system allows for system trending, provides more information to technicians connecting in remotely to building systems.

Provision for Future Expansion: N/A	Structural Framing: N/A	Flooring: N/A
	Exterior Walls: N/A	Heating/Cooling: Upgrading HVAC control systems
Provisions for Use Change: N/A	Interior Finish: N/A	Special Equipment: N/A
	Windows: N/A	Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Human Services Building cooling tower replacement -- \$1,701,702, Other Funds	Land Use/Zoning Requirements Satisfied:			Estimated Completion Date: June 2018
<b>Project Address/Location:</b> Various	<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Yes	No	Priority: 7
		N/A	N/A	
		Comments: None		No. of Floors/Square Footage:
		Comments: None		

### Project Narrative

**Statement:** The process cooling system is old and past it's life expectancy. Also, the units are very inefficient and are required to run continuously. The cooling towers are 22 years old, in poor condition and have leaks.

**Project Description:** Replace the two existing cooling towers. Replace the process cooling units 1-9.

**Cost Benefit:** Replacement parts are not available and cooling cannot be adequately maintained in the buildings. New units will be more energy efficient.

Provision for Future Expansion: N/A	Structural Framing: N/A	Flooring: N/A
	Exterior Walls: N/A	Heating/Cooling: cooling towers and 9 process units
Provisions for Use Change: N/A	Interior Finish: N/A	Special Equipment: N/A
	Windows: N/A	Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> General Services and Annex Building Upgrades - \$1,264,227, Other Funds  <b>Project Address/Location :</b> Salem	Land Use/Zoning Requirements Satisfied:  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center;">Yes</td> <td style="width: 20%; text-align: center;">N/A</td> <td style="width: 20%; text-align: center;">No</td> <td style="width: 20%; text-align: center;">N/A</td> </tr> </table> Comments: None	Yes	N/A	No	N/A	Estimated Completion Date: June 2017  Priority: 8  No. of Floors/Square Footage:
Yes	N/A	No	N/A			
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"><input type="checkbox"/> New</td> <td rowspan="3" style="width: 80%; vertical-align: top;">Comments: None</td> </tr> <tr> <td><input type="checkbox"/> Addition</td> </tr> <tr> <td><input checked="" type="checkbox"/> Remodel</td> </tr> </table>	<input type="checkbox"/> New	Comments: None	<input type="checkbox"/> Addition	<input checked="" type="checkbox"/> Remodel		
<input type="checkbox"/> New	Comments: None					
<input type="checkbox"/> Addition						
<input checked="" type="checkbox"/> Remodel						

**Project Narrative:** The General Services Building systems are 22 years old and difficult to control adequately.

**Statement:** The two air handling units are 22 years old and the control system is not effective. The return air fans are 34 years old and parts are no longer available. The air conditioning unit that cools the computer room is 37 years old and is too large for the room which is inefficient.

**Project Description:** The project will replace the two air handling units that supply air to the first floor. Replace the existing pneumatic controlled VAV units with more efficient controllers and digital sensors. Replace the air conditioning unit that supplies the computer room with a more efficient, properly sized, unit.

**Cost Benefit:** Replacement parts are not available and cooling cannot be adequately maintained in the buildings. New units will be more energy efficient.

Provision for Future Expansion: N/A	Structural Framing: N/A Exterior Walls: N/A Interior Finish: N/A Windows: N/A
Provisions for Use Change: N/A	Flooring: N/A Heating/Cooling: upgrading existing systems Special Equipment: N/A Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Central Point Package A/C unit Replacement - \$1,423,367, Other Funds	<b>Land Use/Zoning Requirements Satisfied:</b>			Estimated Completion Date: June 2018
<b>Project Address/Location :</b> Salem	<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Yes N/A	No N/A	Priority: 9
		Comments: None		No. of Floors/Square Footage:

**Project Narrative** This project was originally on the 2013-15 project list. The funds were used to complete an ongoing remodel of the PUC building. Currently there are eleven existing packaged rooftop units supplying heating and cooling to the building.

**Statement:** The eleven packaged units are old, well used, and not very efficient.

**Project Description:** The project will replace eleven packaged rooftop units with one or two roof top air handlers with cooling and heating coils and VAV box zone controls.

**Cost Benefit:** Cooling cannot be adequately maintained in the buildings, having eleven separate units is inefficient and the maintenance costs are high. The two new units will be more energy efficient.

Provision for Future Expansion: N/A	Structural Framing: N/A	Flooring: N/A
	Exterior Walls: N/A	Heating/Cooling: upgrading existing systems
Provisions for Use Change: N/A	Interior Finish: upgrade restrooms	Special Equipment: N/A
	Windows: N/A	Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Planning Funds - \$350,000, Other Funds	Land Use/Zoning Requirements Satisfied:			Estimated Completion Date: June 2017
<b>Project Address/Location:</b> Various	<input type="checkbox"/> New	Yes	No	Priority: 10
	<input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	N/A	N/A	No. of Floors/Square Footage:
		Comments: None		
		Comments: None		

### Project Narrative

**Statement:** During the 2015-17 biennium, the Department of Administrative Services will assess the feasibility of various projects; determine potential costs; evaluate various aspects of projects; plan for sudden demands for funds; and prepare for the 2017-19 budget. The time and expertise of staff often does not allow for consistent performance of these planning tasks and it is necessary to hire consultants.

**Project Description:** Contract with various architects, engineers, cost estimators and other specialists. Develop reliable cost information; better defined projects; and evaluate options to solve maintenance problems.

**Cost Benefit:** Benefits will result from more consistent and accurate cost projections, better planned projects and more efficient utilization of staff on project management.

Provision for Future Expansion: N/A	Structural Framing: N/A Flooring: N/A
Provisions for Use Change: N/A	Exterior Walls: N/A Heating/Cooling: N/A
	Interior Finish: N/A Special Equipment: N/A
	Windows: N/A Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Renovation of DAS Executive Building - \$19,000,000  <b>Project Address/Location:</b> 155 Cottage St. NE. Salem, OR 97301	Land Use/Zoning Requirements Satisfied:  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">Yes</td> <td style="width: 33%; text-align: center;">N/A</td> <td style="width: 33%; text-align: center;">No</td> <td style="width: 33%; text-align: center;">N/A</td> </tr> </table> Comments: None	Yes	N/A	No	N/A	Estimated Completion Date: June 2017  Priority: 11  No. of Floors/Square Footage:
Yes	N/A	No	N/A			
<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel						

**Project Narrative**

**Statement:** A portion of the Executive Building was constructed as a Post Office in the 1930's. In the 1970's, the building was expanded to its present form. The aging building requires major renovation for reliability and occupational safety. Due to the original architecture and aged condition of the existing building, a renovation of the building is planned for 2015-17.

**Project Description:** The renovation and remodeling of the building will extend the life significantly as well as make the building much more energy efficient.

**Cost Benefit:** This project will create increased labor efficiencies through the consolidation of various administrative groups. Additionally, energy usage per public employee will be substantially lowered.

Provision for Future Expansion: N/A	Structural Framing: N/A	Flooring: N/A
Provisions for Use Change: N/A	Exterior Walls: N/A	Heating/Cooling: N/A
Provisions for Use Change: N/A	Interior Finish: N/A	Special Equipment: N/A
Provisions for Use Change: N/A	Windows: N/A	Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Capital Renewal and Repair \$30,000,000	Land Use/Zoning Requirements Satisfied:			Estimated Completion Date: June 2021
<b>Project Address/Location:</b> Various Salem, OR 97301	<input type="checkbox"/> New <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel	Yes N/A	No N/A	Priority: 12
	Comments: None			No. of Floors/Square Footage:

**Project Narrative**

**Statement:**

**Project Description:** Bonding to support the replacement of major building systems and energy efficiency upgrades. The bond funding debt payment will be made through increased fees of the uniform rent program.

**Cost Benefit:**

Provision for Future Expansion: N/A	Structural Framing: N/A Exterior Walls: N/A	Flooring: N/A Heating/Cooling: N/A
Provisions for Use Change: N/A	Interior Finish: N/A Windows: N/A	Special Equipment: N/A Usable Unenclosed Areas: N/A

## SUMMARY OF CAPITAL CONSTRUCTION PROJECTS

<b>Project Title:</b> Capital Investments / Acquisition \$17,000,000	<b>Land Use/Zoning Requirements Satisfied:</b>		Estimated Completion Date: January 2016
<b>Project Address/Location:</b> Various Salem, OR 97301	Yes N/A	No N/A	Priority: 13
	Comments: None		No. of Floors/Square Footage:
<input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Remodel			

**Project Narrative**

**Statement:**

**Project Description:** Funds will be used create long term savings through the purchase of property the State of Oregon would otherwise be leasing at a higher cost.

**Cost Benefit:**

Provision for Future Expansion: N/A	Structural Framing: N/A Exterior Walls: N/A Interior Finish: N/A Windows: N/A	Flooring: N/A Heating/Cooling: N/A Special Equipment: N/A Usable Unenclosed Areas: N/A
Provisions for Use Change: N/A		



# BUDGET NARRATIVE

**Audit Title:** Agencies Ensured Contracts With Former Employees Were Properly Awarded  
**Audit Number:** 2012-05

**Division:** Multi-Agency  
**Issue Date:** February 2012

<b>Audit Recommendation:</b>	<b>Response/Action Taken:</b>
No recommendations made in audit.	DAS acknowledges the opportunities for improvement presented in the audit report and generally agrees with them.

Related Policy Option Package for 15-17: No

# BUDGET NARRATIVE

**Audit Title:** Computer Controls Review  
**Audit Number:** 107-2012-03-01

**Division:** State Data Center  
**Issue Date:** March 2012

*DAS Management generally agrees with the recommendations as stated in the report.*

**Audit Recommendation:**

Complete and test disaster recovery plans. These efforts should ensure detailed restoration instructions are completed; realistic recovery timelines and priorities are established; recovery roles, responsibilities and expectations are defined; infrastructure configurations are documented and maintained; and all critical disaster recovery processes are tested.

**Response/Action Taken:**

Management agrees with the recommendation. The SDC has established a Disaster Recovery plan and has performed successful infrastructure recovery tests on all technical platforms and tested the recovery of the identified critical infrastructure applications based on customer business requirements and budget allowances. The SDC has requested funding and position authority for a Disaster Recovery Manager to operate the Disaster Recovery program in a 2013-15 Policy Option Package (POP).

The SDC will test disaster recovery plans and processes for several of the large agencies at the SDC by June 2013 and will continue to partner with customer agencies to further develop and define agency application disaster recovery priorities and with the Executive Leadership Team (ELT) to establish enterprise disaster recovery options based on disaster type and scope.

**Brief Explanation of Actions Taken/Current Status:**

DAS Enterprise Technology Services (ETS) has embarked on a first in the nation program to provide a cost effective Disaster Recovery solution by partnering with the State of Montana to provide backup and disaster solutions. This has resulted in the State of Oregon entering into a long term contract to maintain DR equipment in the State of Montana data center located in Helena. We replicate all of our backup information on a daily basis and have mainframe and server capacity located in the Montana facility that allows us to test DR capability and bring up computing capacity should a real emergency occur. We are currently working with Montana to Host their mainframe applications in the State of Oregon datacenter. This has been a highly successful relationship developed and implemented over the last two years.

Related Policy Option Package for 15-17: No

## BUDGET NARRATIVE

Maintain an accurate listing of all media tapes in its possession and in authorized offsite locations, and perform regular reviews and timely follow up on any discrepancies.

Management agrees with the recommendation. The State Data Center will continue to work with the agencies on the tape inventory inherited as part of the initial CNIC consolidation as well as develop an accurate listing of all media tapes and their location by December 2012. The SDC will perform scheduled tape inventories and review the results to determine the accuracy of the tape media control inventory and make process and procedural adjustments as necessary.

### Brief Explanation of Actions Taken/Current Status:

ETS has completed the transition to a new offsite media storage vendor in October 2012. As part of this transition, ETS completed a comprehensive media inventory and implemented onsite removable media destruction and certification. ETS will track and manage its removable media from inception through destruction through the use of the ETS policies and procedures and the media management software provided by the new offsite vendor for Windows servers and the existing tape management processes used for the mainframe and iSeries media tapes.

There has been significant agency input on the agency media tapes inherited by ETS through the CNIC project. ETS has destroyed the media through its on-site destruction process or migrated the information to more current technology.

Related Policy Option Package for 15-17: No

# BUDGET NARRATIVE

**Audit Title:** Strategies to Better Address Federal Level of Effort Requirements      **Division:** Budget and Management  
**Audit Number:** 2012-11      **Issue Date:** April 2012

*DAS Management generally agrees with the recommendations as stated in the report.*

<b>Audit Recommendation:</b>	<b>Response/Action Taken:</b>
<p>To increase awareness and coordination of Level of Effort requirements during budgeting, we recommend management in the Department of Administrative Services:</p> <ul style="list-style-type: none"> <li>• require programs to distinctly identify all funding sources related to Level of Effort programs; and</li> <li>• convene key agency staff to identify potential partnerships across agencies to manage General Fund shortages and surpluses in relation to Level of Effort requirements.</li> </ul>	<p>The Department of Administrative Services (DAS) generally agrees with the first set of recommendations. These efforts have historically been done on an “as-needed” basis. DAS recognizes the desire to make these requirements more formal in the future. Agency programs are currently required to identify and maintain documentation regarding funding sources for programs with Level of Effort requirements. DAS will strengthen language in future Budget Instructions to require agencies to produce documentation on request. From increased documentation, DAS can better determine the frequency in which agencies and programs need to be convened.</p> <p>Staff from affected agencies is then convened when the potential exists that Levels of Effort may not be adequately maintained. These meetings of key staff discuss existing partnerships and brainstorm ways in which agencies can better manage General Fund in relation to Level of Effort requirements. The Budget Instruction updates are planned to occur in Spring 2014 during the next budget cycle.</p> <p><b>Brief Explanation of Actions Taken/Current Status:</b></p> <p>Budget instructions were strengthened in 2014 regarding funding sources to identify opportunities to convene staff to leverage resources. Budget staff regularly meet with agencies and discuss LOE during the development of the Governor’s Recommended Budget.</p> <p>While the second set of recommendations is not specific DAS, the Department does play a key role in encouraging cross-agency efforts of coordination and communication in an effort to identify problems at the earliest stage. The state budget process provides a conduit for communication during the preparation cycle, and as was effectively demonstrated in the 2009-11 biennium, during the interim when working in tandem with the Legislative Fiscal Office and the Joint Legislative Emergency Board.</p>
<p>To maximize state resources, allocate General Funds strategically, and ensure continued compliance with Level of Effort requirements, we recommend management from Oregon agencies subject to federal Level of Effort requirements:</p> <ul style="list-style-type: none"> <li>• encourage program staff to work with their federal agency contact to understand possible financial sources available to meet Level of Effort requirements, including funds outside of those directly budgeted for that program;</li> </ul>	<p>Brief Explanation of Actions Taken/Current Status:</p> <p>Budget instructions were strengthened in 2014 regarding funding sources to identify opportunities to convene staff to leverage resources. Budget staff regularly meet with agencies and discuss LOE during the development of the Governor’s Recommended Budget.</p> <p>While the second set of recommendations is not specific DAS, the Department does play a key role in encouraging cross-agency efforts of coordination and communication in an effort to identify problems at the earliest stage. The state budget process provides a conduit for communication during the preparation cycle, and as was effectively demonstrated in the 2009-11 biennium, during the interim when working in tandem with the Legislative Fiscal Office and the Joint Legislative Emergency Board.</p>

## BUDGET NARRATIVE

- work with the Legislative Fiscal Office to make information available to Oregon Legislative members explaining Level of Effort requirements and consequences for lack of compliance;
- conduct regular communications among program, financial, and budget staff within each agency to discuss Level of Effort compliance and cross-program expenditure possibilities; and
- strengthen certification procedures across programs to allow more cross-program expenditures while ensuring compliance with federal mandates.

Related Policy Option Package for 15-17: No