

Senate Bill 47

Sponsored by Senator JAMA (at the request of Governor Tina Kotek) (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act gets rid of old public entities and changes laws about old activities of public entities. (Flesch Readability Score: 62.8).

Eliminates obsolete public entities and modifies laws about obsolete activities of public entities.

A BILL FOR AN ACT

1
2 Relating to obsolete activities of public entities; creating new provisions; amending ORS 31.276,
3 221.420, 221.450, 291.227, 411.075, 411.877, 411.890, 411.892, 411.896, 430.050, 442.870, 757.511,
4 757.612, 757.613 and 757.698; and repealing ORS 31.280, 182.310, 182.320, 182.330, 182.360, 411.886,
5 411.888, 431A.300, 431A.303, 431A.305, 431A.308, 431A.310, 431A.313, 431A.315, 431A.318,
6 431A.320, 431A.323, 431A.325, 431A.500, 431A.505, 431A.510, 757.812, 757.814, 757.818, 757.822,
7 757.824, 757.830, 757.834, 757.842, 757.852, 757.855, 757.857, 757.862, 757.864, 757.868, 757.872,
8 757.880, 757.883, 757.886, 757.890, 757.895, 757.897, 757.900, 757.902, 757.905, 757.910, 757.915,
9 757.918, 757.920, 757.922, 757.924, 757.930, 757.935, 757.937, 757.940, 757.942, 757.945, 757.950 and
10 757.954 and sections 7 and 9, chapter 807, Oregon Laws 2007.

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

SPINAL CORD INJURY RESEARCH BOARD

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15 **SECTION 1. ORS 431A.500, 431A.505 and 431A.510 are repealed.**

OREGON COMMUNITY POWER

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19 **SECTION 2. ORS 757.812, 757.814, 757.818, 757.822, 757.824, 757.830, 757.834, 757.842, 757.852,**
20 **757.855, 757.857, 757.862, 757.864, 757.868, 757.872, 757.880, 757.883, 757.886, 757.890, 757.895,**
21 **757.897, 757.900, 757.902, 757.905, 757.910, 757.915, 757.918, 757.920, 757.922, 757.924, 757.930,**
22 **757.935, 757.937, 757.940, 757.942, 757.945, 757.950 and 757.954 and sections 7 and 9, chapter 807,**
23 **Oregon Laws 2007, are repealed.**

24 **SECTION 3. ORS 757.511 is amended to read:**

25 757.511. (1) No person, directly or indirectly, shall acquire the power to exercise any substantial
26 influence over the policies and actions of a public utility which provides heat, light or power with-
27 out first securing from the Public Utility Commission, upon application, an order authorizing such
28 acquisition if such person is, or by such acquisition would become, an affiliated interest with such
29 public utility as defined in ORS 757.015 (1), (2) or (3).

30 (2) Notice must be given to the commission of an application under this section at least 60 days

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 before the application is filed with the commission. [*The notice must indicate whether the transaction*
 2 *is a transaction described in ORS 757.814 (1). If the transaction is a transaction as described in ORS*
 3 *757.814 (1), the commission shall give notice to cities and counties as required by ORS 757.814 (1).]*

4 (3) The application required by subsection (1) of this section shall set forth detailed information
 5 regarding:

- 6 (a) The applicant's identity and financial ability;
- 7 (b) The background of the key personnel associated with the applicant;
- 8 (c) The source and amounts of funds or other consideration to be used in the acquisition;
- 9 (d) The applicant's compliance with federal law in carrying out the acquisition;
- 10 (e) Whether the applicant or the key personnel associated with the applicant have violated any
 11 state or federal statutes regulating the activities of public utilities;
- 12 (f) All documents relating to the transaction giving rise to the application;
- 13 (g) The applicant's experience in operating public utilities providing heat, light or power;
- 14 (h) The applicant's plan for operating the public utility;
- 15 (i) How the acquisition will serve the public utility's customers in the public interest; and
- 16 (j) Such other information as the commission may require by rule.

17 (4)(a) The commission shall examine and investigate each application received pursuant to this
 18 section. The commission shall issue an order disposing of the application within 11 months of the
 19 date the application is filed, unless extended by agreement between the commission and applicant.
 20 If the commission determines that approval of the application will serve the public utility's custom-
 21 ers and is in the public interest, the commission shall issue an order granting the application. The
 22 commission may condition an order authorizing the acquisition upon the applicant's satisfactory
 23 performance or adherence to specific requirements. The commission otherwise shall issue an order
 24 denying the application. The applicant shall bear the burden of showing that granting the applica-
 25 tion is in the public interest.

26 (b) In reviewing an application received pursuant to this section for an electricity or natural
 27 gas utility, the Public Utility Commission must consider the effect of the acquisition or merger on
 28 the amount of income taxes paid by the utility or its affiliated group and make any necessary ad-
 29 justments to the rates of the utility, including the establishment of a balancing account to track
 30 income tax expense, to ensure that the acquisition or merger serves the utility's customers and is
 31 in the public interest.

32 (5) Nothing in this section shall prohibit dissemination by any party of information concerning
 33 the acquisition so long as such dissemination is not otherwise in conflict with state or federal law.

34 **SECTION 4.** ORS 757.612 is amended to read:

35 757.612. (1)(a) There is established an annual public purpose expenditure standard for electric
 36 companies [*and Oregon Community Power*] to fund:

- 37 (A) The above-market costs of new renewable energy resources and customer investments in
 38 distribution system-connected technologies that support reliability, resilience and the integration of
 39 renewable energy resources with the distribution systems of electric companies [*and Oregon Com-*
 40 *munity Power*];
- 41 (B) New low-income weatherization;
- 42 (C) New energy-related investments in schools; and
- 43 (D) Low-income housing.

44 (b) The public purpose expenditure standard shall be funded by the public purpose charge de-
 45 scribed in subsection (2) of this section.

1 (2)(a) Until January 1, 2036, an electric company [*or Oregon Community Power*] shall collect a
 2 nonbypassable public purpose charge equal to 1.5 percent of the revenues described in paragraph (b)
 3 of this subsection, apportioned as further set forth in subsection (3)(b) of this section. The electric
 4 company [*or Oregon Community Power*] shall collect the public purpose charge from all of the retail
 5 electricity consumers located within the electric company's [*or Oregon Community Power's*] service
 6 territory, including retail electricity consumers served by electricity service suppliers.

7 (b) The percentages described in paragraph (a) of this subsection and subsection (3)(b) of this
 8 section shall be calculated as percentages of the total revenues collected by the electric company[,
 9 *Oregon Community Power*] or the electricity service supplier from retail electricity consumers for
 10 electricity services, distribution services, ancillary services, metering and billing, transition charges
 11 and other types of costs included in electric rates on July 23, 1999.

12 (3)(a) The Public Utility Commission shall establish rules implementing the provisions of this
 13 section relating to electric companies [*and Oregon Community Power*].

14 (b) The public purpose charge described in subsection (2)(a) of this section shall be the sum total
 15 of the following percentages of revenues described in subsection (2)(b) of this section, allocated for
 16 the following purposes:

17 (A) 0.3 percent of revenues for school districts that are located in the service territory of the
 18 electric company [*or Oregon Community Power*], as further directed under paragraph (e) of this
 19 subsection.

20 (B) As further directed under paragraph (f) of this subsection, 0.51 percent of revenues for:

21 (i) The above-market costs of constructing and operating new renewable energy resources with
 22 a nominal electric generating capacity, as defined in ORS 469.300, of 20 megawatts or less; or

23 (ii) Customer investments in distribution system-connected technologies that support reliability,
 24 resilience and the integration of renewable energy resources with the distribution system of the
 25 electric company [*or Oregon Community Power*].

26 (C) 0.55 percent of revenues for new low-income weatherization, as further directed under par-
 27 agraph (g) of this subsection.

28 (D) 0.14 percent of revenues for deposit in the Housing and Community Services Department
 29 Electricity Public Purpose Charge Fund established by ORS 456.587 (1) for the purpose of providing
 30 grants as described in ORS 458.625 (2).

31 (c) The costs of administering subsections (1) to (5) of this section for an electric company [*or*
 32 *Oregon Community Power*] shall be paid out of the funds collected through public purpose charges.
 33 The commission may require an electric company [*or Oregon Community Power*] to direct funds
 34 collected through public purpose charges to state agencies responsible for implementing subsections
 35 (1) to (5) of this section in order to pay the costs of administering subsections (1) to (5) of this sec-
 36 tion.

37 (d) The commission shall direct the manner in which public purpose charges are collected and
 38 spent by an electric company [*or Oregon Community Power*] and may require an electric company
 39 [*or Oregon Community Power*] to expend funds through competitive bids or other means designed to
 40 encourage competition, except that funds dedicated for new low-income weatherization shall be di-
 41 rected to the Housing and Community Services Department for purposes related to new low-income
 42 weatherization, as further directed in paragraph (g) of this subsection. The commission may also
 43 require funds collected through public purpose charges to be paid to a nongovernmental entity for
 44 investment in public purposes described in subsection (1) of this section.

45 (e)(A) Funds allocated under subsection (3)(b)(A) of this section shall be distributed to individual

1 school districts according to the weighted average daily membership (ADMw) of each school district
2 for the prior fiscal year as calculated under ORS 327.013. The commission shall establish by rule a
3 methodology for distributing a proportionate share of funds under this paragraph to school districts
4 that are only partially located in the service territory of the electric company [*or Oregon Community*
5 *Power*].

6 (B) A school district that receives funds under this paragraph shall use the funds first to pay
7 for energy audits for schools located within the school district or for a fleet audit for the school
8 district. To the extent practicable, a school district shall coordinate with the State Department of
9 Energy and incorporate federal funding in complying with this paragraph. Following completion of
10 an audit, the school district may expend funds received under this paragraph to implement the audit.

11 (C) Once an energy audit has been conducted and completely implemented for each school
12 within the school district, the school district may expend funds received under this paragraph for
13 any of the following purposes:

14 (i) Conducting additional energy audits. A school district shall conduct an energy audit prior to
15 expending funds on any other purpose authorized under this paragraph unless the school district has
16 performed an energy audit within the three years immediately prior to receiving the funds.

17 (ii) Weatherizing school district facilities and upgrading the energy efficiency of school district
18 facilities.

19 (iii) Energy conservation education programs.

20 (iv) Purchasing electricity from environmentally focused sources.

21 (v) Investing in renewable energy resources.

22 (D) Once a fleet audit has been conducted for the school district, the school district may expend
23 funds received under this paragraph for any of the following purposes:

24 (i) Purchasing or leasing zero-emission vehicles, as defined in ORS 283.398, including buses.

25 (ii) Purchasing or installing electric vehicle charging stations to provide electricity to zero-
26 emission vehicles.

27 (f) Of the funds allocated under subsection (3)(b)(B) of this section, 25 percent must be used for
28 activities, resources and technologies that serve low and moderate income customers, including for
29 technologies that do not have above-market costs.

30 (g)(A) Funds collected by an electric company [*or Oregon Community Power*,] allocated for new
31 low-income weatherization under subsection (3)(b)(C) of this section and directed to the Housing and
32 Community Services Department shall be spent within the service territory of the electric company
33 [*or Oregon Community Power*] from which the funds are collected.

34 (B) As further determined by the Housing and Community Services Department, a portion of the
35 funds described in this paragraph may be used for manufactured housing replacements as a means
36 to deliver energy efficiency, pursuant to a program dedicated to manufactured housing replacement.

37 (C) For purposes of this paragraph and as further determined by the Housing and Community
38 Services Department, purposes related to new low-income weatherization includes providing funding
39 for participants in programs by low-income weatherization service providers to change energy
40 sources from bulk fuels to electricity service.

41 (h) The commission may not establish a different public purpose charge than the public purpose
42 charge described in subsection (2) of this section.

43 (4)(a) A retail electricity consumer that uses more than one average megawatt of electricity at
44 any site in the prior year shall receive a credit against public purpose charges billed by an electric
45 company [*or Oregon Community Power*] for that site. The amount of the credit shall be equal to the

1 total amount of qualifying expenditures for the above-market costs of new renewable energy re-
 2 sources and investments in distribution system-connected technologies incurred by the retail elec-
 3 tricity consumer, not to exceed 25.5 percent of the annual public purpose charges, less
 4 administration costs incurred under this paragraph and paragraphs (b) and (c) of this subsection.
 5 The credit may not exceed, on an annual basis, the lesser of:

6 (A) The amount of the retail electricity consumer's qualifying expenditures; or

7 (B) The portion of the public purpose charge billed to the retail electricity consumer that is
 8 dedicated to the above-market costs of new renewable energy resources and investments in distrib-
 9 ution system-connected technologies.

10 (b) To obtain a credit under paragraph (a) of this subsection, a retail electricity consumer shall
 11 file with the State Department of Energy a description of the proposed new renewable energy re-
 12 source or investment in distribution system-connected technology and a declaration that the retail
 13 electricity consumer plans to incur the qualifying expenditure. The State Department of Energy
 14 shall issue a notice of precertification within 30 days of receipt of the filing, if such filing is con-
 15 sistent with paragraph (a) of this subsection. The credit may be taken after a retail electricity con-
 16 sumer provides a letter from a certified public accountant to the State Department of Energy
 17 verifying that the precertified qualifying expenditure has been made.

18 (c) Credits earned by a retail electricity consumer as a result of qualifying expenditures that
 19 are not used in one year may be carried forward for use in subsequent years.

20 (5) Electric utilities and retail electricity consumers shall receive a fair and reasonable credit
 21 for the public purpose expenditures of their energy suppliers. The State Department of Energy shall
 22 adopt rules to determine eligible expenditures and the method by which such credits are accounted
 23 for and used. The State Department of Energy also shall adopt methods to account for eligible public
 24 purpose expenditures made through consortia or collaborative projects.

25 (6) For purposes of this section, "retail electricity consumers" includes any direct service in-
 26 dustrial consumer that purchases electricity without purchasing distribution services from the elec-
 27 tric utility.

28 *[(7) For purposes of this section, funds collected by Oregon Community Power through public*
 29 *purpose charges are not considered moneys received from electric utility operations.]*

30 **SECTION 5.** ORS 757.613 is amended to read:

31 757.613. (1) If an electric company invests moneys collected under ORS 757.054 on new cost-
 32 effective local energy conservation, or if the nongovernmental entity described in ORS 757.746 in-
 33 vests moneys paid to the nongovernmental entity under ORS 757.054 on new cost-effective local
 34 energy conservation, and if the investment involves updating the energy efficiency of a residential
 35 or nonresidential building, the electric company[, *Oregon Community Power*] or the nongovernmental
 36 entity may make those investments by conducting a whole building assessment of the energy effi-
 37 ciency of the building and, in consideration of the whole building assessment, by maximizing the
 38 overall energy efficiency of the building. For purposes of this subsection, a "whole building assess-
 39 ment" means a single assessment of savings opportunities, as identified by the Public Utility Com-
 40 mission by rule or order.

41 (2) An investment described in subsection (1) of this section must be limited to an investment
 42 in a single project, as authorized by the commission by rule or order.

43 **SECTION 6.** ORS 757.698 is amended to read:

44 757.698. (1) An electric company, as defined in ORS 757.600, [*or Oregon Community Power*] shall
 45 collect funds for low-income electric bill payment and crisis assistance in an amount determined by

1 the Public Utility Commission. The commission shall:

2 (a) Establish the amount to be collected and rates to be charged by each electric company from
 3 its customers, including customers receiving electricity from other sources, such that the forecasted
 4 collection by all electric companies in a calendar year is at least \$20 million.

5 (b) Adjust the rates if forecasted collections or actual collections are less than \$20 million in
 6 any calendar year but shall not otherwise adjust the rates once set.

7 (c) Ensure that no customer pays more than \$500 per month per customer site for low-income
 8 electric bill payment and crisis assistance.

9 (2) Funds collected by an electric company [*or Oregon Community Power*] under this section
 10 must be:

11 (a) Paid into the Housing and Community Services Department Low-Income Electric Bill Pay-
 12 ment Assistance Fund established by ORS 456.587 (2);

13 (b) Used by the Housing and Community Services Department solely for purposes related to
 14 low-income electric bill payment and crisis assistance and for the Housing and Community Services
 15 Department's cost of administering this section; and

16 (c) Expended in the service area of the electric company [*or Oregon Community Power*] from
 17 which the funds are collected.

18 (3) The Housing and Community Services Department shall determine the manner in which funds
 19 collected under this section are allocated by the department to energy assistance program providers
 20 for the purpose of providing low-income electric bill payment and crisis assistance. However, the
 21 department shall:

22 (a) In consultation with electric companies, investigate and may implement alternative delivery
 23 models to effectively reduce service disconnections and related costs to customers and electric
 24 companies; and

25 (b) Direct priority assistance to low-income customers who are in danger of having their elec-
 26 tricity service disconnected.

27 (4) The department shall maintain records and provide those records upon request to an electric
 28 company[, *Oregon Community Power*] and the Citizens' Utility Board established under ORS chapter
 29 774 on a quarterly basis. Records maintained must include the numbers of low-income customers
 30 served, the average amounts paid and the type of assistance provided. Electric companies [*and*
 31 *Oregon Community Power*] shall, if requested, provide the department with aggregate data relating
 32 to low-income customers served on a quarterly basis to support program development.

33 (5) Interest on moneys deposited in the Housing and Community Services Department Low-
 34 Income Electric Bill Payment Assistance Fund established by ORS 456.587 (2) may be used to pro-
 35 vide bill payment and crisis assistance to customers whose primary source of heat is not electricity.

36 (6) Notwithstanding ORS 757.310, the commission may allow an electric company [*or Oregon*
 37 *Community Power*] to provide reduced rates or other bill payment or crisis assistance or low-income
 38 program assistance to a low-income household eligible for assistance under the federal Low Income
 39 Home Energy Assistance Act of 1981, as amended and in effect on July 23, 1999.

40 **SECTION 7.** ORS 221.420 is amended to read:

41 221.420. (1) As used in this section:

42 (a) "Public utility" has the meaning for that term provided in ORS 757.005.

43 (b) "Commission" means the Public Utility Commission of Oregon.

44 (c) "Council" means the common council, city council, commission or any other governing body
 45 of any municipality wherein the property of the public utility is located.

1 (d) "Municipality" means any town, city or other municipal government wherein property of the
2 public utility is located.

3 (e) "Service" is used in its broadest and most inclusive sense and includes equipment and facil-
4 ities.

5 (f) "Heating company" means any person furnishing heat but not electricity or natural gas to
6 its customers.

7 (2) Subject to ORS 758.025, a city may:

8 (a) Determine by contract or prescribe by ordinance or otherwise, the terms and conditions, in-
9 cluding payment of charges and fees, upon which any public utility, electric cooperative, people's
10 utility district or heating company[, or *Oregon Community Power*,] may be permitted to occupy the
11 streets, highways or other public property within such city and exclude or eject any public utility
12 or heating company therefrom.

13 (b) Require any public utility, by ordinance or otherwise, to make such modifications, additions
14 and extensions to its physical equipment, facilities or plant or service within such city as shall be
15 reasonable or necessary in the interest of the public, and designate the location and nature of all
16 additions and extensions, the time within which they must be completed, and all conditions under
17 which they must be constructed.

18 (c) Fix by contract, prescribe by ordinance, or in any other lawful manner, the rates, charges
19 or tolls to be paid to, or that may be collected by, any public utility or the quality and character
20 of each kind of product or service to be furnished or rendered by any public utility furnishing any
21 product or service within such city. No schedule of rates, charges or tolls, fixed in the manner
22 provided in this paragraph, shall be so fixed for a longer period than five years. Whenever it is
23 proposed by any city to enter into any contract, or to enact any ordinance, or other municipal law
24 or regulation concerning the matters specified in this paragraph, a copy of such proposed contract,
25 ordinance or other municipal law or resolution shall be filed with the Public Utility Commission of
26 Oregon before the same may be lawfully signed or enacted, as the case may be, and the commission
27 shall thereafter have 90 days within which to examine into the terms thereof. If the commission is
28 of the opinion that in any respect the provisions of the proposed contract, ordinance or other mu-
29 nicipal law or resolution are not in the public interest, the commission shall file, in writing, with
30 the clerk or other officer who has the custody of the files and records of the city, the commission's
31 reasons therefor. If the objections are filed within said period of 90 days, no proposed contract, or-
32 dinance or other municipal law or regulation shall be valid or go into effect until it has been sub-
33 mitted to or ratified by the vote of the electors of the city. Unless and until a city exercises its
34 powers as provided in this paragraph, the commission is vested with all powers with respect to the
35 matters specified in this paragraph. If the schedule of rates, charges and tolls or the quality and
36 character of each kind of product or service is fixed by contract, ordinance or other municipal law
37 or regulation and in the manner provided in this paragraph, the commission has no power or juris-
38 diction to interfere with, modify or change it during the period fixed thereby. Upon the expiration
39 of said period such powers shall again be vested in the commission, to be exercised by the commis-
40 sion unless and until a new schedule of rates or the quality and character for such service or
41 product is fixed or prescribed by contract, ordinance or other municipal law or regulation in the
42 manner provided in this paragraph.

43 (d) Provide for a penalty for noncompliance with the provisions of any charter provision, ordi-
44 nance or resolution adopted by the city in furtherance of the powers specified in this subsection.

45 **SECTION 8.** ORS 221.450 is amended to read:

1 221.450. Except as provided in ORS 221.655, the city council or other governing body of every
 2 incorporated city may levy and collect a privilege tax [*from Oregon Community Power and*] from
 3 every electric cooperative, people’s utility district, privately owned public utility, telecommuni-
 4 cations carrier as defined in ORS 133.721 or heating company. The privilege tax may be collected
 5 only if the entity is operating for a period of 30 days within the city without a franchise from the
 6 city and actually using the streets, alleys or highways, or all of them, in such city for other than
 7 travel on such streets or highways. The privilege tax shall be for the use of those public streets,
 8 alleys or highways, or all of them, in such city in an amount not exceeding five percent of the gross
 9 revenues of the cooperative, utility, district or company currently earned within the boundary of the
 10 city. However, the gross revenues earned in interstate commerce or on the business of the United
 11 States Government shall be exempt from the provisions of this section. The privilege tax authorized
 12 in this section shall be for each year, or part of each year, such utility, cooperative, district or
 13 company[, *or Oregon Community Power,*] operates without a franchise.

14 **SECTION 9.** ORS 291.227, as amended by section 88, chapter 281, Oregon Laws 2023, is
 15 amended to read:

16 291.227. (1)(a) As part of the development of the legislatively adopted budget, each state agency
 17 that employs more than 100 employees shall report to the Joint Committee on Ways and Means the
 18 state agency’s maximum supervisory ratio for the biennium.

19 (b) Before submitting the report to the committee, a state agency shall provide a copy of the
 20 report to all labor organizations that represent employees of the state agency.

21 (2) A state agency must determine its maximum supervisory ratio by starting from a baseline
 22 ratio of one to 11 and adjusting the ratio based on some or all of the following factors:

23 (a) Safety of the public or of state agency employees;

24 (b) Geographic location of the agency’s employees;

25 (c) Complexity of the agency’s duties;

26 (d) Industry best practices and standards;

27 (e) Size and hours of operation of the agency;

28 (f) Unique personnel needs of the agency, including the agency’s use of volunteers or seasonal
 29 or temporary employees, or the exercise of supervisory authority by agency supervisory employees
 30 over personnel who are not agency employees; and

31 (g) Financial scope and responsibility of the agency.

32 (3) The Joint Committee on Ways and Means shall review the maximum supervisory ratios re-
 33 ported by state agencies.

34 (4) Subject to subsection (5) of this section, a state agency whose actual supervisory ratio is
 35 greater than its maximum supervisory ratio may not fill a supervisory position.

36 (5)(a) The Oregon Department of Administrative Services may exempt a state agency from the
 37 limitations of subsection (4) of this section if the department determines that an additional supervi-
 38 sory position is reasonably necessary to the state agency. The department must make the determi-
 39 nation with reference to some or all of the factors set forth in subsection (2) of this section.

40 (b) At least five business days before granting an exemption under this subsection, the depart-
 41 ment shall notify all labor organizations that represent employees of the state agency of its intent
 42 to grant the exemption.

43 (6)(a) The department shall, once per quarter, produce reports on the actual supervisory ratio
 44 of each state agency. The reports must include data on job families within each state agency to the
 45 extent such data is reasonably available.

1 (b) The department shall make the reports publicly available on the Internet and shall notify
 2 all labor organizations that represent state employees when the reports are available.

3 (7) The department may adopt rules for the administration of this section, including rules gov-
 4 erning how temporary, seasonal or part-time employees are accounted for in the calculation of a
 5 supervisory ratio.

6 (8) As used in this section:

7 (a) "Job families" means groups of occupations based upon work performed, skills, education,
 8 training and credentials.

9 (b) "Legislatively adopted budget" has the meaning given that term in ORS 291.002.

10 (c)(A) "State agency" means all state officers, boards, commissions, departments, institutions,
 11 branches, agencies, divisions and other entities, without regard to the designation given to those
 12 entities, that are within the executive branch of government as described in Article III, section 1,
 13 of the Oregon Constitution.

14 (B) "State agency" does not include:

15 (i) The legislative department as defined in ORS 174.114;

16 (ii) The judicial department as defined in ORS 174.113;

17 (iii) The Secretary of State and the State Treasurer;

18 (iv) Semi-independent state agencies listed in ORS 182.454;

19 (v) The Oregon Tourism Commission;

20 (vi) The Oregon Film and Video Office;

21 (vii) Public universities listed in ORS 352.002;

22 (viii) The Oregon Health and Science University;

23 (ix) The Travel Information Council;

24 (x) Oregon Corrections Enterprises;

25 (xi) The Oregon State Lottery Commission;

26 (xii) The State Accident Insurance Fund Corporation;

27 (xiii) The Oregon Utility Notification Center;

28 [(xiv) Oregon Community Power;]

29 [(xv)] (xiv) The Citizens' Utility Board;

30 [(xvi)] (xv) A special government body as defined in ORS 174.117;

31 [(xvii)] (xvi) Any other public corporation created under a statute of this state and specifically
 32 designated as a public corporation; and

33 [(xviii)] (xvii) Any other semi-independent state agency denominated by statute as a semi-
 34 independent state agency.

35 (d) "Supervisory employee" has the meaning given that term in ORS 243.650.

36 (e) "Supervisory ratio" means the ratio of employees who are supervisory employees to em-
 37 ployees who are not supervisory employees.

38
 39 **EMPLOYEE SUGGESTION AWARDS COMMISSION**

40
 41 **SECTION 10. ORS 182.310, 182.320, 182.330 and 182.360 are repealed.**

42
 43 **FAMILY SERVICES REVIEW COMMISSION**

44
 45 **SECTION 11. ORS 411.075 is amended to read:**

1 411.075. (1) There is established the Family Services Review Commission consisting of no more
 2 than 16 members. The members shall be appointed by the [*Governor*] **Director of Human Services**
 3 for a term of four years. In making the appointments, the [*Governor*] **director** shall consider indi-
 4 viduals who are or have participated in programs administered by the Department of Human Ser-
 5 vices and individuals who represent diverse geographic areas, cultural and ethnic perspectives and
 6 professional experiences. The [*Governor*] **director** may appoint members who are employees of the
 7 department but such members may not compose more than 25 percent of the membership of the
 8 commission or hold a leadership position in the commission.

9 (2) Members of the commission who are not public employees shall receive compensation and
 10 expenses as provided in ORS 292.495.

11 (3) The commission shall advise and consult with the director [*of Human Services*] on all matters
 12 affecting the quality of the experience of and the equitable attainment of successful outcomes for
 13 families and individuals seeking stability and self-sufficiency through participation in the
 14 department's programs.

15 (4) The commission shall, through its chairperson, have access to information that is reasonably
 16 necessary to carry out the commission's advisory and consultative functions.

17 18 **JOBS PLUS ADVISORY BOARD**

19
20 **SECTION 12. ORS 411.886 and 411.888 are repealed.**

21 **SECTION 13.** ORS 411.877 is amended to read:

22 411.877. As used in ORS 411.877 to 411.896:

23 [(1) "*Board*" means the *JOBS Plus Advisory Board* established in ORS 411.886.]

24 [(2)] (1) "Job opportunities and basic skills program" means the program described in ORS
 25 412.009.

26 [(3)] (2) "JOBS Plus" or "program" means the JOBS Plus Program established in ORS 411.878.

27 [(4)] (3) "Supplemental Nutrition Assistance Program" has the meaning given that term in ORS
 28 411.806.

29 **SECTION 14.** ORS 411.890 is amended to read:

30 411.890. A JOBS Plus Implementation Council shall be established in service areas to be deter-
 31 mined by the Director of Human Services to assist [*the JOBS Plus Advisory Board and*] the De-
 32 partment of Human Services in the administration of the JOBS Plus Program and to allow local
 33 flexibility in dealing with the particular needs of each county. Each council shall be primarily re-
 34 sponsible for recruiting and encouraging participation of employment providers in the county. Each
 35 council shall be composed of seven members who shall be appointed by the county commissioners
 36 in each county in the district. Council members shall be residents of the district in which they are
 37 appointed and shall serve four-year terms. Six members of the council shall be from the local busi-
 38 ness community. At least one member shall be a current or former recipient of the temporary as-
 39 sistance for needy families program or the Supplemental Nutrition Assistance Program.

40 **SECTION 15.** ORS 411.892 is amended to read:

41 411.892. (1)(a) All employers, including public and private sector employers within the State of
 42 Oregon, are eligible to participate in the JOBS Plus Program. The Department of Human Services
 43 shall adopt by rule a method to disqualify employers from participating in the program. No employer
 44 is required to participate in the JOBS Plus Program. In the event that there are unassigned partic-
 45 ipants whom no employer desires to utilize, the participants may be assigned to work for a public

1 agency.

2 (b) The maximum number of program participants that any employer is authorized to receive at
 3 any one time may not exceed 10 percent of the total number of the employer’s employees. However,
 4 each employer may receive one participant. The Director of Human Services may waive the limit in
 5 special circumstances.

6 (c) The Department of Human Services by rule shall establish criteria for excluding employers
 7 from participation for failure to abide by program requirements, showing a pattern of terminating
 8 participants prior to the completion of training or other demonstrated unwillingness to comply with
 9 the stated intent of the program.

10 (2) The Department of Human Services shall ensure that jobs made available to program par-
 11 ticipants:

12 (a) Do not require work in excess of 40 hours per week;

13 (b) Are not used to displace regular employees or to fill unfilled positions previously established;
 14 and

15 (c) Do not pay a wage that is substantially less than the wage paid for similar jobs in the local
 16 economy with appropriate adjustments for experience and training.

17 (3)(a) Eligibility for the program shall be limited to residents who are:

18 (A) Adults and caretaker relatives who are receiving temporary assistance for needy families
 19 benefits;

20 (B) Adult Supplemental Nutrition Assistance Program recipients except as described in sub-
 21 section (5)(b) of this section; and

22 (C) Unemployed noncaretaker parents of children who are receiving temporary assistance for
 23 needy families benefits.

24 (b) In addition to those residents eligible for the program under paragraph (a) of this subsection,
 25 additional residents who are seeking employment may be eligible for the program if there are
 26 legislatively allocated funds available in the temporary assistance for needy families budget of the
 27 Department of Human Services.

28 (4)(a) Individuals desiring work through the program shall contact the nearest Department of
 29 Human Services office serving the county in which they reside if they are temporary assistance for
 30 needy families program or Supplemental Nutrition Assistance Program applicants or recipients or
 31 noncustodial parents of individuals receiving temporary assistance for needy families.

32 (b) With the assistance of the local JOBS Plus Implementation Councils [*and the JOBS Plus*
 33 *Advisory Board*], the Department of Human Services shall develop a job inventory of sufficient size
 34 to accommodate all of the participants who desire to work in the program. In consultation with the
 35 participant, the department shall try to match the profile of each participant with the needs of an
 36 employer when assigning a participant to work with the employer.

37 (c) Either the employer or the participant may terminate the assignment by contacting the ap-
 38 propriate Department of Human Services office. In such event, the Department of Human Services
 39 shall reassess the needs of the participant and assign the participant to another JOBS Plus Program
 40 placement or another job opportunity and basic skills program component and, at the employer’s
 41 request, provide the employer with another participant.

42 (d)(A) If after four months in a placement, a participant has not been hired for an unsubsidized
 43 position, the employer shall allow the worker to undertake eight hours of job search per week.
 44 Participating employers shall consider such time as hours worked for the purposes of paying wages.

45 (B) If after six months in a placement, a participant has not been hired for an unsubsidized po-

1 sition, the placement shall be terminated, and the caseworker shall reassess the participant's em-
2 ployment development plan.

3 (e) The Department of Human Services may pay placement and barrier removal payments to
4 temporary assistance for needy families program and Supplemental Nutrition Assistance Program
5 participants as necessary to enable participation in the JOBS Plus Program.

6 (f) The Department of Human Services shall accept eligible volunteers into the program prior
7 to mandating program participation by eligible persons.

8 (5)(a) Assignment of participants to available jobs shall be based on a preference schedule de-
9 veloped by the Department of Human Services. Any temporary assistance for needy families recipi-
10 ent or supplemental nutrition assistance recipient may volunteer for the program.

11 (b) The following individuals may not be required to participate in the program:

12 (A) Recipients under the temporary assistance for needy families program and the Supplemental
13 Nutrition Assistance Program who are eligible for Supplemental Security Income benefits or other
14 ongoing state or federal maintenance benefits based on age or disability.

15 (B) Supplemental nutrition assistance applicants or recipients who are employed full-time or are
16 college students eligible for supplemental nutrition assistance and enrolled full-time in a community
17 college or an institution of higher education, or enrolled half-time in a community college or an in-
18 stitution of higher education and working at least 20 hours per week.

19 (C) Teenage parents who remain in high school if progressing toward a diploma. Teenage par-
20 ents not in school are eligible for the JOBS Plus Program.

21 (c) The Department of Human Services shall provide life skills classes and opportunities to
22 achieve a certificate for passing an approved high school equivalency test such as the General Ed-
23 ucational Development (GED) test to appropriate participants in conjunction with working in the
24 JOBS Plus Program.

25 (d) Subject to subsection (7) of this section, temporary assistance for needy families and sup-
26 plemental nutrition assistance shall be suspended at the end of the calendar month in which an
27 employer makes the first wage payment to a participant who is a custodial parent in a family that
28 receives temporary assistance for needy families or to any adult member of a household receiving
29 supplemental nutrition assistance. Failure of the participant to cooperate with the requirements of
30 the JOBS Plus Program may result in the participant's removal, in accordance with rules adopted
31 by the Department of Human Services, from the JOBS Plus Program and suspension of the
32 participant's temporary assistance for needy families grant and supplemental nutrition assistance.
33 A temporary assistance for needy families and supplemental nutrition assistance recipient who has
34 been removed from the program for failing to cooperate shall be eligible to reapply to participate
35 in the program and shall have eligibility for program services determined without regard to the
36 length of time the person was not participating following removal.

37 (6)(a) Employers shall pay all participating individuals at least the hourly rate of the Oregon
38 minimum wage.

39 (b) Sick leave, holiday and vacation absences shall conform to the individual employer's rules
40 for temporary employees.

41 (c) Group health insurance benefits shall be provided by the employer to program participants
42 if, and to the extent that, state or federal law requires the employer to provide such benefits.

43 (d) All persons participating in the JOBS Plus Program shall be considered to be temporary
44 employees of the individual employer providing the work and shall be entitled only to benefits re-
45 quired by state or federal law.

1 (e) Employers shall provide workers' compensation coverage for each JOBS Plus Program par-
2 ticipant.

3 (7) In the event that the net monthly full-time wage paid to a participant would be less than the
4 level of income from the temporary assistance for needy families program and the supplemental nu-
5 trition assistance amount equivalent that the participant would otherwise receive, the Department
6 of Human Services shall determine and pay a supplemental payment as necessary to provide the
7 participant with that level of net income. The department shall determine and pay in advance sup-
8 plemental payments to participants on a monthly basis as necessary to ensure equivalent net pro-
9 gram wages. Participants shall be compensated only for time worked.

10 (8) In addition to and not in lieu of the payments provided for under subsections (6) and (7) of
11 this section, participants shall be entitled to retain the full child support payments collected by the
12 Department of Justice.

13 (9) In conformity with existing state day care program regulations, child day care shall be pro-
14 vided for all program participants who require it.

15 (10) JOBS Plus Program employers shall:

16 (a) Endeavor to make JOBS Plus Program placements positive learning and training experiences;

17 (b) Maintain health, safety and working conditions at or above levels generally acceptable in the
18 industry and no less than that of comparable jobs of the employer;

19 (c) Provide on-the-job training to the degree necessary for the participants to perform their du-
20 ties;

21 (d) Recruit volunteer mentors from among their regular employees to assist the participants in
22 becoming oriented to work and the workplace; and

23 (e) Sign an agreement to abide by all requirements of the program, including the requirement
24 that the program not supplant existing jobs. All agreements shall include provisions noting the
25 employer's responsibility to repay reimbursements in the event the employer violates program rules.
26 When a professional placement service, professional employment organization or temporary employ-
27 ment agency is acting as an employer pursuant to subsection (13) of this section, agreements under
28 this paragraph shall require a three-party agreement between the professional placement service,
29 professional employment organization or temporary employment agency, the organization where the
30 participant has been placed to perform services and the State of Oregon. The three-party agreement
31 shall include provisions requiring that all JOBS Plus reimbursements received by the professional
32 placement service, professional employment organization or temporary employment agency be cred-
33 ited to the organization where the participant has been placed to perform services.

34 (11) Program participant wages shall be subject to federal and state income taxes, Social Secu-
35 rity taxes and unemployment insurance tax or reimbursement as applicable under ORS chapter 657,
36 which shall be withheld and paid in accordance with state and federal law. Supplemental payments
37 made pursuant to subsection (7) of this section shall not be subject to state income taxes under ORS
38 chapter 316 and, to the extent allowed by federal law, shall not be subject to federal income taxes
39 and Social Security taxes.

40 (12)(a) The Department of Human Services shall reimburse employers for the employers' share
41 of Social Security, unemployment insurance and workers' compensation premiums paid on behalf of
42 program participants referred to the employer by the Department of Human Services, as well as the
43 minimum wage earnings paid by the employer to program participants referred to the employer by
44 the Department of Human Services.

45 (b) If the Department of Human Services finds that an employer has violated any of the rules

1 of the JOBS Plus Program, the department:

2 (A) Shall withhold any amounts due to employers under paragraph (a) of this subsection.

3 (B) May seek repayment of any amounts paid to employers under paragraph (a) of this sub-
4 section.

5 (13) For purposes of this section, “employer” shall include professional placement services, pro-
6 fessional employment organizations and temporary employment agencies.

7 **SECTION 16.** ORS 411.896 is amended to read:

8 411.896. The Department of Human Services shall submit an annual written report to the Leg-
9 islative Assembly and the Governor containing a full and complete analysis of the JOBS Plus Pro-
10 gram. The report shall include recommendations [*from the department and the JOBS Plus Advisory*
11 *Board*] regarding appropriate revisions to the program.

12
13 **POISON PREVENTION TASK FORCE**

14
15 **SECTION 17.** ORS 431A.300, 431A.303, 431A.305, 431A.308, 431A.310, 431A.313, 431A.315,
16 431A.318, 431A.320, 431A.323 and 431A.325 are repealed.

17 **SECTION 18.** ORS 442.870, as amended by section 27, chapter 32, Oregon Laws 2024, is
18 amended to read:

19 442.870. (1) The Emergency Medical Services Enhancement Account is established separate and
20 distinct from the General Fund. Interest earned on moneys in the account shall accrue to the ac-
21 count. All moneys deposited in the account are continuously appropriated to the Department of
22 Revenue for the purposes of this section.

23 (2) The Department of Revenue shall distribute moneys in the Emergency Medical Services En-
24 hancement Account in the following manner:

25 (a) 35 percent of the moneys in the account shall be transferred to the Office of Rural Health
26 established under ORS 442.475 for the purpose of enhancing emergency medical services in rural
27 areas as specified in ORS 442.507.

28 (b) 25 percent of the moneys in the account shall be transferred to the Emergency Medical
29 Services Program established under section 2, chapter 32, Oregon Laws 2024.

30 (c) 35 percent of the moneys in the account shall be transferred to the Area Health Education
31 Center program established under ORS 353.450.

32 (d) 5 percent of the moneys in the account shall be transferred to the [*Oregon Poison Center*
33 *referred to in ORS 431A.313*] **Oregon Poison Center of the Oregon Health and Science Univer-**
34 **sity.**

35
36 **MENTAL HEALTH ADVISORY BOARD AND**
37 **DISABILITY ISSUES ADVISORY COMMITTEE**

38
39 **SECTION 19.** ORS 430.050 is amended to read:

40 430.050. (1) The Director of the Oregon Health Authority[, *with the approval of the Governor,*]
41 shall appoint at least 15 but not more than 20 members of a Mental Health Advisory Board, com-
42 posed of both lay and professionally trained individuals, qualified by training or experience to study
43 the problems of mental health and make recommendations for the development of policies and pro-
44 cedures with respect to the state mental health programs. The membership shall provide balanced
45 representation of program areas and shall include persons who represent the interests of children.

1 At least four members of the board shall be persons with disabilities who shall serve as the Disa-
 2 bility Issues Advisory Committee which is hereby established. The members of the board shall serve
 3 for terms of four years and are entitled to compensation and expenses as provided in ORS 292.495.
 4 The director may remove any member of the board for misconduct, incapacity or neglect of duty.

5 (2) The Oregon Health Authority shall adopt rules specifying the duties of the board. In addition
 6 to those duties assigned by rule, the board shall assist the authority in planning and preparation
 7 of administrative rules for the assumption of responsibility for psychiatric care in state and com-
 8 munity hospitals by community mental health programs, in accordance with ORS 430.630 (3)(e).

9 (3) The board shall meet at least once each quarter.

10 (4) The director may make provision for technical and clerical assistance to the Mental Health
 11 Advisory Board and for the expenses of such assistance.

12 (5) The Disability Issues Advisory Committee shall meet at least once annually to make recom-
 13 mendations to the Mental Health Advisory Board.

14 (6) As used in this section, "person with a disability" means any person who:

15 (a) Has a physical or mental impairment which substantially limits one or more major life ac-
 16 tivities;

17 (b) Has a record of such an impairment; or

18 (c) Is regarded as having such an impairment.

19
 20 **TASK FORCE ON RESOLUTION OF**
 21 **ADVERSE HEALTH CARE INCIDENTS**

22
 23 **SECTION 20. ORS 31.280 is repealed.**

24 **SECTION 21. ORS 31.276 is amended to read:**

25 31.276. (1) The Oregon Patient Safety Commission shall make rules establishing requirements
 26 and procedures as necessary to implement ORS 31.260 to 31.278, including, but not limited to:

27 (a) Procedures for filing a notice of adverse health care incident under ORS 31.262 and for
 28 conducting discussions and mediations under ORS 31.264 and 31.268.

29 (b) The form of the notice of adverse health care incident under ORS 31.262.

30 (2) The commission shall use notices of adverse health care incidents filed under ORS 31.262 to:

31 (a) Establish quality improvement techniques to reduce patient care errors that contribute to
 32 adverse health care incidents.

33 (b) Develop evidence-based prevention practices to improve patient outcomes and disseminate
 34 information about those practices.

35 (c) Upon the request of a health care facility or health care provider, assist the facility or pro-
 36 vider in reducing the frequency of a particular adverse health care incident, including, but not lim-
 37 ited to, determining the underlying cause of the incident and providing advice regarding preventing
 38 reoccurrence of the incident.

39 **(3) The commission shall:**

40 **(a) Using aggregate, deidentified data, continuously evaluate the implementation and ef-**
 41 **fects of ORS 31.260 to 31.278; and**

42 **(b) Before December 31 of each year, report on the implementation and effects of ORS**
 43 **31.260 to 31.278 to an appropriate committee or interim committee of the Legislative As-**
 44 **sembly.**

CAPTIONS

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SECTION 22. The unit captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.
