

## THORN RUN PARTNERS



### OVERVIEW OF THE 2015 LEGISLATIVE SESSION

The 78<sup>th</sup> Legislative Session was like no other in Oregon's 156-year history. Important events that controlled the destiny of the 78<sup>th</sup> Legislative Session started well before the January 12, 2015 start date. Oregon's longest serving and arguably one of the most influential Governor's in its history was John Kitzhaber. Back on December 9, 2013, Governor Kitzhaber announced that he would be seeking a fourth term as Governor, which would have solidified his legacy as Oregon's longest-serving Governor, and one of its most influential governors.

Conventional wisdom said that Governor Kitzhaber would easily cruise to a historic fourth term in office with little opposition, and for much of the Governor's race, that was true. Top-tier Republican candidates elected to sit the race out, thinking that Governor Kitzhaber was all but unbeatable. However, troubles started to plague the Kitzhaber campaign in the fall of 2014, mere weeks before the General Election. There were revelations that his fiancé, Cylvia Hayes may have improperly used her influence as First Lady of Oregon to secure lucrative contracts while maintaining her role as an advisor in Kitzhaber's administration. The allegations continued to dog Kitzhaber, and he limped across the finish line to victory. The Governor found himself weakened by the scandal and more and more revelations and allegations continued to drip out between Election Day and his inauguration a couple months later.

While the Governor ran into problems before the Session started – problems that eventually crippled him and led to his ouster, Democrats in Oregon bucked national trends and increased their numbers in both the House and Senate in the 2014 General Election. Democrats entered the 78<sup>th</sup> Legislative Session with an 18-12 super majority in the Senate (18 votes are required to raise revenue in the Senate), and a 35-25 majority in the House. With that mandate in hand, Senate and House Leadership brought an aggressive agenda into the Legislative Session.

Within weeks of the start of Session, more and more allegations started piling up all around Governor Kitzhaber and First Lady Cylvia Hayes. Eventually, the calls for the Governor's resignation became too strong to resist and on February 13, 2015, John Albert Kitzhaber joined three others on the unenviable list of Oregon Governors who have resigned while in office.

## THORN RUN PARTNERS



Governor Kitzhaber’s resignation then set off a chain reaction to replace him. Article V, Section 8(a) of the Oregon Constitution prescribed that the Secretary of State is next in the line of succession. Shortly after Kitzhaber’s resignation, Secretary of State Kate Brown was sworn in to replace him. Governor Brown then appointed seasoned political figure Jeanne Atkins to fill the remainder of her term as Secretary of State.

Political Science 101 tells us that, in separation of powers governance, when the Executive branch is wounded, the Legislative branch accelerates its activity and asserts a dominate role in government. That was born out in the last six months in Oregon. All of the drama surrounding the Governor and succession led to a power vacuum, which the Legislature quickly filled.

The Legislature wasted no time in passing their big priorities for the Session. They passed a bill that reformed how class action lawsuits are paid out, required paid sick leave, banned conversion therapy, set up a program aimed at allowing Oregonians the ability to set up retirement accounts, automated voter registration when one receives a driver license, advanced “Clean Fuels” – which sought to reduce carbon emissions by vehicles, expanded access to birth control and increased funding to K-12 education and higher education.

After accomplishing much of its ambitious agenda, the Legislature finally declared Sine Die on July 6, 2015. A more detailed summary of the Legislature’s work and its impact on higher education is below.

### **PUBLIC UNIVERSITIES IN THE 2015 LEGISLATIVE SESSION**

Following the passage of SB 270 in 2013 and HB 4018 in 2014, the public universities developed their own institutional governing boards and the Oregon University System (which had historically represented all seven of the universities in the Legislature) began planning for its dissolution. The Universities through the Legislative Advisory Committee (LAC) worked together to jointly represent the seven institutions in the Legislature and to jointly monitor legislation and legislative activities. In preparing for the 2015 session the Universities retained Thorn Run Partners to monitor and coordinate legislative activity among the seven universities.

Thorn Run Partners conducted weekly legislative phone calls for all seven universities. The point of the calls was to provide a weekly platform where the various universities could talk through issues, strategize next steps and ensure that all universities were up to date with the latest developments. These calls started months before the Legislative Session began in February, and ran through the entire length of the Legislative Session until the Legislature declared Sine Die on July 6, 2015. In addition to the weekly internal LAC meeting, Thorn Run Partners also set up and conducted weekly meetings between the Higher Education Coordinating Commission

## THORN RUN PARTNERS



(HECC) and LAC, to ensure that all parties were able to coordinate and work together, and to resolve any outstanding issues.

Additionally, at the very beginning of the Legislative Session (and continuously throughout the entire Session), Thorn Run Partners read through every bill introduced, and tracked relevant bills on behalf of the LAC. Thorn Run Partners then entered the bills into a bill tracking system. From there, Thorn Run Partners worked with the members of the LAC to prioritize every bill on a scale of 1-5, with one being very important and five being the least important. Thorn Run Partners would then assign a lead advocate or two for every bill, to ensure that someone from within the LAC was always on point, could coordinate legislative efforts as necessary and then report back to the rest of the group on their progress.

Thorn Run Partners would send out regular legislative updates (ranging from 2-3 per week) to the LAC, as a way of keeping all institutions aware of what had occurred in the Capitol in a given day or week. Moreover, Thorn Run Partners would send out additional correspondence on a daily or weekly basis as was necessary.

### **A REVIEW OF THE LAC'S LEGISLATIVE PRIORITIES:**

- 1.) **Secure \$755 million in state funding:** Former Governor Kitzhaber allocated \$624 million for the university operating budget. This number was well short of the funding needed to avoid significant cuts and major increases in tuition. Nor would \$624 million allowed for the long term strategic investments greatly needed by the public universities to increase graduation rates. \$755 million represented the level of funding from 2007, prior to the Great Recession. In the most significant win for higher education funding in at least a decade the final 2015-2017 budget includes \$702 million. The universities are looking to secure the remaining \$53 million in the 2016 short Legislative Session. This was accomplished largely through coordinated, persistent hard work among the seven public universities.
- 2.) **Key elements of the budget include:**
  - a. Continuing to fund the “tuition buy-down” created last Legislative Session by the Legislature, while avoiding similar approaches in future investments. The budget included \$62 million allocated to tuition buy-down.
  - b. Increased funding and programmatic improvements in the Oregon Opportunity Grant (OOG) targeted for low-income students who continue to achieve academic success throughout the four years of their post-secondary education.
  - c. Funding for the OOG was increased to \$141 million, which was a 24% increase over the current biennium, with the expectation that this level of funding will reach 84,000 students with an average of \$1,650. The Legislature also enacted HB 2407, which changes the OOG priority to focus on students with the greatest need (more information included below).

## THORN RUN PARTNERS



- d. The Legislature also passed SB 81, which established a significantly revised “free community college” program for the 2016 academic year (see below).
  - e. Increased resources for academic support services aimed at increasing graduation rates.
  - f. Strategic state funding initiatives to increase degrees in graduate and doctoral programs to foster university-industry research collaborations, new spinouts and patent and licensing revenue.
- 3.) **Capital Budget:** The LAC secured funding for virtually every capital construction project on their list. The Legislature provided the HECC with up to \$145.8 million in article XI-G bonds for projects at public universities and community colleges. Advocacy work done by the universities was instrumental in securing funding for capital construction. The bills also provided 12 new bond-funded projects for public universities at a total of approximately \$298.4 million, as well as the reauthorization of two projects approved in the 2013-15 biennium. The Capital Budget included a budget note that seeks a report at the end of 2015 regarding whether statutory or administrative rule changes are needed to enable these funds to be used for improving disability access. The Legislature allocated \$65 million for deferred maintenance.
- 4.) **ETIC Sustaining Funds:** With the passage of HB 5024, the Legislature approved \$24.5 million for the sustaining funds for the 2015-17 biennium. The Legislature also allocated another \$6 million devoted to the Oregon Talent Council (greater discussion of both bills below).
- 5.) **Title IX Scholarships (“Sports Action Lottery”):** The Legislature approved a 3% increase for Sports Action Lottery funding for a total of \$8.2 million. However, universities had sought the full 1% of video lottery revenues. There is additional work to do on this issue in the next biennium.
- 6.) **Regional Accelerator and Innovation (RAIN):** The Legislature approved \$1 million in operating funds through HB 5525, and \$1 million in capital funds through HB 5507 (greater discussion of both bills below).

## BILL SUMMARIES

### BUDGET BILLS

**HB 5024:** *Appropriates moneys from the General Fund to HECC for biennial expenses.* The budgets of the Community Colleges and Workforce Development, Public Universities, Oregon Health and Science University (OHSU) programs, and the Office of Student Access and Completion are included as part of the HECC’s budget. The HECC’s budget includes \$665 General Fund for the Public Universities Support Fund (which makes up most of the \$702 million allocated to the public universities for the next biennium). It also includes \$141 for the Oregon Opportunity Grant program, which was a 20% increase. There was also an additional

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

\$14 million General Fund for Extension Service, Experiment Station, and Forest Research Lab. The bill was referred to Ways & Means, which heard a lot of public testimony on the bill during their “Road Shows” across the state. The bill passed through Ways & Means with only a single “no” vote. From there, the bill cleared both chambers with minor opposition. **SIGNED INTO LAW.**

**HB 5005/5006:** *Capital Construction projects bill.* These are the bills for Capital Construction projects. The bills provided the HECC with up to \$145.8 million in article XI-G bonds for projects at public universities and community colleges. Advocacy work done by the universities was instrumental in securing funding for capital construction. The bills also provided 12 new bond-funded projects for public universities at a total of approximately \$298.4 million, as well as the reauthorization of two projects approved in the 2013-15 biennium. The universities by in large received every capital project they asked for, as well as a budget note which seeks a report due at the end of 2015 regarding whether statutory or administrative rule changes are needed to enable these funds to be used for improving disability access. **SIGNED INTO LAW.**

**HB 5030:** *Increases amount of lottery bonds authorized to be issues by Oregon Business Development Department and Housing and Community Services Department.* With this bill the Legislature provided a total of \$13 million in capital investments for the 2015-17 biennium for Regional Solutions programs across the state. However, the Legislature did not allocate operating funds for these programs. The Regional Solutions projects are distributed across the state in a fairly even way, based on the project need. The bill passed through Ways & Means without opposition. The full list of Regional Solutions projects can be found on OLIS. **SIGNED INTO LAW.**

**HB 5025:** *Approves certain new or increased fees adopted by HECC.* This bill sought to ratify new fees for the State Authorization Reciprocity Agreement as well as increase fees associated with the Private Career Schools unit within the HECC. The fees are fairly modest and are expected to generate an additional \$264,750 in revenue, which is earmarked to pay for the addition of one new Education Specialist 2 position, as well as the reclassification of three other positions. The bill was referred to the Ways & Means, where it went through the Joint Subcommittee on Education before going through the full Ways & Means. The bill passed through with little opposition. However, when it reached the House floor there was significant opposition from Republicans, though the bill still passed 38-21. The bill passed the Senate 21-7, with considerably less opposition. **SIGNED INTO LAW.**

**5<sup>TH</sup> YEAR/FREE COMMUNITY COLLEGE/ACCELERATED LEARNING**

## THORN RUN PARTNERS



Several bills were introduced that addressed issues related to 5<sup>th</sup> year high school programs, free community college and accelerated learning programs. Through politics and process many of these bills were linked. There is still more work to do on these issues during the interim and next Legislative Session.

**SB 418 & SB 84:** *“Accelerated/Dual Credit” bills, these bills would establish statewide standards and funding mechanisms for accelerated college credit programs for high school students.* These bills were referred to the Senate Education Committee, where they received Public Hearings. At the hearing, OEA and community college faculty testified on ways to improve the bill. In their view, the OEIB needed to create a program to facilitate high school students enrolling in college courses on college campuses or in supported online courses. The Provosts of Oregon’s Public Universities testified on ways that the bill could be improved. Suggestions included credit by exam programs or proficiency, tighter standards for faculty, and directing the HECC to come up with a more streamlined and efficient process for approving teachers who can teach the dual credit courses. Ultimately, SB 84 died in committee while SB 418 went through 25 different amendments and ended up establishing two work groups, one to work on the issues around SB 81 (emphasizing support services) and one led by the HECC/OEIB/Department of Education that will be charged with recommending ways to ensure students are ready for college, to look at funding preferences and to find ways to increase access to counselors, as well as a few other more minor areas of study. SB 418 **SIGNED INTO LAW.**

**SB 81:** *“Free community college” bill.* This bill was one of the most hotly debated, contested and ultimately scrutinized bills in higher education this Legislative Session. Initially, the bill was aimed at a broad, near-universally free community college option for students. However, the bill faced steep opposition from the universities, student association, community colleges and others, who were concerned that this bill would have set up an unfunded mandate that eventually the state would be unable to meet. Additional concerns were that: the bill uses funding that could otherwise support present higher educational endeavors; that the bill pits public universities against community colleges in enrollment competition; and that the bill will likely lead to the increase in tuition for other public students.

The Senate Education Committee adopted the -1 Amendments, which sought to put sideboards on who could qualify for this benefit. The amendment required students to obtain a 2.5 GPA or better, fill out and submit a FASFA form and accept all available state and federal grants available. The bill passed out of committee on a party line vote, with the universities, OSA and community colleges still opposed. The bill was sent to Ways & Means where it received a Public Hearing in the Education Subcommittee. There, the committee heard testimony on the -5 Amendments, which sought to provide even more sideboards to who could qualify and how to keep costs in check. Ultimately, the subcommittee adopted the -11 Amendments, which got the

## THORN RUN PARTNERS



community colleges and some others to a position of neutrality. The bill passed out of the Ways & Means Joint Subcommittee on Education on a fractured vote, and the same was true in the full Ways & Means Committee as well. **SIGNED INTO LAW.**

**SB 322:** *Establishes funding mechanism for fifth year high school programs.* The bill was referred to the Senate Education Committee, which held a Public Hearing on the bill. The bill was part of a larger conversation on the value and role of the fifth year high school programs. Opponents of the fifth year program argued that it was a waste of resources, benefiting a few school districts and was really a way of gaming the system. Some of the more vocal opponents of the fifth year program included Sen. Hass (D) and Rep. Johnson (R). The bill died in committee. Look for this issue to return in the future. **DID NOT PASS**

**HB 3126:** *Establishes minimum education requirements for high school teachers of dual credit courses.* As stated in other bill summaries, there were more than a handful of bills aimed at helping students graduate in four years, earn more college credits while in high school and trying to reduce the overall cost of higher education. This bill was referred to the House Higher Education Committee where it received a Public Hearing. At the Public Hearing, OIT testified that the seven universities are in strong support of accelerating learning and believe the program should be expanded. However, as written, the bill would have actually decreased students' access to dual credit and would have added duplicative and unnecessary layers of accountability. The bill died in committee. **DID NOT PASS.**

### DEGREE CREDENTIALING

One of the themes of higher education policy this Legislative Session was finding ways to help students graduate on time. Several legislators were very concerned with those students who attend a four-year university for at least two years or more but fail to graduate. Those legislators introduced bills aimed at solving this problem. Additionally, a number of bills sought to either create new degrees based on life experience or previously obtained credits, or revise the credentialing for associate degrees. Ultimately a limited number of bills passed that directed the HECC to look further into the issues.

**HB 2525:** *Directs HECC to develop standards related to transferability of credits for community colleges and public universities.* This bill was introduced to try and solve the problem of students losing credits when they transfer schools, and thus delaying their graduation. The bill would direct the HECC to convene a work group to assess information available to students related to credits required for baccalaureate degrees. It would also require the HECC to determine whether it was feasible and cost effective to implement some sort of universal transfer valuation system for all public universities and community colleges. The HECC is supposed to

## THORN RUN PARTNERS



work on the issue and report back to the Legislature no later than July 1, 2016. Some of the issues the HECC is supposed to examine include: “Transfer Student Bill of Rights and Responsibilities,” aligning coursework across campuses, increasing access to information about transferring, and developing common course numbering, statewide web portals with information regarding transferability. This bill was introduced by Rep. Witt and Rep. Komp and was referred to the House Higher Education Committee where it received a Public Hearing. The bill sailed through both chambers with no opposition. **SIGNED INTO LAW.**

**HB 3335:** *Requires Higher Education Coordinating Commission to work with public universities to develop effective solutions to the problem of students who enroll at public university, complete two or more years of coursework and leave university without graduating or receiving official recognition.* Recent statistics of Oregon’s college graduation rates show that a concerning number of students enroll in a four-year university, attend two or more years of classes, though never graduate and therefore fail to obtain a degree or certificate of any kind. This bill sought to solve that problem by instructing the HECC to come up with some sort of certification or declaration of at least two years of completed study. The thought is that this would give students some sort of certification to list on a resume or to provide to potential employers demonstrating the academic work they have done. The politics on this are very tricky, hence why the bill requires the HECC to develop something, rather than simply prescribing a solution that has not been properly vetted with some of the key stakeholders, namely the public universities and community colleges. This bill will require continued coordination with the HECC. **SIGNED INTO LAW.**

**SB 518:** *Directs HECC to convene a work group of representatives from public universities and community colleges to determine whether 40-40-20 mission would be enhanced by enabling universities to award associate degrees.* The bill was referred to the Senate Education Committee where it was given a Public Hearing. The bill died in committee but was a part of the larger policy conversation surrounding students who attend some college but fail to graduate. This topic was one of the bigger higher education policy topics of the Session. Rep. Greenlick and Sen. Dembrow were two of the leading proponents of the bill and those arguing that someone meaningful needs to be done for students that complete two years of college, yet fail to earn a degree of any kind. The issue was rolled into a work group in another bill. **DID NOT PASS.**

**SB 619:** *Prohibits public universities from adopting school policies with respect to noncredit academic activities, or from refusing student application to, or enrollment or participation in, noncredit academic activity, solely on basis that student was not awarded standard high school diploma or General Educational Development (GED) certificate, or because student received*

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

*modified or extended diploma.* Bill was referred to the Senate Education Committee but did not receive a Public Hearing and died in committee. **DID NOT PASS.**

**HB 2682:** *Directs HECC to convene work group of public university presidents to identify classes required for bachelor's degree.* The bill, which was introduced by Rep. Komp (D), was referred to the House Higher Education Committee where it received a Public Hearing. OSU and OIT both testified that the LAC supported the intent of the bill, though the scope and list of stakeholders should be broadened. The bill failed to get out of committee. **DID NOT PASS.**

### LOW COST DEGREE

During this Session, much of the higher education policy discussion centered around how to make higher education more affordable. One idea was to require public universities to develop and offer some sort of “low cost degree.” The bills below were the products of these discussions.

**HB 2973:** *Establishes Affordable Baccalaureate Degree Act.* This bill was referred to as the “\$10k degree bill.” The bill was referred to the House Higher Education Committee where it received a Public Hearing. This bill directs public universities to work toward providing four-year affordable, fixed-cost baccalaureate degrees and community colleges to assist them. Originally, the bill was drafted with great ambition and would have required universities to provide low, fixed-cost degrees in a relatively short order. However, after talking to the universities and other stakeholders, lawmakers realized that they needed to collect more data and needed to come up with more options for affordability. Therefore, the bill turned more into a study rather than a list of policy prescriptions. The bill requires the HECC to analyze available options for affordable degrees and report finding to the 2016 Legislative Assembly. The goal of this bill followed the familiar Sessional theme of finding ways to reduce the increasing costs of higher education. **SIGNED INTO LAW.**

**SB 768:** *Requires public universities to offer at least one bachelor's degree in fields of science, technology, engineering or mathematics at cost of \$15,000 or less.* This bill was referred to the Senate Education Committee, though it failed to get even a Public Hearing and died in committee. **DID NOT PASS.**

**HB 3066:** *Directs EOU to develop pilot program for fixed cost bachelor's degrees.* There were a handful of bills this Legislative Session aimed at getting universities to provide a low, fixed cost degree. Though referred to the House Higher Education Committee, the bill did not receive a Public Hearing and died in committee. The committee did take Public Testimony on some of the other bills and concepts aimed at creating a low, fixed cost degree. **DID NOT PASS.**

**EMPLOYMENT RELATED LEGISLATION**

**SB 454:** *Paid Sick Leave bill.* This was one of the most contentious bills of the Legislative Session, and one that went through many ideas and designs. There were 46 different proposed amendments, with the committee only adopting two of them. The bill that was signed into law requires employers with 10 or more employees to provide paid sick leave. Those with fewer than 10 employees must provide the same leave, but are not required to pay employees for the time off. The definition of employee includes piece rate workers, salaried, hourly and commissioned workers, and home care workers. It excludes independent contractors, workers who receive sick leave under federal law, participants in a federal or state work-training program, work-study participants, railroad workers and family members working in a family business. Beginning January 1, 2016, employees accrue one hour of sick time for every 30 hours worked, up to a maximum of 40 hours of accrued leave. Leave begins to accrue on an employee's first day of work. Leave may be used in one-hour increments beginning on the 91<sup>st</sup> day of employment. Additionally, employers may require medical verification. Universities indicated a potential fiscal impact of \$15 million for the biennium. **SIGNED INTO LAW.**

**SB 113:** *Requires HECC to convene work group of stakeholders to determine most appropriate method for public universities and community colleges to report employment data for employees.* This bill came out of a work group chaired by Sen. Dembrow (D). This bill requires the HECC to convene a workgroup and submit a report to determine the most appropriate method for public universities and community colleges to report employment data for certain employee categories. The HECC is also directed to compile a separate report that details faculty and staff at each public university and community college, using information from a national post-secondary data collection system. The thought behind this element of the bill is to determine whether there are adequate levels of instruction to meet the student demand. Finally, there was a -5 Amendment, which was adopted by the full Ways & Means Committee that would require the HECC to examine the methodology that universities and community colleges use to calculate whether part-time faculty members are eligible for health care benefits. The bill passed through both chambers, though with serious opposition from Republicans who questioned the need to continue studying these issues and whether it was a good use of HECC staff time and money to do so. **SIGNED INTO LAW.**

**SB 702:** *Establishes percentages of premiums for providing health care benefits that must be paid by part-time faculty members and by public institution(s) employing part-time faculty member.* This bill was referred to the Senate Education Committee, where it received a Public Hearing. At the Public Hearing proponents talked about the plight of part-time, or adjunct

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

faculty that often work multiple teaching jobs to cobble together a living, and that as part-time faculty, they rarely, if ever qualify for health insurance provided by their employer. They asked the Legislature to address this issue by requiring public institutions to provide health care to full-time and part-time faculty. The committee adopted the -1 Amendments, which dictated the percentage of health care costs to be born by the employee and those to be born by the employer. The committee then passed the bill out on a party-line vote. The bill went to the Ways & Means Committee where it died. **DID NOT PASS.**

**HB 3025:** *Establishes unlawful practice of inquiring into or considering applicant's conviction history on application form or prior to interview or, if no interview is conducted, prior to conditional offer of employment.* This bill is the so-called “Ban the Box” bill aimed at making it easier for those with a criminal record to gain employment. This bill would establish unlawful employment practice for an employer to exclude an applicant from initial interview solely because of a past criminal conviction if employer requires disclosure of convictions on employment application or prior to an initial interview. It also establishes an unlawful employment practice for employer to require applicant to disclose convictions prior to conditional offer of employment if no interview is conducted. The bill creates exceptions for employers subject to federal, state or local laws requiring consideration of applicant’s criminal history, law enforcement agencies, employers in criminal justice system and employers seeking nonemployee volunteers. Enforcement authority is granted to bureau of Labor and Industries (BOLI). However, employers may still conduct a criminal background check, but not until a conditional offer pending a background check has been extended to the applicant. The thought is those with a criminal history would have a greater chance of obtaining employment if they can demonstrate to a potential employer that they are otherwise a great candidate to be hired. This bill was very contentious and passed both chambers nearly along party lines. **SIGNED INTO LAW.**

**SB 786:** *Instructs BOLI to increase investigatory staff devoted to investigating complaints of pay equity and gender discrimination by one full-time position.* This bill was referred to the Senate Workforce Committee, where it received a Public Hearing. At the Public Hearing, BOLI testified about the problem of pay equity and the need for more resources to investigate pay equity claims. BOLI was supportive of the bill, which passed unanimously out of the committee and was then sent to the Ways & Means Committee. The bill died in the Joint Ways & Means Subcommittee on Transportation. **DID NOT PASS.**

**SB 845:** *Establishes penalty to be imposed by Employment Department on large employers whose employees receive health care coverage through medical assistance program.* There were several “anti-Wal-Mart” bills this Legislative Session, which were aimed at making Wal-Mart and other employers who rely on a large, low-skilled, low-wage workforce to raise employee

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

wages and provide adequate health care for them as well. This bill was referred to the Senate Workforce Committee where it received a Public Hearing. At the Public Hearing proponents (mostly organized labor), argued that large employers who pay low wages and inadequate health care actually shift the cost of employee health care on to taxpayers. Large business argued that this is not the case, and such a bill would impose unreasonable new costs onto businesses, which would cost jobs. The committee passed the bill out on a party line vote, sending it to Ways & Means where it died. **DID NOT PASS.**

**SB 888:** *Authorizes employee of certain employers to request flexible or predicable work schedule.* This bill was another bill aimed at addressing the problem low-wage workers (particularly those in the service and retail industries) face regarding unpredictable scheduling and income. The bill was referred to the Senate Workforce Committee where it received a Public Hearing. After not having the votes to pass the bill out of the Senate, the committee sent the bill to Rules on a party-line vote. The bill died in committee. **DID NOT PASS.**

**HB 2010:** *Authorizes employee of certain employers to request flexible, predictable or stable work schedule.* Rep. Fagan (D) was the bill's chief sponsor. The bill was referred to the House Business & Labor Committee where it received a Public Hearing. Proponents of the bill argued that this bill was critical for low-wage workers - many of whom often need to work more than one job to provide for their families. This bill was somewhat of a companion bill with HB 3377, and though HB 2010 died in committee, this issue is likely to return and be a point of focus for the Legislature in either the 2016 or 2017 Legislative Sessions. **DID NOT PASS.**

**HB 2440:** *Provides that individual is available for work when individual is required to be outside individual's normal labor market area to apply for suitable employment within individual's normal labor market.* This bill was referred to the House Business & Labor Committee, where it received a Public Hearing. The bill makes two changes regarding the eligibility for unemployment insurance benefits. It lets people receive benefits when they must leave their local area to apply for work and it treats back pay as earnings when looking at whether someone is eligible for unemployment benefits. The committee unanimously adopted the -2 Amendments, which added a Sunset Clause. The committee then unanimously voted it out to the House floor. The bill passed the House floor without opposition and was then referred to the Senate Workforce & Economic Development Committee. The bill passed out of committee and the full Senate unanimously. **SIGNED INTO LAW.**

**HB 2544:** *Specifies when employer's notice of anticipated changes to collective bargaining agreement that impose duty to bargain may be given to exclusive representative of employees and when mediator must be assigned by Employment Relations Board to meet with parties.* This bill was brought at the behest of Rep. Doherty (D) and was priority for public labor unions. The

## THORN RUN PARTNERS



bill was referred to the House Business & Labor Committee where it received a Public Hearing. Public sector unions made up the bulk of the proponents of the bill, and they argued collective bargaining works best when there is a balance of power, and that Oregon law implies such a thing. They contended that currently, employers have greater power than unions do in collective bargaining issues by having the ability to open up already bargained for contracts and claw back provisions that they don't like. Opponents to the bill, made up largely of governmental entities, responded that expedited bargaining can be an effective tool that saves money, and one that is hardly ever deployed by employers. They argued that this bill was a solution in search of a problem and would add costs to bargaining as well as ensuring a perpetual state of bargaining rather than stable, longer contract. The committee had contentious debates about the bill, some arguing it was necessary for workers rights in collective bargaining, and others seeing it as both a power grab by unions as well as having the unintended consequences of plunging the collective bargaining process into chaos and making it constant and perpetual. The committee voted the bill out along party lines, with the full House doing the same. The bill was referred to the Senate Workforce Committee where it was sent to the Senate Rules Committee because proponents didn't have the votes to pass it out of the Senate. The bill died in the Senate Rules Committee. **DID NOT PASS.**

**HB 3049:** *Requires HECC to develop a ratio of at least 7 to 1 of public employees to supervisory employees for public universities.* This bill was another attempt at rethinking staffing/administrative levels within public universities. The bill was referred to the House Higher Education Committee where it received a Public Hearing. At the Public Hearing the bill received strong support from both Service Employees International Union (SEIU) and American Federation of Teachers (AFT). However, PSU, on behalf of all seven public universities, testified in opposition to the bill. The bill failed to get out of committee and died. **DID NOT PASS.**

**HB 3097:** *Makes inquiring after applicant's conviction history and certain activities related to conducting criminal records check on prospective employee unlawful employment practice.* There were several bills introduced this Legislative Session that were aimed at making it easier for individuals with a criminal record to obtain employment. This bill was referred to the House Business & Labor Committee and received a Public Hearing, though it ultimately died in committee. However, legislators did pass the so-called, "Ban the Box" bill, HB 3025. **DID NOT PASS.**

**HB 3307:** *Requires public universities to enter into agreement to continue to grant certain employees of public universities ability to take courses at reduced rate and transfer ability to take reduced rate courses for family members.* This bill was referred to the House Higher

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

Education Committee, though it never received a Public Hearing. The bill died in committee. **DID NOT PASS.**

**HB 3377:** *Authorizes employee of certain employers to request flexible or predictable work schedule.* This bill was referred to the House Business & Labor Committee, where it received both a Public Hearing and Work Session. Speaker Kotek (D) felt strongly enough about the bill to come and testify in favor of it, arguing that unpredictable schedules and pay adversely effect working Oregonians the most and that a stable, flexible schedule would give them greater predictability and the ability to work additional jobs if need be. The issue of a flexible or predictable schedule is one that is rapidly becoming a mainstream political issue and one that is likely to show up again in the 2016 Legislative Session. However, the bill died in committee. **DID NOT PASS.**

**HB 3471:** *Imposes fee on certain large employers who pay employees less than specified amount.* This was one of the “Wal-Mart bills,” i.e., bills aimed at large corporations who rely on low-skilled, low-wage workers to fulfill their business model. The bill received a Public Hearing in the House Business & Labor Committee where proponents argued that this was a way to incentivize companies like Wal-Mart to pay closer to a living wage. The bill died in committee. **DID NOT PASS.**

### TAX CREDITS

#### UNIVERSITY VENTURE DEVELOPMENT FUND

The Universities had significant progress advancing the reauthorization of the University Venture Development Fund (UVDF) and in actually making it a better tool for universities. But like many tax credits, it was left on the cutting room floor in final negotiations over the omnibus tax credit bill.

**HB 2118:** *Extends sunset for tax credit for university venture development fund contributions.* This bill was referred to the House Higher Education Committee. The bill received a Public Hearing, and then died in committee. **DID NOT PASS.**

**SB 2569:** *Extends sunset for tax credit for university venture development fund contributions.* This bill was brought forward by Rep. Williamson (D) and referred to the House Higher Education Committee where it received a Public Hearing. At the Public Hearing OHSU argued that the UVDF has accelerated the research conducted at Oregon’s public universities into new business and provided significant student experiential education, and is a hugely important part of their R&D. After adopting the -2 Amendments, which sought to place greater sideboards on

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

the bill and expenditures, the bill was voted out of committee unanimously, and was then referred to the House Revenue Committee. The bill also sailed out of the House Revenue Committee. The thought was that it would be a part of the final tax credit omnibus bill. However, it was not included in the final tax credit bill and was excluded in favor of other social service tax credits. **DID NOT PASS.**

### OTHER TAX CREDITS

**SB 925, HB 2093 & SB 44:** *These bills make up the omnibus tax credit package.* This Session, much of the talk around tax credits was about how big the tax credit package would be. The Ways & Means Co-Chairs gave the Joint Tax Credit Committee the directive to reduce the \$55 million in expiring tax credits that needed to be renewed down into about \$15 million range. Initially, there was a movement to include revenue increases in a bill designed for expenditures, and so long as there was no net increase in revenue collected, the bill would not be a tax increase therefore would not need the Constitutional requirement of 3/5 of the Legislature approving the bill. However, this idea was eventually scuttled in favor of a much smaller and scaled down version of tax credits. The tax credits related mostly to human services, with modifications to the Residential Energy Tax Credit (RETC) and the Film & Video Tax Credit as well. There was a strong push to include the University Venture Development Fund (UVDF) in the tax credit package, but it was one of the last items to be left on the cutting room floor. This will be an issue for the universities to advocate for during the 2016 Legislative Session. Once the Joint Tax Credit Committee came to an agreement on what would be included in the tax credit package, the bill sailed through both chambers with little opposition. **SIGNED INTO LAW.**

**SB 49:** *Extends sunset for tax credit for contributions to Office of Child Care.* This bill was referred to the Senate Human Services & Early Childhood Committee. The bill received a Public Hearing, where proponents argued that this bill was a worthy investment for the state to continue to make because it helps working-class Oregonians the most. The bill passed out of committee unanimously and was sent to the Joint Tax Credit Committee, where it died after an additional Public Hearing. **DID NOT PASS.**

**HB 2011:** *Expands allowable purposes for establishing individual development account.* Rep. Read (D) and Rep. Whitsett (R) asked that this bill be introduced. It was then referred to the House Higher Education Committee where it received a Public Hearing. At the Public Hearing, proponents of the bill, including the Housing Alliance argued that extending and expanding the Individual Development Account (IDA) was an effective tool to lift Oregonians out of poverty. The bill passed out of committee unanimously and was sent to Ways & Means where the bill died. The bill died because of its fiscal impact. **DID NOT PASS.**

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

### SEXUAL ASSAULT

A number of bills were introduced and considered in the legislature that addressed sexual assault on university campuses and the roles and responsibilities of the university.

**SB 759:** *Requires public universities, community colleges and Oregon-based private universities and colleges to adopt written protocol for victims of sexual assault.* This last year the issue of sexual assault on college campuses rocked communities across America. This bill was Oregon's attempt to address the deeply troubling issue. The bill was referred to the Senate Education Committee where it received a Public Hearing. The Public Hearing heard testimony from the Title IX Coordinators from the public universities, who spoke more broadly about the problem of sexual assault on campuses. Proponents said this bill was a good start, but that more would likely be needed later on. The bill passed out of both the committee, then the Senate at large without opposition. The bill was then referred to the House Higher Education Committee where it received a Public Hearing and the committee adopted the -4 Amendments, which provided greater clarity regarding the definitions for victims of sexual assault. The bill passed out of committee and the full House without opposition and was then concurred by both the House and Senate. **SIGNED INTO LAW.**

**HB 3476:** *Establishes privilege in civil, criminal, administrative and school proceedings for certain communications between persons seeking services related to domestic violence, sexual assault or stalking and victim services programs and advocates.* This bill was referred to the House Judiciary Committee where it received a Public Hearing. At the Public Hearing, proponents argued that there was a huge need to increase victim access to confidential services. This bill would do that by amending the Oregon Evidence Code to include a victim-advocate privilege so that information shared by a victim to an advocate would not be admissible in court. Advocates used the background of university campuses in their testimony to talk about the need for enacting a victim-advocate privilege. The bill sailed through both chambers without opposition. **SIGNED INTO LAW.**

**HB 2397:** *Requires four-year post-secondary institutions that enroll students who receive Oregon Opportunity Grant to adopt written protocol to ensure that students who report sexual assault receive necessary services and assistance.* This bill was referred to the House Higher Education Committee where it never received a Public Hearing and died in committee. **DID NOT PASS.**

### BOOKS AND FEES

**HB 2513:** *Requires HECC to develop, maintain and manage book buying consortium to purchase academic course materials.* The bill was referred to the House Higher Education

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

Committee and received a Public Hearing, but died in committee. The bill was aimed at finding ways to bring down the cost of college textbooks. However, it became clear during conversations with stakeholders and the Public Hearing as well, that implementing such a program would actually be very costly and logistically complicated, and that the burdens of administration outweigh the benefits of a book consortium. Though the bill did not pass, it was part of a larger discussion about the costs of classroom materials that continued through most of the Session regarding finding ways to reduce the cost of textbooks to students. **DID NOT PASS.**

**HB 2516:** *Requires community colleges and public universities to include cost of required course materials as part of tuition and mandatory fees.* This bill was aimed at reducing the cost of college textbooks and course materials for students. The bill received a Public Hearing in the House Higher Education Committee, but then died in committee. At the hearing, the proponents were mostly made up of college students and members of the Oregon Student Association. Their testimony was largely geared around the high cost of course materials and the need to bring that cost down. **DID NOT PASS.**

**HB 2871:** *Establishes Open Educational Resources Grant Program within HECC.* This bill was introduced as a placeholder bill. Ultimately, it was “gut and stuffed” with language that attempts to reduce the costs that students pay for higher education textbooks. The bill would establish the Open Educational Resources (OERs) Grant Program, and directs the HECC to award grant funds to public universities and community colleges for the purposes of encouraging the use of low or no-cost open educational resources. The bill also requires the HECC to establish an open educational resource specialist position and to submit a report on the status of implementing the provisions of the bill to the interim legislative committees. Finally, the bill also directs the HECC to identify open educational resources that can be adopted as primary instructional material for at least 30 courses. Public universities and community colleges are also directed to prominently designate courses whose course materials exclusively consist of open or free textbooks or other low-cost or no-cost course materials. The bill passed both chambers and the full Ways & Means Committee with no opposition and little fanfare. Legislators acknowledged the problem of the high cost of textbooks. Additionally, the universities were very instrumental in the passage of this bill and worked closely with proponents to ensure the program was designed in a practical and workable way. **SIGNED INTO LAW.**

### ENROLLMENT

**HB 3308:** *Directs Higher Education Coordinating Commission to convene work group to analyze and make recommendations on how to address disparities in higher education among traditionally marginalized, underserved and underrepresented communities.* The bill was

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

referred the House Higher Education Committee. It had a public hearing where numerous student associations and unions supported the bill as a way to begin studying and addressing disparities in higher education for underserved and underrepresented communities. It passed out of its House committee on a party line vote, and received 18 “nays” on the House floor, all from Republicans. It was then referred to the Senate Education Committee, where it had a public hearing and work session with little fanfare, passing unanimously onto Ways and Means. In Ways and Means the -4 amendment was adopted which appropriated \$48k to the HECC for implementation and the bill was sent to the floor with Sen. Hansell, Sen. Whitsett, Sen. Girod, and Rep. Whitsett voted no without explanation. On the Senate Floor it passed 21-6 before a 42-16 concurrence in the House. **SIGNED INTO LAW.**

**HB 2524:** *Requires HECC to establish for every entering undergraduate class at each public university with governing board minimum percentage of students who must be Oregon residents.* This bill was chief-sponsored by Rep. Witt (D), was referred to the House Higher Education Committee but never even got a Public Hearing and died in committee. **DID NOT PASS.**

**HB 2750:** *Requires student to complete and submit application for apprenticeship program or post-secondary institution of education, to complete and submit enlistment application in Armed Forces or National Guard, or to attend orientation related to apprenticeship or training opportunity, in order to receive high school diploma.* This is Rep. Read (D)’s second time in introducing this bill, which was referred to the House Education Committee. However, the bill did not even receive a Public Hearing and died in committee. **DID NOT PASS.**

### PROFESSIONAL ACCREDITATION

**SB 696:** *Increases membership of Behavior Analysis Regulatory Board.* Sen. Bates was the main proponent of this bill, which was referred to the Senate Health Care Committee where it received a Public Hearing. At the Public Hearing, the proponents argued that this bill was a necessary step in ensuring consumer safety and top-quality autism treatment by providing greater accountability through the Behavior Analysis Regulatory Board. The committee adopted the -4 Amendments, which provide clearer definitions, greater specifics for the new additions to the board makeup and greater legislative accountability by requiring board appointees to be confirmed by the Senate. The bill passed out of committee unanimously and was then sent to the Ways & Means Committee. The Ways & Means Committee adopted the -7 Amendments, which required the new class of board appointees to have experience treating people on the autism spectrum. The bill then passed out of the full Ways & Means Committee with no opposition. It then sailed through both chambers with minimal opposition. **SIGNED INTO LAW.**

**HB 3069:** *Requires teacher education programs to demonstrate that students enrolled in*

## THORN RUN PARTNERS



*programs receive certain training related to teaching reading.* This bill was referred to the House Education Committee where it received a public hearing where only Rep. Johnson, the sponsor, testified. He said that Oregon was not doing enough to ensure that teachers were prepared to teach reading skills. The -1 amendments, which gave greater clarity to the commission, were adopted unanimously, and the bill was sent to the House Floor where it passed with only Rep. Nearman voting “no.” On the Senate side it was referred to the Senate Education Committee where a conflict amendment was adopted before the bill was sent to the Senate Floor where it passed with only Sen. Boquist voting “no.” **SIGNED INTO LAW.**

**HB 3375:** *Prohibits retaliation against student of education program who makes good faith report regarding possible violation of state or federal law, rule or regulation.* The bill began in the House Education Committee where it received an uneventful public hearing and work session that sent the bill to the floor with a do pass recommendation unanimously, after adopting the -2s that require federal reports and certain monitoring activities. Proponents argued that having more diverse group of teachers benefits all students. On the House Floor the bill passed 50-8. The bill was then referred to the Senate Education Committee where it received a brief public hearing and a work session that sent the bill to the floor with a do pass recommendation unanimously, where it passed with only Sen. Whitsett voting “no.” **SIGNED INTO LAW.**

**HB 2563:** *Expands Behavior Analysis Regulatory Board membership to include one licensed health care professional and one individual who has experience with applied behavior analysis therapy.* The bill was referred to the House Health Care Committee but never received a Public Hearing and died in committee. **DID NOT PASS.**

### LIABILITY

**SB 409:** *Increases \$500,000 limit on noneconomic damages recoverable in wrongful death actions and other statutorily created causes of action to \$1,500,000.* This bill was referred to the Senate Judiciary Committee, where it was given a Public Hearing. At the Public Hearing the Oregon Trial Lawyers Association argued that the current cap for non-economic damages was arbitrary and hurt poor, working families by denying them full justice. Predictably, business interests and the Oregon Medical Association came out strongly against the bill, arguing that the cap was there to prevent runaway jury verdicts and to disincentivize frivolous personal injury suits. The bill was voted out of committee along party lines and was referred to the Senate Rules Committee, where it died. **DID NOT PASS.**

**HB 2612:** *Requires mass transit districts to resolve through binding arbitration certain disputes about fault.* This was a bill introduced by Rep. Kennemer, the goal was level the playing field between large state government agencies with large legal resources and small business and

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

private citizens in legal disputes. The goal of the legislation was to hopefully work out small-dollar disputes between government entities and private entities. The bill was referred to the House Judiciary Committee and received a Public Hearing, but died in committee as governmental entities were opposed to the bill. **DID NOT PASS.**

**HB 2644:** *Provides that public body and its officers, employees and agents are not immune from liability for wrongful death of person who is covered by workers' compensation law if death occurred in course and scope of decedent's employment, death occurred as a result of conduct of another person who is subsequently convicted of murder or found guilty except for insanity of murder and decedent was not employed by public body at time of death.* This bill was referred to the House Judiciary Committee where it received a Public Hearing. At the Public Hearing, proponents argued that it was necessary to eliminate employer immunity in wrongful death cases as a form of justice, with the aim of making the plaintiff whole. The bill passed out of committee with little opposition and then sailed through the House as well. From there, the bill was referred to the Senate Judiciary Committee. The committee and the full Senate then passed the bill with little opposition. **SIGNED INTO LAW.**

### CTE/STEM LEGISLATION

**HB 3072:** *Establishes funding mechanism for activities related to science, technology, engineering and mathematics education and activities related to career and technical education that can lead to high wage and high demand jobs.* This bill relates to Career and Technical Education (CTE) programs and Science, Technology, Engineering and Mathematics (STEM) programs. One of the larger conversations around K-12 education this Session was centered on finding a regular funding source for CTE and STEM programs. This bill tries to do that by providing the authority for many of the new CTE and STEM related programs that are funded in the Dept. of Education's budget. The bill also establishes the Connecting Education to Careers Account beginning effective July 1, 2017. Funds deposited into this account beginning in the 2017-19 biennium will be divided between CTE and STEM programs, with 60% for CTE and 40% for STEM. The Legislature adopted the –B11 Amendments, which resolved conflicts with other bills as well as changing the responsibilities of the OEIB and the Office of the Chief Education Officer. This bill passed through both chambers with no real opposition. The universities will need to work in the interim to figure out where they might intersect with the CTE and STEM programs funded in this bill. **SIGNED INTO LAW.**

**HB 2823:** *Establishes Oregon's Best and Brightest STEM Loan Forgiveness Program for certain students in science, technology, engineering or mathematics programs that are willing to commit to working in Oregon after graduation.* Rep. Davis (R) introduced this bill, which was

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

referred to the House Higher Education Committee. However, the bill never received a Public Hearing and died in committee. **DID NOT PASS.**

### PUBLIC CONTRACTING

**SB 584:** *Directs public contracting agency to suspend right of certified disadvantaged minority, women or emerging small business enterprise to bid on or participate in public contract if certified disadvantaged minority, women or emerging small business enterprise exhibits pattern of failing to perform commercially useful function in public contract.* The bill was referred to the Senate Workforce and Economic Development Committee where it received a Public Hearing. At the Public Hearing, proponents explained that this bill was aimed at reversing historic discrimination as it pertains to public contracting as well as ending fraud and abuse within the program. The committee adopted the -2 Amendments, which provided greater clarity of procedures governing the process. The committee then passed the bill out unanimously. The bill then passed the Senate unanimously. From there, the bill was referred to the House Consumer Protection & Government Effectiveness Committee, which also voted the bill out unanimously. The bill then passed the House without opposition. **SIGNED INTO LAW.**

**SB 809:** *Requires bidder that submits bid for contracting for public works with estimated price of \$5 million or more to fund apprenticeship programs with part of the cost of the project.* This bill was introduced at the request of Sen. Dembrow (D) and Rep. McKeown (D). The bill was referred to the Senate Workforce Committee where it received a Public Hearing. Predictably, the proponents were led by labor unions while business interests and non-unionized contractors were opposed to the bill. The committee adopted the -4 Amendments, which scaled down the bill and some of the apprenticeship requirements. The committee passed the bill out on a party line vote and sent it to Ways & Means where it died. **DID NOT PASS.**

**HB 2664:** *Subjects university with governing board, or not-for-profit organization or other entity that university with governing board controls, to certain provisions of Public Contracting Code.* This bill was introduced by Rep. Hoyle (D), and referred to the House Consumer Protection & Government Effectiveness Committee where it received a Public Hearing. At the Public Hearing proponents explained that this bill was designed to clarify and ensure that prevailing wage laws be applied to all projects that will be owned or used by an institution of public education, regardless of their governance structure. Predictably, the bill passed out of committee on a party line vote. From there it cleared the full House 41-18. The bill was referred to the Senate Workforce Committee where it passed 4-1, with only one “no” vote. The bill then cleared the full Senate 22-7. **SIGNED INTO LAW.**

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

**HB 2716:** *Requires public contracting agencies to provide as material condition of public contracting that contractor remain certified as disadvantaged, minority, women or emerging small business enterprise during entire term of public contract if contracting agency awarded public contract, in whole or in part, on basis of contractor's certification.* This bill was brought forward by Rep. Frederick (D), and was referred to the House Consumer Protection & Government Effectiveness Committee where it was given a Public Hearing. At the Public Hearing, Rep. Frederick explained that currently, agencies have no enforcement power when it comes to the inclusion of minority subcontractors on projects. Large contractors will make a bid, claiming to be working with a minority subcontractor and simply never give them any work. The committee adopted the -1 Amendments, which were aimed at removing administrative costs and barriers. The bill passed out of committee 5-2. From there, it cleared the full House with no "no" votes. The bill was then sent to the Senate Workforce Committee, who adopted the -7 Amendments which provided greater clarity on the statutory requirements regarding public contracts and minority contracting as well as providing penalties for claiming to use minority contractors but then never actually using them. The bill passed out of committee unanimously, and then passed out of the full Senate unanimously as well. **SIGNED INTO LAW.**

**HB 2916:** *Directs public contracting agency to suspend right of certified disadvantaged minority, women or emerging small business enterprise to bid on or participate in public contract if certified disadvantaged minority, women or emerging small business enterprise fails to perform commercially useful function in public contract.* This bill was referred to the House Business & Labor Committee, where it died without receiving a Public Hearing. **DID NOT PASS.**

**HB 3329:** *Modifies standard by which geothermal energy qualifies as type of green energy technology for which at least 1.5 percent of total contract price of certain public improvement contract for construction or certain reconstruction or major renovation of public school building must be spent.* The bill began in the House Energy and Environment Committee, where it received a public hearing with only Sen. Whitsett (R) testifying. He stated that a geothermal project in his district had significantly cut into the heating costs of one of his high schools. He added that the bill would help reduce the costs for this project and would only apply to this one school. The bill passed out of the committee and through the House Floor without any opposition. On the Senate side, the bill flew through the Senate Environment Committee and the Floor without opposition. **SIGNED INTO LAW.**

**HB 3346:** *Creates Task Force on Public Contracting with Disadvantaged Business Enterprises and specifies membership of task force.* This bill was referred to the House Consumer Protection and Government Effectiveness Committee, though never received a Public Hearing. The bill died in committee. **DID NOT PASS.**

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

### BONDING LEGISLATION

**HB 3199:** *Modifies authority for issuance of state bonds for benefit of university with governing board.* The bill began in the House Revenue Committee where it had a largely uncontroversial public hearing, followed by a work session where it was sent to Ways and Means and subsequently referred to the Subcommittee on Education. After making it back to the full Ways and Means Committee, the bill was sent to the floor with a do pass recommendation with Sen. Whitsett voting “no” when he found out that during the OUS, universities could not issue revenue bonds and now sometimes they could. The bill flew through the House chamber unanimously, while it received no votes from Sen. Boquist and Sen. Whitsett on the Senate side. A concurrence vote on the House side (concurring with the –B9 conflict amendment) was unanimous as well. It awaits signatures from the Speaker and Governor.

**HB 3048:** *Requires two percent of gross proceeds of certain bonds to be set aside to fund disaster resiliency projects.* This bill was aimed at requiring public universities and other public entities to allocate money to disaster resiliency projects through the use of bond money. The bill was referred to the House Veterans and Emergency Preparedness Committee, where it received a Public Hearing. At the hearing, opponents pointed out that though well intentioned, the bill would dramatically increase costs associated with bonding (e.g., legal fees, higher interest rates, etc.). The bill died in committee. **DID NOT PASS.**

### FINANCIAL AID

**SB 932:** *“Extends eligibility for receiving Oregon financial aid scholarships and grants to certain students who qualify for exemption from paying nonresident tuition.* This bill was a continuing of the “Tuition Equity Bill” from the previous Legislative Session. This bill would allow students who are unable to prove citizenship to still be allowed to apply for the Oregon Opportunity Grant. The bill was referred to the Senate Education Committee where it received a Public Hearing. At the Public Hearing proponents of the bill, including Sen. Dembrow (D) explained that this bill was the next logical step in ensuring that all of Oregon’s children have adequate access to higher education, regardless of where they were born. The bill passed out of committee on a party-line vote and was referred to Ways & Means. The Ways & Means Committee adopted the -2 Amendments, which provided money to the HECC to oversee the implementation of the bill. The committee then voted the bill out along party lines. The bill then passed both chambers on similar party-line votes. **SIGNED INTO LAW.**

**HB 2407:** *Establishes procedures for determining maximum grant amount for Oregon Opportunity Grant program.* This bill was requested by then-Governor Kitzhaber and was referred to the House Higher Education Committee. The bill’s aim was to change the allocation

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

process to ensure that the most financially needy students were granted Oregon Opportunity Grants first rather than the current process, which allocates money under a first come, first served criteria. The committee adopted the -5 Amendments which provided greater clarity as to which students would qualify. The committee then voted the bill out unanimously and sent it to Ways & Means. The Ways & Means Committee voted it out with little opposition. It then passed both chambers with little opposition as well. **SIGNED INTO LAW.**

**HB 2662:** *Establishes the Pay it Forward Program.* This is the second time proponents have run this bill. The bill sought to address the problems of skyrocketing tuition and huge student loan debt by creating a system that would pay a student's entire tuition bill in exchange for that student agreeing to pay back a small percentage of his or her income to the Pay It Forward fund in perpetuity. The money the student paid back to the fund would be used to "pay it forward" (i.e., used to pay for the full tuition for another student). The bill idea originated as a student project for a class at Portland State University (PSU). The bill was referred to the House Higher Education where it received a Public Hearing. At the Public Hearing proponents were met by skeptical Republicans who were concerned that this program didn't do anything to address the fundamental problem of skyrocketing tuition, and also that students might end up paying more for their education over the course of their lifetime payments to the fund than they might otherwise using traditional student loans. There were also concerns expressed by legislators that the program only applied to tuition, which makes up approximately 40% of a student's overall higher education cost. The committee passed the bill out 5-4 without recommendation and then sent it to the House Revenue Committee. At the Public Hearing in the House Revenue Committee legislators brought up concerns about the solvency of the program – how much would it take to capitalize, what would happen if not very many students participated, or that projected revenue was lower than expected? The committee sought to address these concerns by putting greater sideboards on the bill in the form of the -3 Amendments, which sought to address some of the aforementioned questions. The committee then passed the bill out on a party line 5-4 vote and sent the bill to the Ways & Means Committee where it died. **DID NOT PASS.**

**HB 2749:** *Requires Dept. of Revenue to estimate projected amount of revenue, attributable to net capital gain, to be received by department for current tax year and to estimate amount received for previous tax year.* This bill was brought forth by Rep. Read (D) and Sen. Hass (D) and was referred to the House Revenue Committee where it received a Public Hearing. At the Public Hearing Rep. Read argued that this bill was really a part of a larger conversation about the structural volatility of Oregon's tax structure, with often leads to either "feast or famine" and wildly inconsistent funding levels. The thought behind this bill was to provide greater stability to the Oregon Opportunity Grant by finding it a designated funding source. The bill was not moved and died in committee. **DID NOT PASS.**

## THORN RUN PARTNERS



### THIRD PARTY FINANCIAL AID SERVICES

**HB 2832:** *Directs government entity of public or private post-secondary institution of education that contracts with third party financial firm for student financial aid services to consider federal policies for contracting.* The bill was introduced by Rep. Nathanson (D) and Rep. Holvey (D) and was referred to the House Higher Education Committee, where it received a Public Hearing. At the Public Hearing proponents argued that there needed to be greater oversight of third party financial firms who provide financial aid to students, particularly when they disburse student aid funds to students on debit cards. When they do that, many financial firms impose high fees on the transaction to transfer student loan funds to a debit card for students. This bill was aimed at ensuring that the HECC has strong consumer protection laws to ensure students are not being taken advantage of or paying prohibitive transactional fees on their student loans. The committee adopted the -4 Amendments which sought to provide greater clarity about when third party financial firms can charge students fees and under what context. The bill passed out of committee on a party line vote. From there, it passed out of the full House 36-24. The bill was then referred to the Senate Business & Transportation Committee. The committee adopted the -7 and -8 Amendments, which were compromise amendments between the finance industry and the bill's proponents. The compromise amendments ensured that the bill passed out of committee without opposition. The bill then passed the full Senate with only three "no" votes. **SIGNED INTO LAW.**

**HB 3184:** *Directs State Treasurer, in consultation with HECC, to negotiate contract to permit financial institution to provide student financial aid services to students enrolled at public universities or community colleges.* Rep. Nathanson introduced this bill as a way of trying to control the borrowing costs associated with higher education, and secure better borrowing rates for students. The bill was referred to the House Higher Education Committee where it received a Public Hearing. Despite the Public Hearing, the bill died in committee. **DID NOT PASS.**

### GOVERNANCE

**SB 80:** *Abolishes OUS, office of Chancellor of the OUS and State Board of Higher Education.* This bill was introduced at the behest of the Senate Interim Committee on Education & Workforce Development. This bill was needed after the advent of individual university governing boards. The bill passed out of the Senate Education Committee unanimously, and was sent to the Senate Finance & Revenue Committee. There, the committee adopted the -4 Amendments, which were mostly technical fixes. The committee then voted the bill out unanimously, and it then passed the Senate without opposition. The bill was then sent to the House Revenue Committee where the committee adopted the conflict amendments and voted it out to the full House. The full House passed the bill. **SIGNED INTO LAW.**

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

**SB 493:** *Removes ability of Governor to disband university governing boards or force university to take other action if university fails to make timely compliance with conditions established when State Board of Higher Education endorsed governing board.* This bill was introduced at the request of Sen. Bates (D), who was diligent and dedicated in steering the bill through all the potential pitfalls in the Legislature on its way to the Governor's desk for her signature. The bill was first referred to the House Education Committee where it received a Public Hearing. Additionally, the main targets of the bill were EOU and SOU. At the Public Hearing, proponents argued that there was no reason to treat EOU and SOU differently, and that they have very strong and stable governing boards. Additionally, both schools are making tremendous strides on their Retrenchment Plans. The bill passed out of both the committee and the Senate chamber without opposition. It was then referred to the House Higher Education Committee where it was given a Public Hearing. At the Public Hearing Rep. Johnson insisted on tightening up the language of the bill and brought forth an amendment that would allow university boards to resign (but not be eliminated) and then at that time allow the Governor to reappoint the board. The goal of this amendment was to create parity between EOU/SOU and the rest of the public universities. The committee adopted the amendments and moved the bill without opposition. The bill then sailed through the House. **SIGNED INTO LAW.**

**SB 2611:** *Requires universities with institutional governing boards to continue to participate in shared services relating to listed employee benefits and to collective bargaining until July 1, 2019.* This bill was introduced at the request of SEIU. The goal of the bill was to secure a "shared-services" model of delivery for the universities until 2019. Shared services had been the model, but was not guaranteed to continue after the Legislature ended the OUS system and allowed universities to form their own governing boards. The bill was referred to the House Higher Education Committee, where it received a Public Hearing. The committee adopted the -6 Amendments, which sought to provide greater clarity regarding employee retirement plans. The bill passed out of committee with strong bipartisan support. The bill then cleared the full House, 42-18, it was then referred to the Ways & Means Committee. The Senate Education Committee adopted the -7 Amendments, which requires public universities to provide the same scope and overall value of each employee benefit as is required in statute. The bill then passed the full Senate with little opposition, and was then concurred by the House. **SIGNED INTO LAW.**

**HB 3237:** *Requires governing boards of public universities to include graduate student employees and undergraduate students as voting members.* This bill was referred to the House Higher Education Committee where it received a Public Hearing. At the Public Hearing proponents emphasized the important and unique role that graduate assistants play in educating undergraduate students, while also emphasizing their lack of voice in the decision making of university governing boards. However, the bill died in committee. **DID NOT PASS.**

## THORN RUN PARTNERS



### HIGHER EDUCATION STRUCTURE

**SB 215:** *Changes name of Oregon Education Investment Board to Chief Education Office.* This bill was filed at the behest of former Governor Kitzhaber and is another bill highlighting the former Governor's vision of transforming the structure of higher education in Oregon. Proponents of the bill, including Nancy Golden, Chief Education Officer, explained that the bill removes the sunset on the OEIB as a governing board and in doing so creates a permanent stand-alone state agency to lead unified efforts at all levels of the public education system to meet the state's 40-40-20 goals. The bill passed out of committee without opposition and was sent to the Senate Rules Committee, where it again, passed without opposition. From there, the bill passed out of the Senate 27-2. By the time the bill passed out of the Senate, it was well into June and too late to be referred to a House policy committee, so it was sent to Rules instead. The bill passed out of the House Rules Committee after a Public Hearing, with only two "no" votes. The bill then passed out of the House as well. **SIGNED INTO LAW.**

**SB 216:** *Allows education service districts to receive funding from Dept. of Ed. to accomplish purposes of Network of Quality Teaching and Learning.* This bill was referred to the Senate Education Committee where it received a Public Hearing. At the Public Hearing the OEIB explained that this bill was aimed at making minor modifications to statutes governing the Network for Quality Teaching & Learning, includes extending eligibility to administer programs and receive funding aligned with purposes of the Network that are defined in statute. The business community, through the Oregon Business Association, also weighed in in support of the bill. The bill passed out of committee without opposition and passed out of the Senate unanimously. The bill was then referred to the House Education Committee, where the committee adopted -2 Amendments, which provided supplemental assistance to school districts with less than 1,500 students that meet certain conditions. The bill was then passed out of both the committee and the House. **SIGNED INTO LAW.**

**SB 217:** *Modifies statutory requirements related to specific strategic education investments.* This bill was introduced at the request of former Governor Kitzhaber. The bill was referred to the Senate Education Committee where it received a Public Hearing. At the Public Hearing the OEIB explained that the bill would remove requirements in statute for the OEIB to design and administer programs within specific strategic education investment areas. The bill passed out of committee without opposition and was referred to the Senate Rules Committee. The Senate Rules Committee adopted the -2 Amendments, which were partial technical fixes, added greater specificity and sideboards to the bill and also added in things like requiring any rules adopted by the Early Learning Council to comport with the bill. The Senate Rules Committee voted the bill out without opposition and sent it to the full Ways & Means Committee. The bill passed out of the full Ways & Means Committee unanimously. **SIGNED INTO LAW.**

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

**SB 218:** *Authorizes HECC to charge schools based outside of Oregon a fee of \$7,000 for degree authorization and fee of \$1,000 for new program application.* This bill was introduced at the request of former Governor Kitzhaber. The bill was referred to the Senate Education Committee where it received a Public Hearing. At the Public Hearing, the HECC testified that the Office of Degree Administration (ODA) has a vision of being self-sustaining through program fees, which is why they asked Governor Kitzhaber to introduce this bill. The committee adopted the -11 Amendments, which sought to provide greater clarity and precision of who the fee applies to and when ODA will apply it. The bill was voted out of committee unanimously and sent to Ways & Means. The bill was voted out of the Ways & Means with minimal opposition. The bill then passed out of both chambers. **SIGNED INTO LAW.**

### ETHICS AND PUBLIC RECORDS

**SB 9:** *Directs Secretary of State to conduct performance audit of state agency public records retention and disclosure practices, including analysis and recommendations on specified criteria.* Governor Brown requested this bill, and it was one of her priorities. The bill does not offer any particular policy proposals, but instead just directs the Secretary of State to conduct an audit of state agencies as it pertains to public records requests to see if the agencies can respond with greater transparency, speed and accommodation of the records requests. The bill passed out of the Senate Rules Committee and the Senate floor unanimously. The bill then sailed through the House Rules Committee, with only one “no” vote. The bill also quickly passed the House floor, 43-6. The Governor then signed the bill into law. **SIGNED INTO LAW.**

**SB 55:** *Authorizes state agencies that request persons to voluntarily supply Social Security numbers on documents relating to any monetary obligation or transaction to include on documents notice that Social Security numbers may be used for state agency debt collection activities.* This bill started in the Senate Rules Committee, where a Public Hearing was held. The aim of the bill was to increase oversight and accountability for the timely and effective collection of liquidated and delinquent accounts. The committee also adopted technical amendments at the request of the Department of Justice. The bill passed out of committee unanimously and was sent to Ways & Means. The bill then passed out of both the Joint W&M Subcommittee on General Government, and later passed out of the full Ways & Means Committee. **SIGNED INTO LAW.**

**SB 386:** *Eliminates sunset date on conditional exemption from disclosure of public records that set forth name, home address or professional location of person engaged in, or providing goods and services for, medical research at OHSU that is conducted using animals other than rodents.* The bill was referred to the Senate Judiciary Committee, where it received a Public Hearing. At the Public Hearing, OHSU argued that the researcher safety law was necessary to recruit and

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

retain world-class researchers. Given the sensitive nature of their work, many researchers would be leery of coming to OHSU without the protection of their personal information. The bill passed out of committee unanimously, and out of the Senate 29-1. The bill was then referred to the House Rules Committee, where it had another Public Hearing. The bill passed out of committee without opposition. It then passed the House 51-7. **SIGNED INTO LAW.**

**HB 2019:** *Expands membership of Oregon Government Ethics Commission from seven members to nine members on July 1, 2016.* This bill was introduced at the request of Governor Brown as a bill to tighten Oregon's ethics laws in the wake of the scandal that forced former Governor Kitzhaber out of office. The bill was referred to the House Consumer Protection and Government Effectiveness Committee where it received a Public Hearing. At the Public Hearing proponents argued that the Ethics Commission could be greatly improved with the addition of new members who represent underrepresented constituencies on the Commission. The bill unanimously passed out of committee and was sent to Ways & Means where it passed with no opposition. The bill then cleared both chambers with very minimal opposition. **SIGNED INTO LAW.**

**HB 2020:** *Alters definition of "public official." Prohibits Governor, First Partner, Secretary of State, State Treasurer, Attorney General and Commissioner of BOLI from receiving money or other considerations for speaking engagement or presentation.* This bill was put forth by the leadership of both parties as a response to the scandal that forced former Governor Kitzhaber out of office. The bill was referred to the House Rules Committee where it received a Public Hearing. Proponents of the bill argued that this was needed clarification to ensure help ensure that there is no conflict of interest or quid pro quo between statewide elected officials, their spouses or partners and interest groups. The bill passed out of the House Rules Committee with a single "no" vote. From there the bill sailed through the full House, with only one "no" vote. It was then referred to the Senate Rules Committee where it was quickly passed with no opposition. The bill then cleared the full Senate with no opposition as well. **SIGNED INTO LAW.**

**HB 2208:** *Adds civil code enforcement officers to public officials who may request exemption from required disclosure under public records law of specified personal information.* This bill was introduced at the request of Rep. McKeown (D), and was referred to the House Rules Committee where it received a Public Hearing. The bill was introduced to add civil code enforcement officers to the existing protections from release of public records for law enforcement. The bill also added state agencies to the list of entities that must have mechanisms in place to protect such consequences. DMV expressed concern about being able to protect such information. The committee adopted the -1 Amendments, which sought to address some of DMV's concerns. The bill passed out of committee without opposition. From there the bill

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

passed off the House floor with fairly minimal objection. The bill was then referred to the Senate Judiciary Committee, which passed the bill after adopting the -2 Amendments, which provided absolute exemption to personal information of individuals certified or licensed by Department of Public Safety Standards and Training maintained by Department. The bill then passed through the Senate and then concurred in the House with little opposition. **SIGNED INTO LAW.**

**HB 2210:** *Authorizes individuals acting under authority of broadcasters to enter geographic area subject to declaration of emergency to maintain essential broadcast equipment.* This bill was introduced by Rep. Huffman (R) and Rep. Boone (D). The bill was referred to the House Veterans & Emergency Preparedness Committee, where it received a Public Hearing. At the Public Hearing proponents explained that it was critical that credentialed and trained persons who work at Oregon's radio and television stations have access to their facilities and equipment during times of emergency. They argued that this bill would allow broadcasters to provide a needed service to residents by keeping them as informed as possible during an emergency. The committee passed the bill out of committee without opposition and then sent it to the full House floor where it passed without any opposition as well. From there the bill then cleared the Senate Veterans & Emergency Preparedness Committee and the full Senate without opposition. **SIGNED INTO LAW.**

**HB 2340:** *Limits personal information that may be included in certain judgments, orders and other court documents.* This bill was requested by the Oregon Judicial Department and was referred to the House Judiciary Committee where it received a Public Hearing. At the Public Hearing proponents argued a greater need to keep personal information like social security numbers and victim addresses confidential, and this bill would allow them to do that. The committee agreed and voted the bill out unanimously. The bill then passed out of the full House without opposition and was then referred to the Senate Judiciary Committee, who also voted the bill out unanimously. The bill passed through the full Senate without opposition. **SIGNED INTO LAW.**

**HB 2790:** *Requires that statements made by certain witnesses to committee of Legislative Assembly be made under oath and therefore subject to crime of false swearing.* This bill was introduced by Rep. Parrish (R) and referred to the House Rules Committee, where it received a Public Hearing. At the Public Hearing Rep. Parrish argued that this was a necessary response to the potential conflict of interest and impropriety that former First Lady, Cylvia Hayes. The bill died in committee. **DID NOT PASS.**

**HB 2791:** *Includes false statements made to legislative committee by certain persons in crime of unsworn falsification.* This was another ethics bill introduced by Rep. Parrish (R) offering her

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

solutions to the Kitzhaber/Cylvia Hayes scandal. The bill was referred to the House Rules Committee, where it received a Public Hearing. At the Public Hearing Rep. Parrish argued that giving Legislatures the ability to make people swear an oath before testifying, and then making it a crime to make a false statement to the Legislature were two potential profound deterrents for those who would lie to the Legislature in their testimony. The bill died in committee. **DID NOT PASS.**

**HB 3037:** *Modifies public records law exemption from required disclosure of certain personal information of public employees and public body volunteers to remove mandated disclosure upon showing that public interest would require disclosure in particular instance.* This bill started in the House Rules Committee, receiving a public hearing with numerous members of the public testifying in support. They argued the bill was a matter of safety for many government workers, with notable testimony from an employee of DHS who has had issues with aggressive parents, angry at her for removing their children from their care. In a following work session, the -1 amendments were adopted, which added some sideboards onto what can and cannot be disclosed for homecare workers. The bill passed out of House Rules unanimously, flew through the House floor with only two “nays”, before being referred to the Senate Judiciary Committee. It again met little opposition, leaving the committee on a unanimous vote with a do pass recommendation. On the Senate floor, it received six “nays”. **SIGNED INTO LAW.**

**HB 3043:** *Provides that upon being sworn into office, or for other stated reasons, Governor shall file declaration with Oregon Government Ethics Commission declaring identity of First Spouse and identifying official policy-making or agenda-setting duties of First Spouse, if any.* This bill was referred to the House Rules Committee where it received a public hearing. During the hearing, only Rep. Julie Parrish spoke in support of the bill as she argued it was a common sense ethics reform in response to the issues that arose with the former Governor’s spouse. The Progressive Party submitted written support for the bill while the League of Women voters recommended some language changes that more closely aligned with Governor Brown’s suggestions. The bill never received a work session, though the Republicans attempted to withdraw the bill to the House Floor. **DID NOT PASS.**

**HB 3331:** *Authorizes Legislative Assembly to appoint independent counsel by joint resolution.* The bill received only a public hearing in House Rules. The Department of Justice spoke in opposition, claiming the bill was unconstitutional and would actually impede investigations. The Independent and Progressive Parties both spoke in support, stating this would be an importantly tool in fighting corruption. The bill never received a work session. **DID NOT PASS.**

**HB 3505:** *Requires public bodies to establish public records retention schedules that require minimum three-year retention of public records.* This bill was introduced by Rep. Parrish (R) in

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

the wake of the scandal involving former Governor Kitzhaber and the issue of which of his emails should be released under a public records request. The bill was referred to the House Rules Committee, where it received a Public Hearing. The bill was met with strong opposition from governmental entities, who agreed with the bill's intention of increasing transparency, but argued that the bill would cost governmental entities an extraordinary amount of time and money and would actually incentivize the filing of frivolous public records requests. Rep. Parrish argued that this bill was needed for transparency's sake. The bill died in committee, though it would have applied to public universities had it passed. **DID NOT PASS.**

**HB 3547:** *Requires member of Legislative Assembly to file statement of paid political activity with Secretary of State if member, or immediate family member of member, serves as paid candidate campaign consultant.* This bill was introduced by Rep. Gilliam (R), Rep. Barker (D) and Rep. Clem (D) to address the problem of members of the Legislature (or their family members) simultaneously serving as campaign consultants while in office. The bill was referred to the House Rules Committee where it received a Public Hearing. At the Public Hearing Rep. Parrish(R) testified that this bill aimed to provide greater transparency regarding Legislators and their families working on other campaigns. The bill died in committee. **DID NOT PASS.**

**HB 3557:** *Requires public bodies that receive requests for disclosure of specified personal contact information of public employees or certain other persons to forward copy of request to affected persons whose information is subject of request or their representatives.* This bill was introduced by Rep. Hoyle (D) and referred to the House Rules Committee. Rep. Hoyle introduced this bill to provide greater clarity to the legal standard needed to for a government entity to turn over the personal information of public employees and volunteers pursuant to a public records request. The bill restores "clear and convincing public interest" as the standard required for public bodies to turn over the personal information of public employees and volunteers pursuant to a public records request. The bill also allows the public entity to recover costs associated with notifying individuals whose personal information is sought and for making determinations whether clear and convincing public interest standard has been met. It also provides civil and criminal immunity to public body or official for harm caused by release of information. The bill sailed through both chambers without opposition. **SIGNED INTO LAW.**

### VETERANS

**SB 87:** *Modifies law regarding requirement that public employer grant preference to veteran and disabled veteran in selection process for competitive position.* This bill came out of the recommendations made by an interim work group. The bill was referred to the Senate Veterans & Emergency Preparedness Committee, where it received a Public Hearing. At the Public Hearing proponents argued that the bill strikes the right balance in guaranteeing veterans'

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

preference as it relates to public employment, but does so in a way that is both easy to understand and easy to comply. The bill passed out of committee without opposition and passed out of the Senate 19-11. However, after being referred to the House Veterans & Emergency Preparedness Committee, the bill died after receiving a Public Hearing. **DID NOT PASS.**

**HB 2645:** *Requires public universities to establish priority enrollment system for qualified students who are active members of the Armed Forces of the United States, who are qualified veterans or who receive veterans' educational benefits as federally qualified dependents of active members or qualified veterans.* This bill was referred to the House Veterans & Emergency Preparedness, with a subsequent referral to the Higher Education Committee. The bill received a Public Hearing in the House Veterans Committee, where proponents argued that this bill would be a modest way to see an enormous benefit to veterans. Proponents explained that veterans come out of the armed services with a lot of great, intangible leadership skills that don't always translate in a university application. Granting veterans preference in university admissions will help them get into a program and show their skills and thrive. The bill passed out of both House committees and the House floor without objection. The bill sailed through the Senate as well. **SIGNED INTO LAW.**

**HB 2670:** *Allows in-state tuition in certain circumstances for individuals who resided in Oregon but relocated due to position in military, government or humanitarian aid organization.* This bill was introduced by Rep. Buckley (D) and was referred to the House Higher Education Committee where it received a Public Hearing. At the Public Hearing, Rep. Buckley talked about veterans who were from Oregon but had been stationed other places and had lost their state residency. He argued that passing this bill and extending this benefit was the right thing to do. The bill passed out of committee unanimously and then was passed unanimously out of the full House. The bill then quickly cleared the Senate with no opposition. **SIGNED INTO LAW.**

**HB 2840:** *Establishes Veterans' Bridge Loan Program.* This bill aimed to provide more credit options to veterans by allowing them to apply for bridge loans in certain situations. The bill was referred to the House Veterans & Emergency Preparedness Committee where it was voted out without opposition. The bill was referred to Ways & Means where it died. **DID NOT PASS.**

### PUBLIC SAFETY

**HB 2571:** *Requires law enforcement agency to establish policies and procedures for use and retention of recordings from cameras worn upon police officer's person to record officer's interactions with members of the public.* This bill came about as a response to the recent police brutality in places like Ferguson, Missouri, Staten Island, New York, and Baltimore, Maryland. The bill was referred to the House Judiciary Committee where it received a Public Hearing. At

## THORN RUN PARTNERS



the Public Hearing proponents argued that police body cameras were vital for police oversight and accountability, as well as an overture to the community and an offering to police reform. The bill passed out of both the committee and the full House with minimal opposition. It was then sent to the Senate Judiciary Committee. The bill largely sailed through the Senate, though the committee passed -8 Amendments, which broadened the scope and use of body cameras to also include “ongoing criminal investigations.” The bill then passed by the full Senate without opposition. **SIGNED INTO LAW.**

### **OTHER HIGH PRIORITY LEGISLATION**

**SB 473:** *Requires each public university to allow students, faculty and staff to identify sexual orientation on forms used to collect demographic data.* This bill was referred to the Senate Education Committee where it received a Public Hearing. At the Public Hearing, proponents of the bill like Rep. Nosse (D), argued that this bill would provide the state with much needed data on the progress of education and job placement among the LGTBQ community. Currently, the state’s ability to collect such data is inadequate. The committee adopted the -3 Amendments, which provided technical fixes, as well as greater accommodation to students who identify as transgender. The bill passed out of committee on a party-line vote and was then sent to the Ways & Means Committee. The bill passed out of Ways & Means with minimal opposition. The bill then passed the Senate on a party line vote of 18-12, and the House 45-11. **SIGNED INTO LAW.**

**SB 860:** *Directs HECC to solicit applications and select two public universities to design and develop career advising and mentorship pilot program.* This bill is another of the bills that was aimed at helping students maximize their higher education and to connect students with jobs upon graduation. The bill was referred to the Senate Education Committee where it received a Public Hearing. At the Public Hearing, proponents talked about the need for more specific, targeted and coordinated mentorship for students. It was mentioned that students with strong mentorship not only perform better in school, but are also better prepared and better connected to enter the workforce upon graduation. The committee adopted the -1 Amendments, which provided greater clarity about which schools this bill would apply as well as the criteria and selection process. The bill was passed out of committee unanimously and sent to Ways & Means. The Joint Subcommittee on Education adopted the -3 Amendments, which put the cost of the program at \$427,500. The bill was passed out of Ways & Means and both chambers with little opposition. **SIGNED INTO LAW.**

**HB 2561:** *Requires HECC to work w/ representatives from public universities to evaluate best method for overseeing public universities to ensure universities interview at least one minority applicant when hiring head coach or athletic director.* This bill was introduced by Rep.

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

Greenlick (D) and Sen. Dembrow (D) with the stated purpose of increasing diversity among athletic coaches and administrators at public institutions. The bill was referred to the House Higher Education Committee where it received a Public Hearing. The committee adopted the -2 Amendments, which changed the requirements from “shall” to instead, “work with one representative from a public university” to participate in the NCAA I sports league and work with them to evaluate whether there are disparities in the hiring of female head coaches and athletic directors in Oregon, and the most effective method for correcting any such disparities. The bill passed out of committee 8-1. From there, the bill sailed through the full House with minimal opposition. It was then referred to the Senate Education Committee, where it sailed through with only a single “no” vote. The bill was then sent to the full Senate, where it again passed with minimal opposition. **SIGNED INTO LAW.**

**HB 2728:** *Establishes Oregon Talent Council.* This bill was brought forth by Rep. Read (D) and Rep. Johnson (R) and referred to the House Higher Education Committee where it received a Public Hearing. At the Public Hearing, proponents argued that the Oregon Talent Council was the logical successor to ETIC. The goal of the bill is to align the employment needs of the business community with the teaching and preparation done for students in higher education. Proponents argued that the Oregon Talent Council is a vital missing link between providing the educated and trained workforce that the business community needs and students, ensuring that they have the skills and connections to obtain gainful employment upon graduation. The committee adopted the -2 Amendments, which requires that agreements with agencies and business go through the HECC. The bill was then passed out of committee without opposition and was sent to the Ways & Means Committee. The Joint Ways & Means Subcommittee on Education adopted -4 Amendments, which reduced the appropriation from \$15 million down to \$6.1 million. The bill was then passed out of the subcommittee and the full Ways & Means without opposition. The bill then passed through both chambers with little opposition. The universities worked closely with the Rep. Johnson and Rep. Read to make the policy better and easier to implement. **SIGNED INTO LAW.**

**HB 2794:** *Prohibits person that is not authorized reseller from selling admission ticket to entertainment event if operator of entertainment event is not released admission tickets for sale.* Rep. Parrish introduced this bill, which was referred to the House Consumer Protection and Government Effectiveness Committee. The bill received a Public Hearing, where Rep. Parrish argued that this bill was necessary to curb “scalping” or the unauthorized resale of tickets for admission. The bill’s proponents included groups like Portland Center for the Arts, The Broadway League and the City of Portland. However, the bill died in committee. **DID NOT PASS.**

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

**HB 2870:** *Requires HECC to implement process to resolve student complaints against schools operating in state.* The bill was introduced as a place-holder bill and ultimately “gut and stuffed” to address issues related to student complaints. At the Public Hearing in the House Higher Education Committee, proponents argued that there needed to be a state appeals process for students to have regarding their experiences at universities. Additionally, this is a requirement placed on schools in order for the school’s students to still be eligible to receive federal assistance (and comply with Title IV of the Federal Higher Education Act). The bill was unanimously passed out of committee and sent to the Ways & Means Committee. The bill would provide the HECC with the authority to enter into contracts with independent nonprofit post-secondary institutions to review and act on complaints filed against the institutions and to adopt rules governing the resolution of the complaints. The committee adopted the -4 Amendments, which provided additional clarification for which the HECC may develop the process to resolve complaints. The bill was voted out of Ways & Means with only one “no” vote. From there, the bill sailed through both full chambers without opposition. **SIGNED INTO LAW.**

**HB 2952:** *Establishes that State of Oregon has custody, control, care and ownership of all offices or buildings at PSU previously occupied by administrative or staff of OUS.* This bill was referred to the House Higher Education Committee, though it died without even receiving a Public Hearing. **DID NOT PASS.**

**HB 3281:** *Prohibits public universities and community colleges from increasing amount of tuition and mandatory fees charged to students during 2015-2016 and 2016-2017 academic years.* This bill was referred to the House Higher Education Committee, but never received a Public Hearing and died in committee. **DID NOT PASS.**

### OTHER NOTABLE LEGISLATION

**SB 204:** *Establishes task force to study multiple economic, social and environmental issues affecting continuing use of land as working farm and forests.* This bill was requested by former Governor Kitzhaber, and the bill was referred to the Senate Environment and Natural Resources Committee where it received a Public Hearing. At the Public Hearing, proponents talked about the need for the legislature to study the balance of working lands, to find a way to promote both proper uses of the like (like farming) as well as finding the appropriate balance for conservation. The committee adopted the -1 Amendments, which would have provided a more precise purpose for the work group, as well as provide what the make up of the task force would look like. The committee passed the bill out of committee as amended and without opposition. The bill was sent to Ways & Means where it died. **DID NOT PASS.**

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

**SB 532:** *Transfers health administration of Scholars for a Healthy Oregon Initiative from OHSU to Office of Rural Health.* This bill was referred to the Senate Health Care Committee, though it never even received a Public Hearing. The bill died in committee. **DID NOT PASS.**

**SB 657:** *Appropriates moneys to HECC for 2015 biennium for agricultural experiment station and branch station, OSU Extension Service and Forest Research Laboratory programs of OSU.* This bill was referred to the Senate Education Committee, where it received a Public Hearing. At the Public Hearing proponents explained that this bill would provide collaboration among the public institutions, as well as provide continued opportunities for innovation in agriculture and forestry products. The bill was also strongly supported by environmental groups. The bill was voted out of committee unanimously and sent to Ways & Means. The bill died in Ways & Means. **DID NOT PASS.**

**SB 950:** *Allocates money from Administrative Services Economic Development Fund for biennium beginning July 1, 2015, to HECC for use by College of Forestry at OSU, in cooperating with UO, to operate center for manufacturing and design of advanced wood products.* This bill was referred to the Senate Education Committee where it received a Public Hearing. At the Public Hearing proponents of the bill explained how this bill would lead to greater collaboration between OSU/UO as it pertains to the College of Forestry. One of the goals of the College of Forestry is to focus on improving forest management practices as well as advancing wood products that can be processed and sold. The bill was voted out of committee unanimously, but died in Ways & Means because of its \$3.4 million price tag. **DID NOT PASS.**

**HB 2455:** *Relating to forest products harvest taxation; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.* The bill was referred to the House Agriculture & Natural Resources Committee where it received a Public Hearing. At the Public Hearing, the Dept. of Forestry testified that the bill would establish the Forest Products Harvest Tax rates for the calendar years of 2014 and 2015 in support of the OSU Forest Research Laboratory, OSU professional forestry education and the Oregon Department of Forestry's administration of the Oregon Forest Practices Act. The bill cleared both chambers with little opposition. **SIGNED INTO LAW.**

**HB 2486:** *Removes statutory provisions relating to categorization of property tax revenue under Ballot Measure 5 that were held unconstitutional by Oregon courts.* This bill was referred to the House Revenue Committee where it received a Public Hearing. At the Public Hearing proponents articulated that the bill would remove three subsections in the statutes that specify how taxes are to be categorized and replaces them with clear direction for local governments to make that determination. This is specifically relevant as it relates to urban renewal. The bill was passed out of committee and the House as a whole without opposition. The bill was then

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

referred to the Senate Finance & Revenue Committee where it was unanimously passed out of committee. The bill then cleared the full Senate without opposition. **SIGNED INTO LAW.**

**HB 2509:** *Allows person to file mediation request with State Department of Agriculture if person has reasonable belief that agricultural or horticultural practice on nearby land is interfering or might interfere with farming practice.* This was one of the more publically engaging agriculture bills of the Legislative Session. The bill was referred to the House Rural Communities Committee. The committee passed the bill out unanimously. The bill then passed out of the full House with little opposition. From there the bill was referred to the Senate Environment & Natural Resources Committee. Over 60 people submitted testimony weighing in on the bill, which is an abnormally high number. There was little opposition to the bill in the House, however, opponents decided to mount a serious challenge to it in the Senate, arguing that upon further review, compelling farmers into mediation would be prohibitively expensive for them. The committee tried to assuage the concerns of the opponents by adopting the -8 Amendments, which would make mediation an option, rather than a binding obligation. The committee unanimously passed the bill out of committee, it then sailed through the full Senate with little opposition. **SIGNED INTO LAW.**

**HB 2766:** *Provides that language-based computer coding may satisfy any world language requirements in public schools and second language requirements in community colleges and post-secondary institutions of education.* Rep. Parrish (R) introduced the bill, which was referred to the House Education Committee. The bill received a Public Hearing where Rep. Parrish argued that this bill was an opportunity to modernize CTE offerings to high school students. However, the bill died in committee. **DID NOT PASS.**

**HB 2764:** *Modifies circumstances under which attorney fees may be awarded and amount of attorney fees awarded in workers' compensation claims.* This bill was referred to the House Business & Labor Committee, where it received a Public Hearing. At the Public Hearing, proponents argued that the current workers' compensation system has become incredibly complex and perversely incentivizes employers to drag out cases as long as they can. Additionally, the systems complexities and incentives have made it such that there are less than 100 attorneys in Oregon who represent injured workers in Oregon. This bill is aimed at increasing the legal fees of plaintiffs, which proponents hoped would increase the number of attorneys willing to take workers' compensation claim cases. Business interests and the trial lawyers worked to find a compromise on how the bill should be amended; however, they were unable to come up with a compromise in time, though hoped to address the concerns once the bill was sent over to the Senate. The committee voted the bill out on a party line vote. From there, the bill passed the full House 32-27. The bill was then referred to the Senate Workforce Committee. The Workers' Compensation Management-Labor Advisory Committee supported

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

the bill with the -9 Amendments which sought to strike a compromise aimed at increasing legal representation for claimants through increasing attorney fees for claimants, while at the same time not adding on to the overall cost of the workers' compensation claims process. The bill passed out of committee on a 3-2 party line vote. From there, it passed through the Senate on a party line vote. **SIGNED INTO LAW.**

**HB 2808:** *Requires Oregon Business Development Department, in cooperation with OSU Extension Service, to develop program to increase harvesting of Western Juniper and manufacture and distribution of products made from Western Juniper.* Rep. Parrish (R) and Rep. Buehler (R) sponsored this bill, which was referred to the House Agriculture and Natural Resources Committee. The bill received two Public Hearings, where the proponents walked through the challenges of active management of native juniper. The bill died in committee. **DID NOT PASS.**

**HB 2910:** *Repeals obsolete laws relating to agricultural experiment stations.* This bill was referred to the House Consumer Protection & Government Effectiveness Committee, where it received a Public Hearing. This bill was really more of a technical fix than anything else, focusing on updating out of date language in statutes. It was non-controversial and cleared both chambers without opposition. **SIGNED INTO LAW.**

**HB 2997:** *Limits biennial expenditures by Oregon Business Development Department from lottery moneys for funding of cooperative efforts of National Policy Consensus Center of PSU and community organizations related to western juniper harvesting and related manufacturing.* This bill was referred to the House Agriculture & Natural Resources Committee, where it received a Public Hearing. This bill was part of the larger conversation surrounding how to properly manage Western Juniper. At the Public Hearing proponents talked about the rapid expansion of the Western Juniper and the need to manage it correctly to protect other native species. Proponents argued that this bill provided the state with more tools to properly manage juniper. The bill passed out of both chambers with little opposition, rural legislators were particularly sympathetic to the issue. **SIGNED INTO LAW.**

**HB 2998:** *Requires Oregon Business Development Department to provide economic development assistance to persons engaged in business of western juniper harvesting or of manufacturing products from western juniper, provide technical business assistance to western juniper harvesting and related manufacturing businesses and provide or fund workforce training assistance for potential western juniper harvesting and related manufacturing business workers.* This bill met extremely minimal opposition, moving out of committees and through the House floor unopposed. It made its way through full Ways and Means Committee with Sen. Whitsett stating he was supportive but bothered by the terminology of “sustainable harvesting practices”

## THORN RUN PARTNERS

GOVERNMENT RELATIONS

and “old growth”, as he felt it was an invasive species that should be bulldozed. On the Senate floor, Sen. Olsen and Sen. Thomsen opposed the bill but with minimal fanfare. **SIGNED INTO LAW.**

**HB 3110:** *Prohibits public employer from agreeing to pay or provide retirement benefit to member of PERS other than payments required or provided for in statutes governing retirement benefits of members of system.* Rep. Parrish (R) introduced this bill as a way of reducing the public obligations to PERS recipients. The bill was referred to the House Business & Labor Committee and died there without a Public Hearing. **DID NOT PASS.**

**HB 3276:** *Requires HECC to convene work group to conduct cost-benefit analysis of cost drivers associated with increased tuition at public universities over past 20 years.* This bill was referred to the House Higher Education Committee, but never received a Public Hearing and died in committee. **DID NOT PASS.**

**HB 3362:** *Establishes pollinator health outreach and education plan.* The last several years have provided several instances of mass deaths of bees. So much so, that the Legislature took the step to set up a plan for ensuring pollinator health. This bill represents the best efforts to create such a plan. Statistics show that honey-bees and native bees jointly provide U.S. agriculture an estimated \$18-27 billion in pollination services annually, and one out of every three bites of food people eat is from a crop pollinated by bees. This bill directs OSU to expand the pollinator health program created in HB 4139 in 2014. OSU, in consultation with the Dept. of Agriculture, is to develop a pollinator health outreach and education plan and a pesticide use safety plan to educate the public. The funding to OSU will come from part of the \$14 million provided in the Statewide Public Service Programs within the HECC’s budget contained in HB 5024. The bill cleared both chambers with very minimal opposition. **SIGNED INTO LAW.**

**HB 3371:** *Prohibits retaliation against student of educational program who makes good faith report regarding possible violation of state or federal law, rule or regulation.* HB 3371 began in the House Higher Education Committee with an uneventful hearing where proponents argued it would provide needed protections to students who report violations of the law by their institutions. In a work session, only Rep. Nearman voted “no,” and the bill sailed through the House Floor on a 56-3 vote. It was then referred to Senate Judiciary where a public hearing and work session were held without issue and bill was sent to the floor with a do pass recommendation on a unanimous vote. It passed 20-8 on the Senate Floor. **SIGNED INTO LAW.**

**HB 3382:** *Extends sunset from January 2, 2019, for law imposing general prohibition on growing of canola in Willamette Valley Protected District.* Whether or not an individual should

## THORN RUN PARTNERS



be allowed to grow canola wherever she chooses to do so was one of the more controversial issues in agriculture this Session. The debate is a continuation from last Session, and also at times blends into the debate regarding growing GMOs. This bill was introduced by Rep. Witt (D) and Rep. Clem (D) to provide greater clarity and certainty in growing canola. The bill extends the sunset prohibiting general growing of canola in the Willamette Valley Protected District for six additional months to July 1, 2019. The bill also direct OSU to use field monitoring and research of canola to identify acreages on which canola can be grown within the District. The bill also allows the Dept. of Agriculture to authorize up to 500 acres of commercial growing of canola within the District on acreage identified by OSU and in which OSU determines would be compatible with other crops. The bill also provides for the ability to levy a fine of up to \$25,000 against a person growing canola without proper authorization to do so. The bill was unanimously voted out of the House Agriculture & Natural Resources Committee, and then passed the full House 42-16, with a bipartisan mix of “no” votes. From there, the bill cleared the Senate with much less opposition. **SIGNED INTO LAW.**