



2020 Legislative
Session

Summary of Bills

APRIL 2020

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2020 LEGISLATIVE SESSION

OVERVIEW

Oregon's 2020 short legislative session came to an abrupt close February 27, 2020 with both Chambers gaveling down. Democratic leadership was unwilling to return to a legislative schedule on the final day of session under conditions offered by Republican leadership. Earlier in the session, Republicans from both chambers had walked out due to their objections over SB 1530, cap and trade legislation advanced by Governor Brown and Democratic leadership.

With only a couple of weeks of a functional session, the Legislature only had three bills for the governor's signature. These included: [HB 4061](#) (cultural registration plates), [HB 4106](#) (Happy Valley annexation from county service district), and [HB 4140](#) (Oregon Department of Education program for students in concussion protocol).

The LOC entered the session with an extension of legislative priorities from the 2019 session. This included support for additional revenue to fund the expansion of broadband in underserved areas of Oregon with [HB 4079](#). The LOC also found itself active in a package of wildland fire response legislation that included related land use issues. Other high priority issues the LOC was involved were related to homeless shelter citing, economic development, liquor revenue and public records.

The early closure of the session due to a Republican walkout has left lingering relationship issues among the Republican and Democratic caucuses. When the session concluded, it was clear there would need to be a cooling off period, but with the global outbreak of COVID-19, Oregon's response has forced the entire legislative body to work with Governor Brown and focus energy on responding to the pandemic.

How to Read the Bill Summaries

Click on the bill number to view the full text of the bill.

[HB 4106](#): Happy Valley Annexation from County Service District

Effective Date: February 27, 2020

Effective Date - indicates the date on which the bill becomes effective

COMMUNITY DEVELOPMENT

Housing

FAILED BILLS

[HB 4001: Emergency Shelter](#)

HB 4001 recognized Oregon's highest-in-the-nation rate of unsheltered homelessness and would have dedicated \$45 million to create additional shelters and navigation centers statewide. The bill also aimed to waive, for a one-year period, all local siting and zoning regulations and the land use appeals process, for approving the siting of emergency shelters for a one-year period.

The LOC worked closely with local government partners to gain improvements to HB 4001 during the session, particularly to ensure that new shelters would not be sited on environmentally sensitive land or on sites that posed a risk to public health or safety. The bill was also amended to require shelters accessing the siting provision be operated by experienced providers.

[HB 4002: Statewide Rent Assistance Program Study](#)

HB 4002 would have directed Oregon Housing and Community Services (OHCS) to contract with the Portland State University Homelessness Research and Action Collaborative to study the potential costs of standing up a state long-term rent assistance program. The bill required OHCS to report to the interim committee of the Legislature by December 1, 2020.

[HB 4003: Addressing Racial Disparities in Homeownership](#)

In 2018, the Legislature created a Task Force to Address Racial Disparities in Homeownership. HB 4003 was introduced in 2020 to implement the recommendations of the task force and included:

- 1) Grants and technical assistance to organizations to increase access to homeownership for communities of color, including education and training;
- 2) An update to the definition of people of color;
- 3) Additional resources to the Oregon Individual Development Account (IDA) Initiative, specifically to support access by people saving for homeownership;
- 4) Training for real estate professionals on implicit bias; and
- 5) A continuation of the task force for an additional year.

[HB 4012: Stevens Road Tract Transferrable Development Opportunity](#)

HB 4012 intended to shift a development of small-scale recreational communities in the Metolious River basin, often referred to as "the Stevens Road tract," located on the southeast corner of the city of Bend's urban growth boundary (UGB). The bill would have included the Stevens Road tract within the city's UGB under certain circumstances. HB 4012 also created an expedited process for the

Oregon Department of Land Conservation and Development to review and approve the related comprehensive plan amendments and land development regulations using specified statutory criteria rather than statewide planning goals and department rules.

HB 4014: Dog Training Facilities / Court Judgments Relating to Property Line Disputes / Radioactive Waste Disposal / Rural ADUs

As introduced, HB 4014 included two unrelated concepts relating to land use. The first would have allowed dog training facilities on exclusive farm use zones and exempted such facilities from state structural specialty codes as provided in ORS 455.315. Second, the bill would have provided that a lawfully created unit of land remains lawful following a circuit court judgment relocating any related property lines. HB 4014 was later amended to add two additional unrelated concepts; to clarify the definition of radioactive waste and provide additional enforcement authority to the Oregon Department of Energy and the Energy Facility Siting Council. Finally, the bill would have authorized counties to allow the development of accessory dwelling units (ADUs) on rural residential lands under specified conditions.

HB 4015: Technical Fixes to 2019 Housing Legislation (HB 2003)

HB 4015 would have expanded the scope of \$1 million appropriated in HB 2003 (2019), allowing the Oregon Department of Land Conservation and Development (DLCD) to provide “technical assistance to local governments to increase the affordability and availability of housing within their jurisdictions.” HB 4015 would have also clarified the requirement that cities within Metro complete Housing Need Analyses (HNAs) on a schedule directed by Oregon’s Land Conservation and Development Commission and included an extension of the adoption of that schedule. Additionally, the bill would have provided some clarification between the roles of Metro and cities located within Metro related to Housing Needs Analyses, allocating needed buildable lands, and zoning capacity for unmet housing.

As amended later in the session, HB 4015 would have provided \$960,000 to Oregon Housing and Community Services (OCHS) to award a grant to a nonprofit organization to implement an accessory dwelling unit (ADU) community pilot program.

HB 4039: Funding for Runaway and Homeless Youth

HB 4039 would have directed funding to the Oregon Department of Human Services to address the needs of runaway and homeless youth in three program areas:

- 1) \$300,000 to conduct a needs assessment, and begin planning for a continuum of services;
- 2) \$1.2 million to expand the host home network, which provides a home for unaccompanied homeless youth while they finish high school; and
- 3) \$1 million to expand existing shelter, mental health, transitional housing, and other services for runaway and homeless youth.

HB 4050: Yaquina Hall Property Transfer to City of Salem

HB 4050 would have directed the Oregon Department of Administrative Services to transfer a property known as Yaquina Hall to the city of Salem.

HB 4055: Higher Education Food and Housing Insecurity Study

HB 4055 would have required the state's Higher Education Coordinating Commission to conduct a study and develop recommendations on how Oregon's community colleges and public universities can best combat food and housing insecurity among their students.

HB 4084: Rural System Development Charges

HB 4084 would have established the Rural System Development Charges (SDCs) Program within Oregon Housing and Community Services (OHCS) and allocated \$750,000 to subsidize the cost of SDCs for new affordable, multifamily housing in rural communities. The bill included a sunset on June 30, 2027.

HB 4090: UGB Expansion for Affordable Housing Pendleton Pilot

HB 4090 would have modified 2016 legislation (HB 4079) so that the city of Pendleton qualified as a small city under a pilot program allowing for a 50-acre expansion of urban growth boundaries (UGBs) under certain circumstances. The bill required the project to be submitted to the Oregon Land Conservation and Development Commission on or before June 30, 2020 and included a sunset for the pilot program on January 2, 2023.

HB 4095: 2016 UGB Expansion for Affordable Housing Pilot Program Reporting

As introduced, HB 4095 would have expanded 2016 legislation (HB 4079), from allowing selected cities to expand their UGBs to include 50 acres under certain circumstances, to apply statewide. Instead, the bill was amended to direct the Oregon Department of Land Conservation and Development (DLCD) to continue legislative reporting during each regular session until 2024 on the implementation of the 2016 legislation (HB 4079). The amended bill also directed the DLCD to report on the experience of the selected cities and suggest how the pilot program could be implemented statewide. The bill repealed the pilot program on January 2, 2028.

SB 1532: Homeownership Repair and Rehabilitation Pilot Program

SB 1532 would have created a new program and dedicated \$4 million within Oregon Housing and Community Services to provide grants to eligible entities for providing financial assistance to persons in low-income households for repair and rehabilitation of residences.

SB 1533: Eviction Relief / Rent Guarantee Program Updates

As introduced, HB 1533 would have directed Oregon Housing and Community Services (OHCS) to provide grants and technical assistance to organizations assisting tenants in eviction proceedings. Instead, the bill was amended to update the Rent Guarantee Program at OHCS, which was enacted in 2017 (HB 2724) to increase rental opportunities for tenants experiencing barriers to renting, such as poor credit history or a previous eviction. Tenants receive rental education classes through the program and landlords may access program funds to recover losses associated with renting to participating tenants. SB 1533 would have changed the limit for the amount landlords may recover from the program fund from a lifetime limit of \$5,000 to a per-tenant limit of \$5,000.

[SB 1555: Parsonages](#)

SB 1555 would have required local governments to allow the development of residential dwellings for the exclusive use of religious officials and their households on a lot or parcel that currently allows for the use as a place of worship if the dwelling was no more than 2,500 square feet, located no more than 300 feet from the place of worship, and was not sited on high-value farmland to the extent possible.

ENERGY & ENVIRONMENT

FAILED BILLS

[HB 4066: Electric Rates for Transportation Electrification](#)

HB 4066 would have authorized the Oregon Public Utility Commission (PUC) to allow electric companies to recover costs from retail electricity consumers for prudent infrastructure measures to support transportation electrification. The bill would have also required electric companies to use revenues from the sale of clean fuels program credits to accelerate transportation electrification. HB 4066 also had several requirements that would have impacted consumer-owned electric utilities, including a requirement for each consumer-owned utility to register as a credit aggregator and credit generator under the clean fuels program, and to use revenues received from the sale of clean fuels program credits to support transportation electrification as approved by the governing body of the utility. The bill would have also required consumer-owned utilities and electric companies to adopt risk-based wildfire mitigation plans. Finally, HB 4066 included specific requirements for wildfire plans for electric companies, including requirements for PUC approval, and less prescriptive requirements for consumer-owned utilities. The bill passed the House and was subsequently passed out of the Senate Environment & Natural Resources. However, it died on the Senate floor without a vote.

[HB 4067: Differential Energy Burdens for Low-Income Customers](#)

HB 4067 would have required the Public Utility Commission, when considering rates for electric companies (i.e. investor-owned electric utilities), to consider differential energy burdens on low-income customers and other economic, social equity or environmental justice factors that affect affordability for certain classes of utility customers. The bill would also allow the PUC to provide financial assistance for organizations that represent interests of certain low-income residential customers in regulatory proceedings before the PUC. HB 4067 passed the House and out of the Senate Environment & Natural Resources. The bill failed on the Senate floor without a vote.

[HB 4068: State Building Code for Electric Vehicle Readiness](#)

HB 4068 would have required the director of the Oregon Department of Consumer and Business Services to amend the state building code to require that certain newly constructed buildings include provisions for electrical service capacity (i.e. wired for electric-vehicle charging) for at least 20% of available parking spaces. The bill would have applied to newly constructed commercial

buildings under private ownership, multifamily residential buildings with five or more residential units, and mixed-use buildings consisting of five or more residential units. HB 4068 would have allowed a municipality to adopt local percentage of parking space requirements higher than state building code requirements. The bill passed the House and out of a Senate policy committee, but failed to receive a vote on the Senate floor.

[HB 4093](#): Exempting Wood Residue from Definition of Solid Waste

Oregon law currently exempts uncontaminated wood residue (typically created during the processing of lumber products) from solid waste disposal regulation. However, the exemption only applies if the wood residue is combusted as fuel. HB 4093 would have broadened the exemption for wood residue to include any wood residue that has a value to either the generator of the wood residue or to a person who has acquired the wood residue from the generator by purchase or exchange for fair market value. A public hearing was held on HB 4093, but the bill failed to pass out of committee.

[HB 4159](#): Carbon Cap & Trade Program

HB 4159 would have updated greenhouse gas reduction goals for the state and would have established a cap on certain emissions that would be reduced over time. Covered entities with certain regulated emissions would be required to obtain allowances for those emissions. These would either be distributed for free, or available for purchase. Revenues generated from the sale of allowances would be invested in specified programs. The bill died after being referred to the House Committee on Rules.

[HB 4167](#): Carbon Cap & Trade Program

HB 4167 would have updated greenhouse gas reduction goals for the state and would have also established a cap on certain emissions that would be reduced over time. Covered entities with certain regulated emissions would be required to obtain allowances for those emissions. These would either be distributed for free, or available for purchase. Revenues generated from the sale of allowances would be invested in specified programs. The bill passed out of the House Committee on Rules but died after being sent to the Joint Committee on Ways & Means.

[HB 4169 \(LC 312\)](#): Cleaner Air Oregon Ballot Referral

HB 4169 would have referred a measure to voters to make changes to the state's Cleaner Air Oregon statutes, which regulate toxic air emissions from new and existing sources. The bill set more stringent benchmark limits than those established through the program's originating legislation in 2018 (SB 1541). That bill set both noncancer risk benchmarks through a health hazard index and cancer risk benchmarks. These benchmarks dictate when a permitted facility must either reduce emissions or demonstrate that the best available controls are in place. HB 4169 also would have repealed [ORS 453.370](#), which sets statutory limitations on local Community Right to Know programs. The bill was introduced as a committee bill in the House Committee on Rules, but failed to have a first reading on the House floor.

[HB 4170 \(LC 313\): Carbon-Free Energy Ballot Referral](#)

HB 4170 would have referred a statewide ballot measure to voters that would require that 100% of electricity sold to retail consumers in Oregon be generated through eligible renewable and carbon-free energy resources, including hydropower. The bill would also have implemented labor standards, including payment of prevailing wage rates, for the construction of renewable and carbon-free projects used by electric utilities.

[HB 4171 \(LC 314\): DEQ Greenhouse Gas Reduction Program](#)

HB 4171 would have referred a measure to voters to set greenhouse gas reduction limits in statute and allow the Oregon Department of Environmental Quality to adopt a program to meet those limits. Current statute contains goals for reducing greenhouse gas emissions to 10% of 1990 levels by 2020, and to 75% of 1990 levels by 2050. The bill would set limits of 50% below 1990 levels by 2035 and 90% below 1990 levels by 2050. HB 4171 was introduced as a committee bill in the House Committee on Rules but failed to have a first reading on the House floor.

[HB 4172 \(LC 315\): Joint Legislative Committee for Proposed Ballot Referrals](#)

HB 4172 would have established a joint legislative committee for drafting a ballot title and explanatory statement had HB 4169, HB 4170, HB 4171, HB 4173 or HJR 202 been successfully referred to the voters. The committee would consist of two senators from the majority party; two representatives from the majority party; one senator from the minority party; and one representative from the minority party. Other provisions in the bill included how a party could seek judicial review of the ballot title or explanatory statement. HB 4172 was introduced as a committee bill in the House Committee on Rules but failed to have a first reading on the House floor.

[HB 4173 \(LC 317\): Environmental Quality Commission Carbon Program](#)

HB 4173 would have established greenhouse gas reduction limits and authorized the state's Environmental Quality Commission to adopt programs and rules to meet those limits. The bill included an emergency clause and would have been effective upon passage. HB 4173 was introduced as a committee bill in the House Committee on Rules but failed to have a first reading on the House floor.

[HJR 204 \(LC 316\): Constitutional Referral – Use of Fuel Tax Revenue](#)

HJR 204 would have referred a measure to voters that would amend the Oregon Constitution as it pertains to the use of fuel tax revenue and other revenues generated through taxes or excises levied for the ownership, operation or use of motor vehicles. Currently, the Oregon Constitution limits the use of such revenues exclusively for the construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets and roadside rest areas in this state. HJR 204 would have allowed 50% of the revenues to be used by the legislature for any purpose provided by law. The bill was introduced as a committee bill in the House Committee on Rules but failed to have a first reading on the House floor.

[SB 1530: Carbon Cap & Trade Program](#)

SB 1530 was the main legislative vehicle to implement a statewide carbon cap and trade program. The bill passed out of the Joint Ways and Means Committee and was headed to the Senate floor for a vote, triggering Republicans to deny quorum for the remainder of the 2020 short session. The bill would have updated greenhouse gas reduction goals for the state and would have established a cap on certain emissions that would be reduced over time. Covered entities with certain regulated emissions would have been required to obtain allowances for those emissions. Allowances would either be distributed for free or available for purchase. Revenues generated from the sale of allowances would be invested in programs specified in the bill. The bill passed out of both the Senate Environment & Natural Resources Committee and the Joint Ways & Means Committee, but died on the Senate floor without a vote.

[SB 1574: Carbon Cap & Trade Program](#)

SB 1574 would have updated greenhouse gas reduction goals for the state and would have also established a cap on certain emissions that would be reduced over time. Covered entities with certain regulated emissions would be required to obtain allowances for those emissions. These would either be distributed for free, or available for purchase. Revenues generated from the sale of allowances would be invested in specified programs. The bill died in committee after being referred to the Senate Committee on Rules.

[SB 1578: Carbon Cap & Trade – Low-Income Transportation Fuel Credit](#)

SB 1578 would have established a program to provide a credit back to lower-income Oregonians for increased costs associated with the transportation fuel provisions of SB 1530. The bill died in the Joint Committee on Ways & Means after passing out of the Senate Finance & Revenue Committee.

FINANCE & TAXATION

Property Taxes

PASSED BILLS

[HB 4106: City of Happy Valley / North Clackamas Parks and Recreation District Agreement](#)

Effective Date: February 27, 2020

HB 4106, one of only three bills to pass the 2020 legislative session, reflected an agreement between the North Clackamas Parks and Recreation District (NCPRD) and the city of Happy Valley. The bill withdraws the city from the NCPRD, thereby allowing the city to become its own parks and recreation provider. The legislation does not create a new pathway for cities to withdraw from special districts or county service districts in Oregon.

FAILED BILLS

SB 1541: Property Tax Freeze for Certain Seniors

SB 1541 would have frozen the assessed value for property taxes of certain homeowners, 68 and older or disabled, who are not eligible for the Oregon property tax deferral program due to having a reverse mortgage. HB 2587 from 2019 had already allowed most reverse mortgages into the deferral program, greatly limiting the applicability of the proposal. The LOC opposed SB 1541 as it would have reduced local revenues without addressing the larger need for property tax reform and proposed allowing these homeowners into the deferral program as an alternative. The Senate Finance and Revenue committee passed the bill out unanimously and it died in the Ways and Means Committee.

State Shared Revenues

FAILED BILLS

HB 4149: Alcohol and Drug Policy Commission Funding

HB 4149 would have directed the state's Alcohol and Drug Policy Commission (ADPC) to develop an early intervention strategy to address substance use and inventory current resources available to address substance use disorders. As amended, the bill appropriated \$200,000 to the state's General Fund for the effort. Earlier versions of HB 4149 would have taken up to \$10 million monthly from funds that would have otherwise gone into the shared revenue distribution schedule (cities receive 34%). The LOC opposed the earlier versions of the bill. Advocates indicated it was not their intention to reduce local revenues but were told by the Oregon Liquor Control Commission (OLCC) that this was "new monies not accounted for." HB 4149 made it through the Behavioral Health and Ways and Means committees but did not receive a vote on the floor.

SB 1565: Distillery Tasting Room Agent Compensation

SB 1565 would have decreased liquor revenue distributions by 28% on the first \$250,000 in retail sales sold by a distillery out of a tasting room, by increasing agent compensation from 17% of retail to 45%. The reduced revenue from the change was estimated at \$4 million per biennium, with 34% of the cost being borne by cities. Had this been the only threat to liquor revenues, the LOC may have not taken a position on the bill.

Liquor store owners were also working with the Oregon Liquor Control Commission (OLCC) to increase agent compensation at their stores, especially in urban areas with higher business costs. There was no bill or administrative rule change, just a policy change at OLCC and a budget modification. Proponents indicated the revenue loss would be \$13.4 million per biennium.

LOC did not oppose the policy behind either of these concepts. Our concern was strictly related to the loss in revenue to local governments. We proposed an amendment to SB 1565 that would have changed the distribution formula to keep cities whole. Ultimately, the distillers' concept was moved out of Ways and Means without amendment, and the liquor store concept was tabled. SB 1565 did not receive a vote on the Senate floor.

Lodging Taxes

FAILED BILLS

[HB 4047](#): State Lodging Tax Rate

The 2016 session (HB 4146) increased the state lodging tax rate from 1% to 1.8% for the period extending from July 1, 2016 to July 1, 2020. On July 1, 2020, the rate is scheduled to go down to 1.5%. HB 4047 would have simply made the 1.8% rate permanent. The bill was controversial, with disagreements about whether the additional revenue should be spent on tourism (specifically the planned 2021 World Track & Field Championships in Eugene) or on housing. The bill passed out of the House and died in the Senate.

Miscellaneous State Taxes

FAILED BILLS

[HB 4010](#): Opportunity Zone Disconnect

As introduced, HB 4010 would have completely disconnected Oregon from the opportunity zone program created in the 2017 Tax Cut and Jobs Act. Oregon taxpayers would have still qualified for the favorable treatment of capital gains on their federal returns, but those benefits would not have flowed through to the Oregon return. The bill was amended in the House Revenue committee to keep the federal treatment on capital gains invested into qualified opportunity zone funds, but simultaneously would have reduced the benefit on sales of assets out of those funds by 50%. The amendment also required enhanced reporting and a study. The bill was opposed by a number of economic development organizations and many cities, but the LOC did not take a position as a good number of elected officials supported the policy. The bill passed out of House Revenue but died on the floor without a vote.

[HJR 203](#): Real Property Transfer Charge

HJR 203 was a governor's concept that would have referred to voters an amendment to the Oregon Constitution authorizing a new state real property transfer charge as long as it exempted the first \$500,000 of a sale from taxation, and the revenue was used exclusively to fund or finance affordable housing. The bill died in committee.

[SB 1504](#): Cap and Trade Tax Policy

SB 1504 was a companion bill that addressed issues of taxation related to the broader cap and trade conversation. The bill was amended in the Senate Finance and Revenue committee, with language indicating that emission allowances and credits were "exempt from ad valorem property taxation." The LOC's concern was that the language could lead a taxpayer to argue that while any negative effects of the government restriction on emissions must be considered for property tax purposes, an allowance for credit that mitigates that same restriction must be disregarded as it is

exempt. Certain companies could see a large drop in their property taxes, even though the Legislature has worked very hard to accommodate them through allowances.

Ultimately, we were able to get a statement on the record in the Ways and Means Committee that the intent of the language was to prevent taxpayers from seeing an increase in their property taxes as a result of the state granting them allowances or credits, but the intent was not to grant them a property tax reduction if the allowances held them harmless from a government restriction on the use of their property. The bill died on the Senate floor without a vote.

GENERAL GOVERNMENT

Mental Health

FAILED BILLS

[HB 5204](#): Program Change Bill

HB 5204 was a large omnibus spending bill that made several adjustments to the state budget, including \$9 million for mental health funding. Services this money would have provided included jail diversion and reducing the number of persons sent to the Oregon State Hospital. Improving mental health services was a priority for the LOC in 2020 and during previous sessions. HB 5204 died due to a lack of quorum.

Public Contracting

FAILED BILLS

[HB 4042](#): Contracting Preference for Emergency Preparedness Partners

HB 4042 would have required public contracting agencies, including cities, to provide a contracting preference to a bidder or proposer that is certified as an emergency preparedness partner. The bill, as introduced, would apply to all public contracts, including goods, services and construction. HB 4042 would have required the state Office of Emergency Management to create a program to train and certify business organizations as emergency preparedness partners. Proposed amendments to the bill would have limited the provisions of the bill to certain state contracts only. A public hearing was held on the bill, but the bill failed to pass out of the House Veterans and Emergency Preparedness Committee prior to the deadline.

[HB 4045](#): Prevailing Wage in Enterprise Zones

HB 4045 would have required the payment of prevailing wage rates for private construction projects if the project received a tax abatement through an enterprise zone (as defined under [ORS 285C.050](#)) and the total project cost exceeded \$25 million. The LOC opposed similar legislation, HB

2408, during the 2019 legislative session. HB 4045 did not receive a public hearing, in part due to compromise legislation that was a result of a 2019 interim workgroup. That bill, SB 1525, would have required local governments to report additional data related to enterprise zone incentives and would have required business owners to publish opportunities to bid on construction projects if the project is located in an enterprise zone and receiving a property tax abatement.

SB 1525: Enterprise Zone Wage Reporting Requirements

SB 1525 was the result of a workgroup that was convened starting in the fall of 2019 and continued in the weeks leading up to the 2020 legislative session. The workgroup was created following the 2019 legislative session in response to HB 2408, a bill that the LOC has strongly opposed, which would have required the payment of prevailing wage rates for private companies receiving property tax abatements through certain enterprise zone programs. The LOC has expressed concerns that attaching significant administrative requirements (and associated cost increases) to a local economic development tool would have the likely effect of negating the effectiveness of the tool and would have negatively impacted investment in economically distressed areas.

SB 1525 represented compromise legislation resulting from the interim workgroup process. The bill would have required businesses, participating in an enterprise zone program (including rural enterprise zones) or strategic investment program, to publish opportunities to bid on construction projects within the enterprise zone. In addition, the bill would require zone sponsors to annually report to the state any information on project labor agreements associated with enterprise zone projects. In addition to zone sponsor reporting requirements, SB 1525 would have required Business Oregon to submit a summary report to the Legislature annually. The report would include information on each property tax exemption program, including: the estimated assessed value of exempt property in each zone, and the estimated amount of ad valorem property taxes that would have been imposed on the property but for the exemption; the total amount of fees and other payments made by business firms receiving abatements to zone sponsors or other payees as a condition of the incentives; the number of new and existing employees for the business firm; and the average annual wages paid to employees (with or without benefits). SB 1525 also required some new employee and wage reporting in rural zones and allowed for rural zones to optionally add additional requirements and conditions for business firms to receive incentives through the rural enterprise zone program. Current law only allows urban enterprise zone sponsors to opt to add additional criteria.

Finally, the bill would have expanded records retention timelines for certified payroll reports from three years to six years.

SB 1525 passed the Senate and had also passed out of the House Business & Labor Committee. It died on the House floor because a quorum of members was not present to vote.

Public Records

FAILED BILLS

[SB 1506: Public Records Advocate Changes](#)

SB 1506 would have changed the oversight and hiring structure of the state's public records advocate. The bill was opposed by the LOC as it altered agreements that were made to create the Office of Public Records Advocate. SB 1506 passed the Senate but died due to a lack of quorum.

HUMAN RESOURCES

FAILED BILLS

[HB 4007: Unemployment for Striking Employees](#)

HB 4007 would have allowed the Oregon Employment Department to grant unemployment benefits for workers involved in a labor dispute. The bill was introduced as a "conversation starter" and received a committee hearing but was never voted on. It's likely that this concept will be revisited in subsequent sessions.

[SB 1567: Police Accountability](#)

SB 1567 would have prevented an arbitrator from overriding the disciplinary decisions of police chiefs when that discipline is based on a guide or matrix contained in a collective bargaining contract. The bill passed the Senate and out of its House committee but died due to a lack of quorum.

TELECOMMUNICATIONS

FAILED BILLS

[HB 4079: The Rural Telecommunications Investment Act](#)

HB 4079 was a similar bill to HB 2184 from the 2019 session. This bill would have expanded the Oregon Universal Service Fund (OUSF) to include cell phone users in the fee pool. The additional funds generated would have been used to establish a sustainably funded broadband grant program for broadband planning and infrastructure in smaller and rural communities. The broadband fund would have prioritized communities that fit the definition of "unserved" or

“underserved.” Additionally, some of the new funds would have been transferred to the Connecting Oregon Schools Fund which provides the state match for schools applying for grants through the U.S. Department of Agriculture’s E-Rate Program. The OUSF was established in 1999 and has never included cell phone users. Cell phones currently dominate the provision of telecommunications services, but unlike landlines, have not been required to share in the fiscal responsibility for infrastructure that ultimately benefits their industry.

HB 4101: Telemedicine Coverage

HB 4101 would have required the Oregon Health Authority to reimburse health services delivered using telemedicine.

TRANSPORTATION

FAILED BILLS

HB 4103: Local Speed Setting Authority

HB 4103 was brought back after the 2019 session to establish authority for local authorities to set their own speeds for neighborhoods using a deliberative process outlined by Oregon Department of Transportation. The bill extended this authority to Lane and Multnomah counties. The bill passed the House with a 51-6-1-2 vote. The bill never advanced to the Senate floor due to adjournment.

HB 4151: Increasing Vehicle Privilege Tax

HB 4151 would have increased the current vehicle privilege tax by \$0.50 to generate revenue for use in expanding Oregon’s electrified network. This new tax would only have applied to vehicles purchased in the Portland metro region. The bill also instructed electronic companies to invest not less than one-half of 1% of the total rate revenue collected. A hearing was held, and bill was advanced to the Ways and Means Committee, but no further action occurred.

WATER & WASTEWATER

FAILED BILLS

HB 4043: Water/Wastewater Piping Material Mandate

HB 4043 would have preempted local governments, including cities, from adopting any ordinance, resolution, rule or other law to prohibit, restrict or limit an evaluation, comparison or use of pipe or piping materials for a water project. The mandate would have applied to projects receiving either direct or indirect state funds. Many water utilities limit the types of piping materials they will consider for a project based on past performance, safety concerns, soil conditions and other unique aspects of specific water systems. The LOC was strongly opposed to the legislation, and

proposed amendments which would have prohibited upfront specifications at the project design level and would likely result in additional cost, administrative burden and ultimately make it more difficult for a local government to select the most appropriate pipe for its specific water or wastewater system. A public hearing was held on HB 4043 but the bill was not scheduled for a work session and died in committee.

[HB 4069: Water Use Measurement & Reporting](#)

HB 4069 would have authorized the Oregon Water Resources Department to require certain water users to report water measurement data to the department if the water users' permit, certificate, limited license, decree, ground water registration, or order of determination required the user to measure water use. The bill would have required the Oregon Water Resources Commission to adopt rules to implement the legislation. The LOC was neutral on the bill, as cities are already required to measure and report water use. The chair of the House Water Committee, Representative Ken Helm, opted to not move the bill forward this session but indicated to various organizations that the issue would be further discussed during the interim with legislation likely during the 2021 legislative session.

[HB 4070: Septic Loan Program Funding](#)

HB 4070 would have provided an additional \$2 million in general funds to provide loans to Oregonians to repair or replace failing residential or commercial septic systems. Loan funds would also have been available to allow residential homeowners with failing septic systems to connect to available public sewer systems. The septic loan program was initially established as a result of legislation passed during the 2016 session (SB 1563). The bill passed out of the House Water Committee but died in the Ways & Means Committee.

[HB 4071: Harmful Algal Blooms Resources](#)

HB 4071 would have provided for additional staffing and resources related to harmful algal bloom monitoring and response for drinking water systems. The bill would have provided funding for the Oregon Department of Environmental Quality (DEQ) to purchase additional lab equipment to process water samples received from drinking water providers. HB 4071 also included funding for additional staffing for the DEQ and the Oregon Health Authority Drinking Water Services program. The bill was the result of a 2019 interim workgroup effort to better position the state and local governments to protect public drinking water systems from harmful algal blooms. The bill passed out of the House Water Committee but died in the Ways & Means Committee.

[HB 4086: Automatic Stay Provisions for Water Right Enforcement](#)

HB 4086 would have made changes to current statutes that allow for parties to appeal final orders issued by the Oregon Water Resources Department or the Oregon Water Resources Commission. Under current law, any party that is affected by a final order, such as enforcing water use during times of shortage, may legally appeal the order in circuit court. Upon filing such an appeal, the final order is stayed. Some stakeholders have expressed concerns that this legal process, and the automatic stay provisions, prevent the department and commission from enforcing water rights based on Oregon's system of prior appropriation (i.e. water rights that were issued first are the last to be shut off during shortages). HB 4086 would have eliminated the automatic stay provisions if a final order was issued to enforce the terms and conditions of water use or the priority of water use. A court could still issue a stay of the final determination if the court makes certain findings,

including a finding that the petition is likely to prevail. A public hearing was held on HB 4086, but the bill did not get scheduled for a work session as a result of concerns expressed by several organizations and legislators.

HB 4092: Historic Reservoir Registration

HB 4092 would have allowed for the retroactive registration of a previously illegal pond located in Jackson County. Similar legislation was introduced during previous legislative sessions but would have had broader impacts. Concerns were expressed that the bill would have established a precedent for additional illegal ponds to become legislatively registered. However, it was noted on the record that the Legislature intended to limit this type of legislative exception to one specific property owner. The bill passed the House and passed out of the Senate Environment & Natural Resources Committee. The bill was scheduled for a vote of the Senate but died without a vote on the Senate floor.

SB 1511: Artificial Beaver Dams

SB 1511 would have required the Oregon Department of Fish & Wildlife (ODFW) to adopt rules to allow for the authorization of voluntary projects for stream restoration and habitat improvement through the construction of environmental restoration weirs. Similar legislation has been introduced during previous legislative sessions. The concept has been to allow for the construction of environmental restoration weirs, sometimes referred to as artificial beaver dams, for environmental and economic benefit. Construction of such weirs would be exempt from certain regulatory requirements, including those for removal-fill permits and fish passage. SB 1511 was limited to specific streams in certain water basins. The bill also required the ODFW to coordinate with the Oregon Department of Transportation prior to authorizing such projects to consider potential impacts that the project might have on transportation infrastructure including roads, culverts and bridges. The bill passed the Senate and also passed out of the House Rules Committee. The bill, however, died on the House floor without a vote.

SB 1513: Livestock Operations

SB 1513 would have set forth additional requirements for large confined animal feeding operations or large concentrated feeding operations that land apply animal waste and are located in groundwater management areas. The bill set forth permit requirements and specified remedies for certain environmental violations. The bill passed of the Senate Environment & Natural Resources Committee, as well as the Joint Ways & Means Committee, but failed on the Senate floor without a vote.

SB 1537: Emergency Resiliency & Dam Safety

SB 1537 would have directed the state's Office of Emergency Management to implement a program to ensure that 250,000 households in Oregon have the necessary supplies and expertise to be self-sufficient for at least two weeks after a natural disaster or other emergency. The bill would have established a taskforce to help implement the two-week ready program. In addition, SB 1537 would have provided funding for the purpose of constructing seismic stations, to be completed on or before June 30, 2023, as part of the "ShakeAlert" earthquake early warning system, and would establish a taskforce to provide recommendations for educating the public on earthquake early warning. Finally, the bill would have established a Dam Safety Taskforce to identify approaches to prioritizing the repair of dams and other dam safety-related projects, and to evaluate and

recommend funding mechanisms for dam repair and other dam safety projects. The bill passed out of the Senate General Government & Emergency Preparedness but died in the Joint Ways & Means Committee without further action taken.

[SB 1562: Umatilla Groundwater Program & Funding](#)

SB 1562 would have required the Oregon Department of Agriculture to develop a program to gather data and research groundwater nitrates and connectivity in the Umatilla Basin. The bill would have also required the department to create a long-term implementation plan to improve groundwater conditions in the Lower Umatilla Basin Groundwater Management Area to the extent that the area might have been removed from designation. SB 1562 also would have established an inter-agency task force that would develop guidance, milestones, timelines and other components of a strategy to improve ground water conditions in the area. The bill would have provided \$250,000 in general funds to support the work outlined in the bill. The bill passed out of the Senate General Government & Emergency Preparedness Committee but failed to pass out of Ways & Means prior to the session coming to an end.

WILDFIRES

OVERVIEW

Governor Brown came into the 2020 session with a critical package of wildfire bills in response to 47 recommendations from the wildfire task forces named in 2019. The bills listed were intended to provide components of the recommendations advanced by the task force. In the end, parts of each bill were added to SB 1536 as an omnibus package to move during session.

FAILED BILLS

[SB 1514: ODF Package](#)

SB 1514 required the Oregon Department of Forestry (ODF) to establish up to 15 projects for reducing wildfire risk on forestlands and rangelands. A hearing was held, and bill was advanced to the Ways and Means Committee, but no further action occurred.

[SB 1515: Wildfire Workforce Foundation](#)

SB 1515 directed the Higher Education Coordinating Commission to research creation of a wildfire workforce foundation and report to the Senate Wildfire Prevention and Recovery committee no later than December 1, 2020. The purpose of the foundation would have been to research the feasibility of workforce development programs. A hearing was held, and bill was advanced to the Ways and Means Committee, but no further action occurred.

[SB 1516: Oregon Department of Forestry Modernization](#)

SB 1516 would have established a periodic, programmatic review of ODF operations to develop modernization recommendations for legislative review by June 2021. A hearing was held, and bill was advanced to the Ways and Means Committee, but no further action occurred.

[SB 1536](#): Omnibus Package

SB 1536 would have required utilities to have risk-based wildfire protection plans approved by the Oregon Public Utility Commission (PUC). The bill required the creation of a wildfire risk map and minimum defensible space requirements. In the original draft, cities and local governments would have been responsible for carrying many of the land-use related requirements at the local level without resources. Hearings were held, and bill was advanced to the Ways and Means Committee, but no further action occurred.