

2017 Oregon Legislative Bills COLT is tracking (as of June 27, 2017)

Basic Information				Position			Status		
Bill Name	Bill Title	Sponsor	Summary	Impact to land trusts	COLT Position	Priority	Current Committee	Last 3 actions	Next Hearing
SB 181	Relating to exemption from taxation for property of certain charitable institutions	Pre-session filed.	Requires certain institutions seeking property tax exemption to file information return that states basis for exemption claim in terms derived from Oregon case law.	Establishes annual reporting requirements to maintain property tax exemptions.	Oppose		Revenue (H)	6/14/17 - third reading. Referred to Revenue Committee. 6/6/17 - 2nd reading in House	Work session in House Revenue 6/27/17, 1pm
HB 3249	Oregon Agricultural Heritage Program	Chief Sponsors: Clem (D - 21st/Salem), Witt (D - 31st/Clatskanie), Buehler (R - 54th/Bend). Additional 12 sponsors in the House and 5 in the Senate.	The Oregon Agricultural Heritage Program (OAHP) envisions providing voluntary incentives to farmers and ranchers to support practices that maintain or enhance both agriculture and fish, wildlife, or other natural resources on agricultural lands. OAHP was developed by a collaborative of organizations representing natural resource conservation and agriculture, including farmer and rancher representatives. (*Note: Initial budget estimates have been placed on the OAHP during House deliberation. The estimated budget is \$190,000 for the first biennium and \$90,000 for the second biennium).	Through a number of measures, including the establishment of the Oregon Agricultural Heritage Fund, the OAHP would increase incentives for landowners to enter into conservation easements.	Support. A legislative concept paper can be found at: http://www.oregon.gov/OWEB/oahp/pages/index.aspx	High	Ways and Means (Joint)	6/18/17 - assigned to Subcommittee on Natural Resources; 6/7/14 - Hearing held; 4/17/17 - Referred to Ways and Means.	6/28/17 Public hearing and work session, Joint WM Sub on NR committee; 6/22/17 - Lobby Day in Salem.

<p>HB 3321</p>	<p>Relating to nonprofit corporations that receive public funds</p>	<p>Rep. Evans (D-20th/Monmouth), Rep. Nosse (D-42nd/Portland)</p>	<p>Requires nonprofit corporations that meet certain requirements, including receipt of public funds, to comply with open meetings law and public records law, to post copy of corporation's proposed annual budget to corporation's public website and to submit to and cooperate with audit.</p>	<p>Process and administrative requirements could be expanded if a trust: "Performs a governmental function by means of a contract or another written delegation of a governmental function; or sets or implements a policy that controls or influences an expenditure, disbursement or distribution of public funds or that designates a recipient of public funds."</p>	<p>Oppose</p>		<p>Judiciary (H)</p>	<p>5/2/17 - informational hearing held. 3/9/17 - referred to Judiciary. 3/2/17 - First reading. Referred to Speaker's Desk.</p>	<p>No scheduled as of 6/21/17</p>
<p>SB 432</p>	<p>Relating to land use planning that does not comply with goals in rural counties with no population growth.</p>	<p>Sen. Ferrioli (R - 30th/John Day)</p>	<p>Allows rural county with no population growth, and certain local governments in county, to adopt comprehensive land use plan without complying with statewide land use planning goals.</p>	<p>Bill could open additional lands to become open for development in counties with low population growth.</p>			<p>Rules (S)</p>	<p>6/26/17 Referred to Ways and Means; 4/19/17 - Referred to Rules Committee. 4/19/17 - Passed by Environment and Nat. Res. without recommendation.</p>	<p>6/26/17 Public hearing and work session help; unanimous referral to Ways and Means</p>

SB 644	Relating to mineral resources	Sen. Girod (R - 9th/Stayton)	Exempts certain small mining operations from exclusion certificate requirement. Exempts surface mining operations or exploration activities on federal lands from state bonding requirements if in compliance with federal financial guarantee requirements. Modifies certain permitting fees related to mining operations. Prohibits motorized in-stream placer mining in indigenous anadromous salmonid habitat and waters essential to recovery and conservation of Pacific lamprey, with certain exceptions.	Specifies that county approval of a land use application for mining on exclusive farm use lands is not subject to statutory standards (ORS 215.296) or administrative land use rules in Baker, Grant, Harney, Lake, Malheur, Union and Wallowa counties			Rules (S)	6/26/17 Referred to Ways and Means; 4/26/17 - Referred to Rules by President; 4/26/17 - Passed by Environment and Nat. Res. without recommendation	6/26/17 Public hearing and work session help; unanimous referral to Ways and Means
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State Budget

HB 5040	Relating to the financial administration of the Oregon Watershed Enhancement Board; declaring an emergency.	Pre-session Filed	Directs Oregon Watershed Enhancement Board to allocate moneys from Watershed Conservation Operating Fund to various state agencies to implement Article XV, section 4b, of Oregon Constitution.	Outlines funding available to OWEB		High	Ways and Means Joint Committee	6/26/17 Passed House 52-4; 6/21/17 - passed Ways and Means with amendments (22-1)	6/27/17 First Senate reading planned
HB 5041	Relating to the financial administration of the Oregon Watershed Enhancement Board; declaring an emergency.	Pre-session Filed	Limits expenditures of lottery funds from Watershed Conservation Grant Fund for local grant expenditures by Oregon Watershed Enhancement Board for six-year period beginning July 1, 2017.	Outlines funding available to OWEB Watershed Grants Program		High	Ways and Means Joint Committee	6/26/17 Passed House 52-4; 6/21/17 - passed Way and Means with amendments (23-0); 6/14/17 - referred to full committee;	6/27/17 First Senate reading planned

Bills Passed in the 2017 Session

SB 327	Relating to recreational immunity from claims of persons entering land for certain purposes; declaring an emergency.	Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President.	Extends recreational immunity to employees and agents of owner of land when acting within scope of duties and those with private property interests in land	Bill addresses personal liability of land trust staff and volunteers working on land open to public access.	Support. More detailed analysis and legislative recommendations can be found in COLT's 11/8/16 position paper on recreational immunity.	High	N/A	6/22/17 Signed by Governor; 6/14/17 - passed full Senate (54 to 4, 2 not voting).	Signed.
HB 2327	Relating to administration of the Oregon Plan.	Pre-session filed. Introduced and printed pursuant to House Rule 12.00.	Removes guidance statement and framework of healthy streams partnership from description of Oregon Plan. Revises language regarding applicant revision and resubmission of proposal board has rejected for funding. Requires recipients of grants from Oregon Watershed Enhancement Board to maintain liability insurance for actions in connection with grant. Eliminates requirement that watershed enhancement program conducted by board include coordination of certain geographic information. Revises program duties of board. Eliminates requirement that board annual report to Governor and Legislative Assembly include status report on drainage basin watershed and key habitat conditions. Revises requirement that natural resources agencies provide board with information for report. Eliminates requirement that certain state agencies provide board with copies of agency reports pertaining to riparian areas and associated uplands.	There does not appear to be significant impact. OWEB issued testimony in support.			Signed into Law by Governor	4/4/17 - signed by Governor. 3/27/17 - signed by President and Speaker. 3/23/17 passed by Senate.	Signed.

Bills Now Dead in 2017 Session - Did not advance by 4/18/17 deadline

HB 2727	Relating to rebutting presumptions of water right forfeiture	Rep. Bentz (R-60th/Ontario)	Allows water right holder to rebut presumption of forfeiture by showing that nonuse occurred during period land was subject to conservation easement, conservation covenant or similar interest.	Bill appears to remove the "avoid forfeiture" incentive of entering into an instream lease or transfer during the term of a conservation easement.		Moderate	DIED in Energy and Environment (H)	DEAD - did not advance before 4/18 deadline	N/A - DEAD
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HB 2792	Relating to recreational immunity from claims of persons entering land for certain purposes; declaring an emergency.	Senate Committee on Judiciary	Extends recreational immunity to employees and agents of owner of land when acting within scope of duties and those with private property interests in land	Bill addresses personal liability of land trust staff and volunteers working on land open to public access.	Support. More detailed analysis and legislative recommendations can be found in COLT's 11/8/16 position paper on recreational immunity.	High	DIED in Judiciary (S)	DEAD - did not advance before 4/18 Deadline. <u>But progressing as SB 327 (Below)</u>	N/A - DEAD, <u>but</u> progressing as companion bill SB 327
SB 436	Relating to county education funding protection ordinances; prescribing an effective date.	Sen. Ferrioli (R - 30th/John Day)	Authorizes county to adopt education funding protection ordinance for up to 10 years if at least 50 percent by area of county is subject to certain exemption or special assessment programs under ad valorem property tax statutes or if county has population of 100,000 or less.		Oppose		DIED in Finance and Revenue (S)	DEAD - did not advance before 4/18 deadline	N/A - DEAD
SB 755	Relating to limitation of liability for activities related to certain land improvement projects	Sen Olsen (R - 20th/Canby); Sen Baertschiger Jr (R - 2nd/Grants Pass); Sen Johnson (D - 16th/Scappoose); Sen Kruse (R - 1st/Roseburg)	Modifies limitation of liability for activities related to certain land improvement projects.	Could increase liability for land trusts for projects on lands under conservation easement.	Oppose		DIED in Judiciary (S)	DEAD - did not advance before 4/18 deadline	N/A - DEAD