

This is a brief overview of the 2013 Legislative Session from lobbyist at Oregon Farm Bureau. A full report will be posted when available.

AGGREGATE

[HB 2202](#) - Ties mining permits in the Willamette Valley to current Goal V land use thickness standards to require deep mines and slow the expansion of mines onto farmland. PASSED

FORESTRY

[HB 2050](#) - Creates a true 50/50 funding for fire protection. This bill fixes the way landowners and the state pay for fire protection. The problem with the current payment structure is that the amount of fire protection costs does not exceed the threshold that triggers the states payment portion which leaves landowners paying the entire bill. OFB supported this bill through the legislative process. PASSED

[SB 709](#) - Addresses fire liability. This bill is trying to fix the liability of a landowner when a fire spreads from private land to public lands through no fault of the landowner (i.e. lighting strike). A situation like this happened in California where the United States Forest Service sued the landowner for nearly a billion dollars for fire protection costs. This is a huge concern to forest land owners and OFB supports this legislation. PASSED

GMO/SEED REGULATION

[SB 633](#) - This bill had significant implications to farming in Oregon. It is extremely unfortunate that the bill never received a hearing in the House. The bill placed the regulation of seed with the State of Oregon and did not allow counties and municipalities to create a patchwork of regulations. OFB values all types of farming practices and technologies and does not want to see one practice elevated at the expense of another, which could happen if counties are able to ban a particular farming technique. Also, Oregon's counties do not have a Department of Agriculture like the State of Oregon and counties do not have the financial ability or expertise needed to successfully regulate farming practices. DIED

On a positive note, sixteen anti-GMOs bills, which could of created new regulations for the growing of GMOs or banned the raising of specific crops all died.

GUNS

The five gun bills that gained significant traction in the Legislature are dead. [SB 347](#) that deals with guns on school grounds. [SB 699](#) that address guns in government buildings. [SB 700](#) that requires background checks when transferring guns between two individuals. [SB 796](#) which specifies requirements for a gun course to demonstrate competence with a handgun for a person applying for a concealed handgun license. [SB 713](#) that would permit a firearms training facilities in specified exclusive farm use zones. DIED

LABOR

[SB 678](#) - LLC liability fix (Cortez case). This bill addresses a liability issue that was created due to a recent Oregon Court of Appeals decision in the Cortez case. The result of that ruling opened liability up to the members of an LLC. This is a big issue to not only Farm Bureau members but to all LLC's. PASSED

[SB 573](#) - Lien on employer property. SB 573 would have placed a lien on an employer's real and personal property when a wage claim had been filed by an employee. OFB had many concerns, including a lack of due process, placing farmers property in jeopardy, and the fact that this would not fix the problem this bill aims to address. DIED IN COMMITTEE

[HB 2950](#) - Mandatory bereavement leave. This bill makes it mandatory that employers give two weeks unpaid leave to employees to attend a funeral, make arrangements, grieve, receive counseling when a family member has died. This, of course, can have serious implications on farming activities especially during harvest. OFB testified in opposition to this bill. PASSED

[HB 3436](#) - Creates Oregon Retirement Savings Investment Board. This bill would create a board to issue a report to the legislature on how to establish a savings account for private sector employees that would be ran by the State Treasurer. Even though this creates a board to report on how to implement a state run retirement account, OFB believes government competition into the private marketplace creates problems and it would also create an accounting nightmare for farmers who would be required to keep track of their seasonal employees retirement accounts. This bill was amended to study the issue and report back to a future Legislature. PASSED

[HB 3142](#) - Changes the definitions of employee & employer. This bill would essentially allow an additional private right of action (lawsuit) to employees "who performs services that are an integral part of the business." The bill would allow an employee to be sued for executing duties of the business, such as human resource functions, when an employee files a wage claim against the business entity. OFB had many concerns with this bill. DIED

[HB 3307](#) - Meal and rest period requirements. HB 3307 would have created a new private right of action for wage claims stemming from an employer who failed to provide required meal and rest periods. Currently, the Bureau of Labor and Industries (BOLI) requires such rest and meal periods, but this bill would have added another private right of action for failing to provide the rest periods. The bill also called for an additional 90 minutes of wages to be paid per day/per employee for each day an employer is in violation. OFB did not support this legislation. DIED

[SJM 7](#) - Senate Joint Memorial 7 urges Congress to require United States Department of Labor to adopt standard rules and procedures for application and enforcement of certain provision of Fair Labor Standards Act. This was in direct result of last summer's

"hot goods" issue that Oregon's blueberry farmers were faced with. OFB strongly supported this bill and was disappointed that it died in the House. DIED

OREGON STATE UNIVERSITY

A collation of natural resource groups and environment interests were able to secure the adequate funding for the OSU Statewides (Extension, Ag Experiment Station and Forest Research Lab). An additional \$1.2 million was added to the Christmas Tree Bill to establish a fermentation lab.

TAX

[HB 2980](#) - Farm Labor Housing Tax Credit. This concept was placed in the tax credit bill, [HB 3367](#). This bill extends the current tax credit program that allows on-farm and community housing projects to receive a tax credit. It also renames the tax credit to the Agricultural Workforce Housing. OFB supported this bill. The entire tax credit package in HB 3367 passed. PASSED

TRANSPORTATION

[SB 487](#) - Slow-Moving Vehicle Emblem. This bill would make it illegal for people to use the SMV sign on immobile items or structures that are not allowed under the law. This is a safety issue when people use it as a drive way marker. PASSED

[SB 833](#) - Driver's Card. This bill was introduced on April 2 and signed on May 1 which serves a great indication of both the work done prior to session and the interest to get this bill signed into law. The bill gives individuals the ability to legally drive when they otherwise can not prove they are legal residents of the United States. In order to receive a driver card, applicants must prove their identity and date of birth to DMV by providing verifiable documents such as an unexpired passport or consular card from the applicant's country of citizenship. Also, applicants will have to prove they have resided in Oregon for more than one year by providing documentation approved by DMV. Individuals applying for an Oregon driver card will have to pass the written and driving skills test administered by the DMV. The driver card will not allow a holder to obtain a Commercial Driver License (CDL), but they will be able to operate farm vehicles. Finally, a driver card holder will not be able to receive state or federal benefits and they will not be able to board a plane or purchase a firearm. This legislation passed and becomes effective on January 1, 2014. PASSED

WATER

[SB 839](#) - Water Development Fund. Much credit goes to Representative Bentz for taking a mediocre bill and making it a workable program. While it still can't be considered a pro-storage bill, it moves the discussion around water needs forward and creates a funding path for water projects. Some funding for the program was allocated for grants and loans in the lottery bond bill. PASSED

WILDLIFE

[HB 2390](#) - Hunting cougars with dogs. This bill removes the sunset that allows ODFW to license agents to hunt cougars with dogs. OFB supports this legislation and has worked hard to see its passage. PASSED

[HB 2027](#) - Land Owner Preference Tags.
This bill changes the LOP program in several ways.

- 1) Increased the number of transferable tags to 50% of the tags available,
 - 2) SW Pilot Project will be implemented statewide for elk. Meaning the 2 antlerless for 1 antlered tag exchange for property damage goes away and is replaced with additional antlerless tags to be given based on damage
 - 3) 2 for 1 exchange remains for deer
 - 4) Mule Deer LOP tags will be based on the management unit meaning if an unit is not reaching management unit objectives the landowners will go into a draw.
- PASSED