

**Enacted HR Related Legislation
2005 Session**

Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
HB2058	9/1/2005	Creates a Health Related Licensing Board. (Note:The Board has contracted with DAS to provide HR and Accounting/Payroll functions).			
HB 2101	Effective on passage	Creates State Interoperability Executive Council in Office of Emergency Management. Directs OEM to coordinate work of public safety agencies and State Interoperability Executive Council to develop Public Safety Wireless Infrastructure Replacement Plan. Creates Oregon Homeland Security Council. Abolishes Interagency Hazard Communication Council. Transfers functions of Interagency Hazard Communication Council to Office of State Fire Marshal.	Various		
HB 2133	5/25/2005	Grants an Oregon state employee who is a member of an organized militia of another state and is called into active service by that state the same employment related rights as a member of the organized militia of this state.	399.230	60.000.25	
HB 2103	1/1/2006	Renames Health Licensing Office to Oregon Health Licensing Agency. Defines authority and responsibility	Various		
HB 2117	1/1/2006	Abolishes Board of Investigators and transfers duties to Department of Public Safety Standards and Training			
HB 2142	7/1/2005	Specifies circumstances under which corrections officer or other official employed by Department of Corrections may and may not use deadly physical force.	ORS 161.265		

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HB 2155	1/1/2006	Expands authority of Governor to assign fire-fighting resources across jurisdictional boundaries when certain conditions exist.	476.520 and 476.590		
HB 2157	8/17/2005	Allows authorized state agencies to request state and nationwide fingerprint-based criminal records checks from Oregon State Police.	Various		State agencies must adopt rules to implement fingerprint based criminal record check authority.
HB 2173	1/1/2006	Relating to repeal of registration programs administered by the Department of Consumer and Business Services. For purposes of ORS 84.049, 84.052 and 84.055, the Oregon Department of Administrative Services shall make determinations and adopt standards for state agencies. The department shall adopt rules for the use of electronic signatures by state agencies. The rules shall include control processes and procedures to ensure adequate integrity, security and confidentiality to state agency business transactions conducted using electronic commerce and to ensure that those transactions can be audited as may be necessary for the normal conduct of business.	ORS 40.460, 40.510, 84.064, and 709.335 and section 1, chapter 175, Oregon Laws 2001; and repealing ORS 192.825, 192.835, 192.845, 192.850, 705.730 and 705.732		

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HB 2189	6/29/2005	Modifies break in service rules governing membership in Oregon Public Service Retirement Plan by person who leaves public employment for more than six months. Provides that person does not have break in service by reason of period of time during which person is absent from employment and receives disability retirement allowance. Provides that person does not have break in service by reason of period of time during which person leaves employment based on seasonal nature of employment. Provides that if person is vested in Public Employees Retirement System and was not providing service with participating employer in qualifying position on August 28, 2003, person has break in service only if person does not return to service with person's last pre-August 28, 2003, participating employer before January 1, 2006.	Chapter 238		
HB 2192	1/1/2006	Increases number of months from 12 to 24 in which employees who are on active military duty will continue to receive employer-paid health insurance coverage. Excludes state employees who leave a position with the state to enter or reenter the Active Guard Reserve Program under 32 U.S.C. 592(f).		60.000.25	Payroll offices need to be made aware of the change in benefit eligibility.

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HB 2204	1/1/2006	Allows a notice of intended rulemaking actions to be given by email in addition to regular mail.	183.335	105-001-0000	Review agency rule on "Notice of Proposed Rulemaking" for compliance with statute.
HB 2205	1/1/2006	Allows state agencies to share mediation resources with the federal government in addition to current sharing between state agencies, except in mediation concerning collective bargaining.	183.502		
HB 2206	1/1/2006	Changes method of showing changes in notice of proposed rule amendments and amended rules submitted to Legislative Counsel; instead of bracketing deleted material and boldfacing new material, will now strike through deleted material and underline new material.	183.335 183.715		
HB 2207	1/1/2006	Changes the date on which rule adoption procedures must be in substantial compliance with statute in order for an administrative rule to be valid - from the date the rule is adopted to the date the notice of intent to adopt the rule is delivered to SOS for purposes of publication.	183.335		
HB 2251	1/1/2006	Repeals obsolete definition of severely disable person	240.391	50.020.01 and 105-040- 0020/0060	
HB 2261	1/1/2006	Makes nonsubstantive and technical changes in Oregon law. Corrects grammar and punctuation. Alphabetizes definitions in ORS 240.015. No change in meaning.	240.015	40.065.01	

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Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
HB 2596	1/1/2006	Authorizes Director of DCBS, after consultation with Electrical and Elevator Board and State Board of Examiners for Engineering and Land Surveying, to adopt rules designating classes of board licensees that may perform certain functions relating to noncomplex electrical installations without additional license, permit, certificate or registration.	479.86		
HB 2662	6/20/2005	Extends protection from unemployment benefits disqualification to the parent/guardian of victims as well as the victims themselves; broadens scope of victims protected to include sexual assault and stalking in addition to domestic violence. While individual must still pursue reasonable alternatives before leaving work or failing to apply for or accept suitable work, specific reasonable alternatives are no longer outlined in statute.	657.176		
HB 2687	1/1/2006	Changes from 180 to 178 consecutive days of service necessary to be defined as a "veteran". Adds language to include in the definition of veteran at least one day of service in a combat zone and for receiving a service related combat or campaign ribbon.	408.225		Recruitment offices need to be made aware of the change.

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HB 2723	1/1/2006	Requires employer to grant leaves of absence to public safety officer who is on Board on Public Safety Standards and Training or on committee established by board to allow officer to attend meetings and perform duties of board or committee.	181.610 to 181.712.		
HB 2724	1/1/2006	Tightens restrictions for release of home addresses and home telephone numbers of public safety officers. Exempts e-mail addresses of public safety officers from disclosure under public records law. "Public safety officer" is defined to include corrections officers, youth correction officers, emergency medical dispatchers, parole and probation officers, police officers, certified reserve officers, telecommunicators and fire service professionals.	181.854 and 192.502	105-010-0011	May require a court order form from the public safety officer to be kept on file in HRSD similar to judges current process.
HB 2738	1/1/2006	Designates Administrators, and executive assistants for deputy directors and administrators at Department of Transportation in the unclassified service for purposes of State Personnel Relations Law.	184.615 & 184.620		

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Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
HB 2800	1/1/2006	Changes mandatory overtime rules for nurses. Decreases number of hours nurse may be required to work. Clarifies on-call time and staffing requirements for nurses. Requires hospitals to create staffing committees. Limits circumstances under which employer may impose changes in terms of employment of unionized nursing staff. Requires duties of circulating nurse performed in certain surgical centers and hospitals to be performed by licensed registered nurse. Requires presence of circulating nurse in operating room under certain circumstances. Allows Department of Human Services to grant variance to requirement.	441.162, 441.166 and 678.010 to 678.445.		
HB 3230	7/27/2005	Transfers duties, functions and powers of Oregon Disabilities Commission to Department of Human Services.	Chapter 185		

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Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
HB 3238	1/1/2006	Modifies administrative rule promulgation procedures: a) Adds minimum content to required "cost of compliance effect" on small business as part of required fiscal impact statements b) Requires agency to review newly adopted rules within 5 years of adoption c) Establishes procedure for review of fiscal impact by advisory committee including advice on "significant adverse impact on small business" d) Notices of rulemaking must now include a 15 word caption identifying the agency's intended action and "an objective, simple and understandable statement summarizing the subject matter and purpose" e) Creates new opportunity to clarify agency intent when any 5 persons make such a request.	183.333 183.335 183.540		
HB 3262	91 days following Sine Die on August 4	Modifies definition of Final Average Salary for the State of Oregon, school districts, and the Oregon University System as salary "paid" to the member. Clarifies that school employees participating in the OPSRP pension program may use years of "active" service to meet eligibility criteria. Clarifies the relationship between PERS and OPSRP plans for purposes of tax qualifications under the Internal Revenue Code.	Various		None. These changes affect calculation of service time and benefits and are handled by PERS.

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Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
HB 3319	1/1/2006	Modifies final wage payment provisions when an employee quits with less than 48 hours notice given and the employee is regularly required to submit time records. Employer is not liable for penalty as long as they pay estimated wages due within 5 days of quit and all remaining actual wages due within 5 days after employee submits time records.	652.140 652.150		
HB 3379	7/29/2005	Expands crime of interfering with peace officer to include parole and probation officers. Expands crime of resisting arrest. Expands arrest authority of parole and probation officers. Creates Task Force on Parole and Probation Officer Arrest Authority.	Amends ORS 133.140, 133.220, 162.247and 162.315		
HB 3502	9/16/2005	Abolishes Oregon State Fair and Exposition Center, Oregon State Fair Commission and Director of Oregon State Fair and Exposition Center. Transfers duties to State Parks and Recreation Department.	Various		
SB 54	1/1/2006	Deals with employees of OUS or OHSU only - Modifies the commencement date for increase in monthly benefits payable to a PERS retiree who has selected an optional retirement plan.	ORS 238.305, 238.325		

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Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
SB 65	1/1/2006	Authorizes DPSST to impose civil penalty on public safety agency for violation of statutes prohibiting employment of uncertified employees. Directs department and Board on Public Safety Standards and Training to establish schedule of civil penalties. Creates presumption that public safety agency that terminates or reassigns employee who fails to meet certification standards is acting in good faith.	181.610 to 181.712.		
SB 108	1/1/2006	Provides consistent definitions of 'inactive member' and 'qualifying position' for purposes of Public Employees retirement System. Modifies provisions governing individual account program in Oregon Public Service Retirement Plan. Allows withdrawal of vested amounts in individual account program in lump sum or installments when member retires for service under ORS chapter 238. Allows Public Employees Retirement Board to require lump sum payment or different installment payment schedules for smaller accounts.	Chapter 238		

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Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
SB 109	6/28/2005	Allows Public Employees Retirement Board to establish by a rule the rate of interest payable to the member when they have applied for retirement benefits and not all of the account transaction history is complete or accurate and an estimated payment must be sent, and once the correct payment is calculated, and additional monies are owed to the member interest will be paid to the member on these monies at the established rate.	238.455		
SB119	1/1/2006	Related to the Reemployment Assistance Program for the benefit of employers and their injured workers. Provides reimbursement of employer costs who participate in program funded through the program.	Amends ORS 656.262 AND 656.622		Provides a benefit to agencies who reemploy injured workers
SB 218	1/1/2006	Gives public servants, or their employer, the ability to seek an injunction against a person engaging in certain criminal conduct (i.e. assault, menacing, telephonic harassment) directed at the public servant and related to the public servant's employment.	2005 Law Chapter 158		
SB 237	6/9/2005	Creates previously lacking statute of limitations on filing a civil action in circuit court for alleged discrimination based on exercise of rights under workplace safety statutes; civil action must be commenced within 1 year after individual has reasonable cause to believe violation has occurred, unless complaint has been timely filed with BOLI.	654.062		

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Bill #	Effective Date	Brief Description of How Bill Impacts HR	ORS	Policy/OAR	Comments
SB 238	1/1/2006	Permits injunctive and compensatory remedies for violation of employment rights of firefighters and members of Legislative Assembly. Permits injunctive relief for violation of employment rights of tobacco users.	Oregon Laws 2003; and prescribing an effective date		
SB 303	8/17/2005	Creates Office of Private Health Partnerships and transfers duties of Insurance Pool Governing Board. Abolishes Insurance Pool Governing Board.	Various		
SB 323	1/1/2006	To create consistency, redefines "independent contractor" in laws relating to income tax, unemployment insurance, architects, landscape & construction contractors, and to a limited extent workers compensation. Clarifies criteria for determining who is "customarily engaged in an independently established business". Requires responsible agencies to coordinate in their compliance activities.	310.800, 316.162, 657.040, 670.600 & .605; repeals 314.013		Possible subsequent PERS rule revision: OAR 459-010-0032 Determination of Independent Contractor Status
SB 359		Establishes Oregon Advocacy Commission to provide administrative support to Commission on Hispanic Affairs, Commission on Black Affairs, Commission for Women, and Commission on Asian Affairs.	Chapter 185		New Agency 13100
SB 576	1/1/2006	Relates to family leave health care providers. Expands the types of disciplines that qualify as a health care providers; and defines "serious health condition."	Amends 659A.150		

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SB 618	1/1/2006	An employer may provide unpaid rest periods to allow an employee to express milk and may provide a room or location for use by the employee.	2005 Law Chapter 466		
SB 638	1/1/2006	Modifies provision relating to authority to restore state employees terminated or removed from exempt, unclassified or management service to position held before appointment to exempt, unclassified or management service.	240.57	50.030.01 and 50.030.05	
SB 995	1/1/2006	Excludes the office of Secretary of State and the office of State Treasurer from ORS 240 except ORS 240.165, 240.167, 240.240(3) and 240.321.	177.050, 178.060 and 240.546		
SB 1006	1/1/2006	Requires public contracting agencies to document determination of lowest responsible bidder on form and submit form to CCB.	Amends ORS 279C.375		