DaltonAdvocacy INC

Oregon Wheat Growers League Special Session Legislative Report – December 21, 2020

The Oregon Legislature convened at 8:00 AM for a 3rd Special Session today. They adjourned shortly after 6:00PM. Five substantive bills were considered, ranging from cocktail delivery for restaurants and a landlord/tenant package to liability protection for schools and additional money for the Emergency Board. Legislators convened in person in Salem while the building was closed to members of the public and lobby.

The morning kicked off to an intense start with a Republican Senator refusing to wear his mask on the floor and challenging the legal authority of the Session. In addition, protesters had gathered outside the Capitol building protesting the Governor's recent shutdown and mask mandates. The State Police were called in, the fire alarm was set off, troopers worked to keep protesters from gaining access to the building…and according to the Statesman Journal tear gas was used.

Oregon lawmakers kick off third special session of 2020 as right-wing group protests outside

Policy Bills considered:

SB 1801A – Cocktail & Wine Delivery

This bill allows restaurants to sell for takeout or delivery mixed cocktail drinks and single servings of wine. Drinks are limited to 2-drinks per 'substantive food' order. The bill also limits the commission fees 3rd party delivery companies can charge to 15%. The -1 amendment added 'wine cocktails' like mimosas to the allowed beverages to be delivered. The Speaker confirmed on the record that jurisdictions with a commission cap below 15% are grandfathered in as of December 18, 2020 and that cities are now allowed to go lower.

STATUS: Awaiting Signature by the Governor

Senate: 21 YES – 3 NO – 6 Excused

House: 50 YES – 4 NO – 6 Excused

SB 1803 – Health Care Provider Liability Protection

After months of negotiation with healthcare providers and trial lawyers, SB 1803 provides limited liability protection for certain health care providers and hospitals who scaled back care during COVID-19 as well as during treatment of COVID-19 patients. The bill also includes employee and whistle-blower protections. The bill does not limit employee lawsuits. The protections are limited to the COVID-19 emergency.
STATUS: DIED IN COMMITTEE

HB 4401 – Eviction Moratorium Extension & Landlord Compensation Fund

This bill extends the current ban on no-cause residential evictions to June 30, 2021. It also allocates $200M for landlord/tenant relief and allows landlords to seek up to 80% of rent owed after April 1, 2020. Landlords must agree to forgive the remaining 20% of unpaid rent if they receive a distribution from the fund for rent owed.
STATUS: Awaiting Signature by the Governor
Senate: 18 YES – 6 NO – 6 Excused
House: 40 YES – 14 NO – 6 Excused

HB 4402 – School Liability Protections

HB 4402 provides limited liability protection for K-12 schools, public charter schools, and community colleges. The bill, which was similarly negotiated with trial lawyers and school board representatives, also includes employee and whistle-blower protections. The bill does not limit employee lawsuits. The protections are limited to the COVID-19 emergency.
STATUS: Awaiting Signature by the Governor
Senate: 20 YES – 4 NO – 6 Excused
House: 46 YES – 8 NO – 6 Excused

SB 5731 – Emergency Fund $$ Allocation

This is the budget bill. It transfers $600 million from the expected ending fund balance to the Emergency Fund for the following purposes:
$400 million for COVID-response measures
$100 million for wildfire-response measures
$100 million for other interim emergency needs
STATUS: Awaiting Signature by the Governor
Senate: 24 YES – 0 NO – 6 Excused
House: 52 YES – 2 NO – 6 Excused

We have been told by the Governor's team she plans to sign these bills ASAP – possibly as soon as tomorrow.