

Alliance Legislative Update: May 30, 2019

Advocating for:

1. [SB 459](#): Oregon Opportunity Grant (OOG) Tax Auction
 - Makes auction more attractive under current IRS rules
 - Lowers required reserve
 - Extends period of time for purchase
 - **Status:** Passed House Revenue – on way to the House floor
2. [SB 212](#): Tax Subtraction
 - Returns to families in Oregon a tuition and fees tax benefit that has not been renewed in federal tax reforms
 - **Status:** Passed Senate – in House Revenue. Oregon Tribes have halted the bill in the House Revenue Committee, as it takes away the tax deduction for gambling debt. Leadership may add the education subtraction The Alliance has advocated for to the final tax omnibus bill
3. [SB 790/ HB 3133](#): Individual Development Account (IDA)
 - Increases the amount of the tax credit up to 100 percent of a taxpayer's donation to fiduciary organizations for distribution to IDAs
 - Raises the total amount available for tax credits to \$15 million
 - **Status:** SB 790 passed Senate Human Services – in Joint Tax Expenditures Committee. HB 3133 in House Revenue.
4. [HB 2207](#): Campus Resilience
 - Appropriates \$1,526,167 from General Fund to the Higher Education Coordinating Commission (HECC) for biennium beginning July 1, 2019 for distribution to Oregon Campus Resiliency Consortium to implement emergency response, continuity, and recovery initiatives at post-secondary educational institutions in Oregon.
 - Alliance garnered initial committee audience, committee bill, and allocation.
 - **Status:** Passed House Veterans and Emergency Preparedness Committee – in Ways & Means
5. [HB 2817](#): National Guard
 - Expands higher education tuition grants offered to qualified members of Oregon National Guard to be used for undergraduate degree program at Oregon Health and Science University and qualifying private post-secondary institutions.
 - OHSU and private institutions were left out of a 2018 bill that moved quickly. Alliance pushed the principle of being included – money goes to students who should not be limited on where they can receive the tuition grants.
 - **Status:** Passed House Veterans and Emergency Preparedness Committee – in Ways & Means

Pushing for changes:

1. [SB 279](#): Student Loan Servicer
 - Requires licensure of certain persons who service student loans
 - Alliance achieved amendment to garner higher education institution exemption
 - **Status:** Passed Senate Judiciary – in Ways & Means
2. [SB 576](#): Kaylee's Law
 - Imposes certain requirements related to security providers at institutions of higher education
 - Bill sets forth activity, uniform and vehicle restrictions and requirements
 - Alliance achieved amendments allowing more flexibility
 - **Status:** Signed by Governor Brown
3. [HB 3415](#): Title IX
 - With revised federal rules due to be released this fall, the state has a desire to retain the processes outlined in the previous federal rules

- Alliance participated in the work group
- The Department of Justice has promised a closer look at the effect the bill would have on Alliance institutions.
- **Status:** Alliance amendments achieved – on the way to the Senate floor

Educating on why not:

1. [SB 3](#): Community College Applied Baccalaureate (AB) Degrees
 - Permits a community college to offer an AB degree program upon approval from the HECC. Requires a community college to submit program information and documentation to the HECC to qualify for approval, including documentation of local unmet workforce needs that would be addressed by offering the program.
 - In previous legislative sessions, state agencies have been directed to study the issue of community college ABs and the need in Oregon, including passage of legislation in 2009 leading to ORS 348.910, which requires the HECC to develop a plan for offering AB degree programs at community colleges and public universities. The evidence of need and a plan for implementation are not complete.
 - **Status:** Passed House and Senate. Alliance will work on sideboards in Rulemaking per Committee Chair, who will amend in 2020 if rule is not satisfactory

Participating in:

1. [HB 2263](#): Accelerated College Credit Programs
 - Directs the Department of Education, in collaboration with the HECC, to administer an Accelerated College Credit Planning Partnership Grant Program to encourage partnerships between school districts and post-secondary institutions of education to offer accelerated college credit programs.
 - **Status:** Passed House and Senate – on way to Governor
2. [HB 2389](#): College Savings Programs
 - Creates an Oregon Bright Futures Plan Task Force. Requires the task force to develop recommendations for increasing the number of children for whom post-secondary education savings are made.
 - **Status:** Passed House Education – in Ways & Means
3. [HB 2519](#): Hazing
 - Requires each institution of higher education to adopt a written policy on hazing and provide annual on-campus policy training for students that provides information about the harmful effects of hazing and the laws and institutional policies that prohibit hazing
 - **Status:** Passed House & Senate – on way to Governor
4. [HB 2942](#): Educational Opportunities
 - Requires the HECC to adopt a statewide higher education equity plan and appoint a Diversity, Equity and Inclusion Officer
 - **Status:** Passed House Education – in Ways & Means
5. [SB 485](#): Suicide Reporting
 - Directs Oregon Health Authority to collaborate with certain schools and facilities when developing plan for communication following suspected suicide. Directs schools attended by individual at time of individual's death to report to authority regarding activities implemented following suicide.
 - **Status:** Signed by Governor

General issues of concern:

1. Paid Family Medical Leave
 - [HB 2005](#): In House Rules
 - Factors in consideration:
 - State run
 - Employers of all sizes

- Reasons: parental leave, caring for family member
- 12 weeks of family and medical leave per year with additional 14 weeks for parental leave and additional 6 weeks for leave related to pregnancy or childbirth.
- Job protection upon return
- Start in 2023
- Split 50/50 between employer and employee
- 0.5% of wages paid into fund by each

2. Pay Equity

- [SB 123](#): In House Rules
- Changes that are in upcoming amendments:
 - Clarification that predictive pay is not compensation
 - Exemption for housing from “benefit”
 - Clarification on the record that, under the definition of compensation, *the total compensation package* is required to be equal, not each individual element of that package
 - Simplified definition for system
 - Allow for travel or commuting stipends
 - Prevailing Wage allowance
 - Allowance for pay differential for light duty work plans
 - Pay freezing and red lines: Agreement to add liability protection for employers that establish pay freezes to achieve pay equity. In exchange, include language that prohibits a pay freeze as result of a new hire (you are responsible for creating pay equity) and make it part of pay analysis.
 - Specialties as bona fide factor: No language, but commitment for on-record statement that “education” and “experience” already cover this.
 - Remove “protected classes” reference in Equal Pay Analysis
 - Liability protection for pay raises
 - Definition for gender identity: “Gender identity or expression means a gender-related identity, appearance, expression, or behavior of an individual, regardless of whether the identity, appearance, expression or behavior differs from that associated with the individual’s gender assigned at birth.”
- Under negotiations:
 - Competing offers won’t be a new bona fide pay reason – looking for other solutions.
 - Eliminating wage differentials for plaintiff
- Higher education is trying to get statements of intent on the record that a “system of retention offers” is supposed to fall under a “system of merit” as a bona fide factor in law. It’s not clear whether we will be able to make that happen. Right now, legislative counsel won’t commit to stating that and is saying it’s a question for the courts.

Higher education financing:

1. Community college and public universities pushing for higher support funds
 - Ask is for \$1 billion for universities (2017-19: \$737 million)
 - Ask is for \$787 million for community colleges (2017-19: \$570 million)
2. Oregon Opportunity Grant – asking for \$252 million (2017-19: \$146 million)
3. Joint Student Success Committee determining best corporate tax structure to use to raise \$2 billion, which they have now said will not go to any higher education institutions

Issues thus far avoided:

(though bills in Finance & Revenue Committees could be used for each)

1. Non-profit property tax exemption
2. Religious exemptions
3. Discrimination