

Oregon Citizen Lobby Bill Reading & Analysis Training



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How to Read a Bill

Introduced

76th OREGON LEGISLATIVE ASSEMBLY--2011 Regular Session

Senate Bill 960

Sponsored by Senator THOMSEN

76th OREGON LEGISLATIVE ASSEMBLY--2011 Regular Session

Opposite
Chamber

A-Engrossed

Senate Bill 960

Ordered by the Senate May 31
Including Senate Amendments dated May 31

76th OREGON LEGISLATIVE ASSEMBLY--2011 Regular Session

Signed into
Law

Enrolled

Senate Bill 960

Always
read the
bill in
PDF
format

http://www.leg.state.or.us/bills_laws/

Bill Sponsors



76th OREGON LEGISLATIVE ASSEMBLY--2011 Regular Session

A-Engrossed Senate Bill 960

Ordered by the Senate May 31
Including Senate Amendments dated May 31

Sponsored by Senator THOMSEN (at the request of Association of Oregon Counties, Oregon Farm Bureau)

Bill Summary

76th OREGON LEGISLATIVE ASSEMBLY--2011 Regular Session

Senate Bill 960

Sponsored by Senator THOMSEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as **introduced**.

Authorizes conditional approval of temporary promotional events subordinate to agricultural activities on lands zoned for exclusive farm use. Requires periodic review of approved special use permits.

Declares emergency, effective on passage.

CAUTION: Do not rely on the summary for a complete explanation of a bill. The summary is typically short and often misses key elements of the bill. In addition the summary is frequently subjective as it is written by legislative counsel.

Pay close attention to whether the bill contains an emergency clause. Bills with an emergency clause become effective immediately upon signature of the Governor and are not subject to the referendum. ART 4, SEC 1(3)(a) Oregon Constitution

Relating Clause

Enrolled

Senate Bill 960

Sponsored by Senator THOMSEN (at the request of Association of Oregon Counties, Oregon Farm Bureau)

CHAPTER

AN ACT

Relating to uses on lands zoned for exclusive farm use; creating new provisions; amending ORS 197.015, 215.213, 215.246, 215.283 and 215.296; and declaring an emergency.

Pay close attention to the relating clause of a bill. The bill cannot contain provisions or amendments that fall outside of the relating clause.

ART IV, SEC 20 Oregon Constitution <http://www.leg.state.or.us/ors/home.htm>

When reading a bill it is important to understand both the text and context of the bill which includes the location of the bill in the Oregon Revised Statute (ORS)

<http://www.leg.state.or.us/ors/home.htm>

Bill Sections

Enrolled Senate Bill 960

Sponsored by Senator THOMSEN (at the request of Association of Oregon Counties, Oregon Farm Bureau)

CHAPTER

AN ACT

Relating to uses on lands zoned for exclusive farm use; creating new provisions; amending ORS 197.015, 215.213, 215.246, 215.283 and 215.296; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 215.213 is amended to read:

215.213. (1) In counties that have adopted marginal lands provisions under ORS 197.247 (1991 Edition), the following uses may be established in any area zoned for exclusive farm use:

Nearly every bill will be divided into sections. When a bill amends more than one existing ORS provision each statute will be addressed in a separate section. If a new statute is being proposed it will have its own section as well.

What is being Amended



10) [*Nothing in*] This section [*shall*] **does not** prevent a local governing body approving a use allowed under ORS 215.213 (2) **or (11) or 215.283 (2) or (4) from establishing standards in addition** to those set forth in subsection (1) of this section or from imposing conditions to [*insure*] **ensure** conformance with [*such*] **the additional standards.**

SECTION 10. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced type.**

CAUTION: It is a common mistake for witnesses to object to language in a bill that is not proposed to be changed. If the language is not in bold or italics it is not proposed to be changed in the bill, unless an amendment to the bill is proposed.

Bill Numbering and Lettering

Pg. 13, lines 34-45 of Eng SB 960



(4) The following agri-tourism and other commercial events or activities that are related to and supportive of agriculture may be established in any area zoned for exclusive farm use:

(a) A county may authorize a single agri-tourism or other commercial event or activity on a tract in a calendar year by an authorization that is personal to the applicant and is not transferred by, or transferable with, a conveyance of the tract, if the agri-tourism or other commercial event or activity meets any local standards that apply and:

(A) The agri-tourism or other commercial event or activity is incidental and subordinate to existing farm use on the tract;

(B) The duration of the agri-tourism or other commercial event or activity does not exceed 72 consecutive hours;

(C) The maximum attendance at the agri-tourism or other commercial event or activity does not exceed 500 people;

Bill Numbering and Lettering Cont.

Pg. 8, lines 23-35 of Eng SB 960

(D) The maximum number of motor vehicles parked at the site of the agri-tourism or other commercial event or activity does not exceed 250 vehicles;

(E) The agri-tourism or other commercial event or activity complies with ORS 215.296;

(F) The agri-tourism or other commercial event or activity occurs outdoors, in temporary structures, or in existing permitted structures, subject to health and fire and life safety requirements;

**and
(G) The agri-tourism or other commercial event or activity complies with conditions established for:**

(i) Planned hours of operation;

(ii) Access, egress and parking;

(iii) A traffic management plan that identifies the projected number of vehicles and any anticipated use of public roads; and

(iv) Sanitation and solid waste.

Pay close attention to “and” versus “or” and “may” versus “shall”.

Words Make All the Difference



Little words make a huge difference in legal language.

(4) The following agri-tourism and other commercial events or activities that are related to and supportive of agriculture **may be established in any area zoned for exclusive farm use:**

The word “**may**” is often permissive.

The word “**shall**” is often mandatory.

The word “**or**” is disjunctive.

The word “**and**” is conjunctive.

The words “**notwithstanding**” usurps preceding laws.

Glossary of Terms

Legislative Glossary

The glossary is designed to familiarize you with many of the terms and definitions used within the Legislative Assembly.

Search Alphabetically

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A-Engrossed: An engrossed (meaning "to make a final fair copy of") bill is a bill that is printed with its amendments. If a bill is so engrossed, it will be printed as "SB____, A-eng.," meaning "Senate Bill _____, including its amendments." A bill may be amended more than once; in that case, the bill will be printed "B-eng.," and so on.

Administrative Rule: Any agency directive, standard, regulation or statement of general applicability that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of any agency. (ORS 183.310{8})

Agenda: The official work plan for a committee meeting.


A & R Tables: Officially known as the "Table of Sections Amended, Repealed, or Added To" printed in the Weekly Cumulative Index to Legislative Measures and in the final calendar. These printed tables show all Oregon Revised Statutes (ORS), Oregon Rules of Civil Procedure (ORCP), session law, and Constitution provisions amended, repealed, or "added to" by introduced measures. These tables are useful when researching changes made to particular pieces of legislation over the years.

Measure Search

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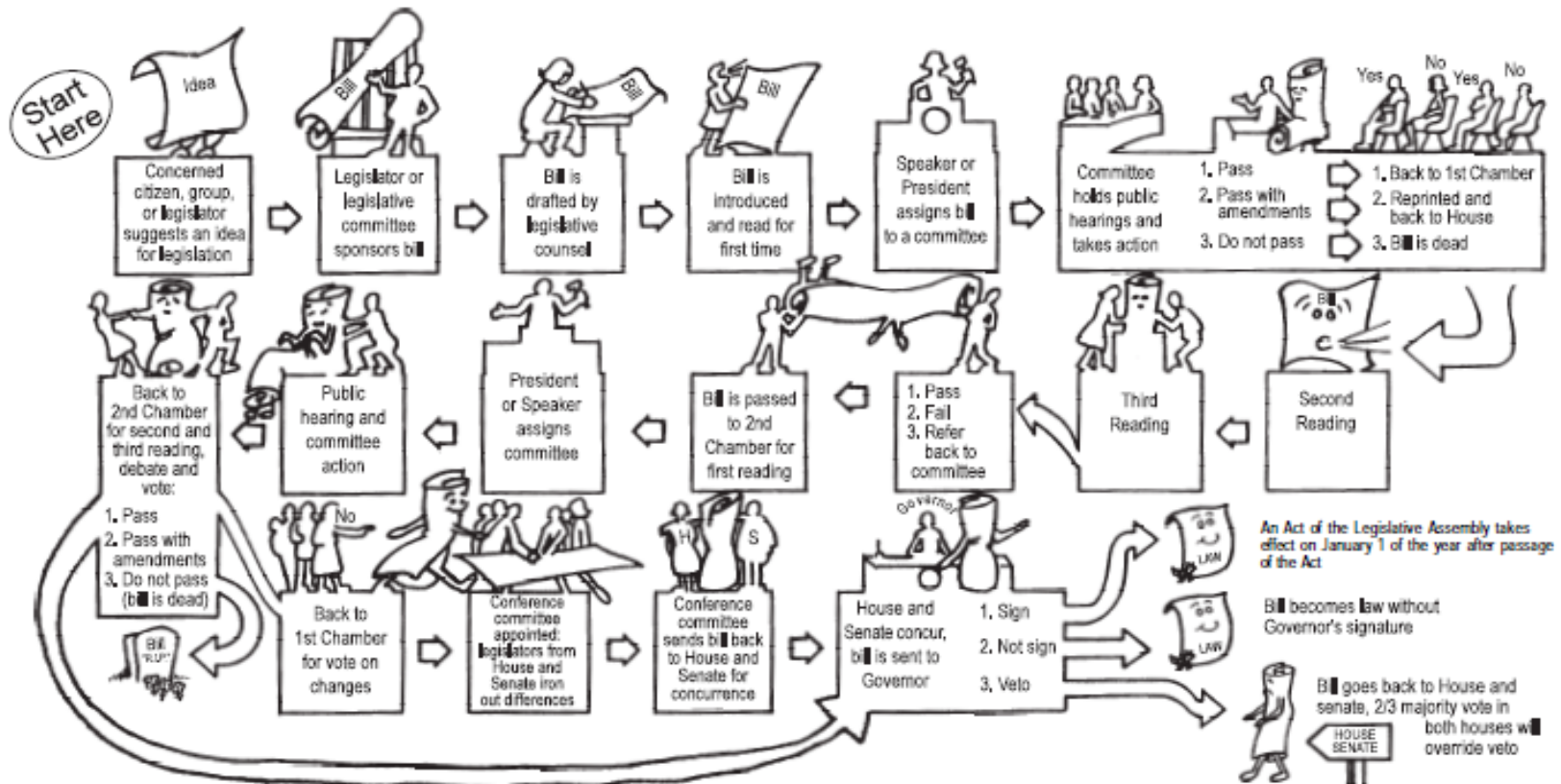
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How An Idea Becomes Law

A Simple View of the Oregon Legislative Process



THE OREGON LEGISLATIVE ASSEMBLY

The Oregon Legislative Assembly is state government's "board of directors." It is responsible for making laws dealing with Oregon's well-being, adopting the state's budget, and for setting public policy. The Legislative Assembly is made up of two bodies: the Senate and the House of Representatives. The Senate consists of 30 members elected for four-year terms. The House consists of 60 representatives elected for two-year terms. Each member of the legislature represents a district (an area determined by population). Every Oregonian is represented by one state senator and one state representative. Over 3,000 bills are considered each session. Relying largely upon work done in committees, the legislature enacts about one-third of the bills into Law. The Legislature convenes on the second Monday in January of every odd numbered year for approximately six months.

Legislative Process



- By request of a legislator, Legislative Counsel begins to research and create a LC draft.
- Sponsoring Legislator may then submit the LC draft for printing and introduction as a bill.
- Once a bill is numbered and printed it is given a first reading in the Chamber of Origin. It is then referred to the Speaker or President for referral to a committee.

Legislative Process cont.



- In Committee, Chairman has complete control over whether or not a bill is heard in committee.
- A bill may be amended in committee, but only if amendments are prepared in advance by Legislative Counsel. This requires a legislator's approval.
- The bill can be referred to the Floor or to another committee.
- The Chair can close a work session on a bill before a motion can be voted upon, thereby killing the bill.
- Once the bill is on the floor it cannot be amended unless it is sent back to a committee for amendment.

Legislative Process cont.



- Once a bill leaves a committee and proceeds to the floor it is scheduled for a floor vote.
- If the bill passes it then goes to the opposite Chamber and the process starts all over again.
- If the bill is amended in the second Chamber and adopted, it must return to the floor of the Chamber of Origin for re-approval.
- Once a bill is approved by both chambers it is presented to the Governor. The Governor may sign the bill or veto the bill.

Legislative Process cont.



- The committee in the Chamber of Origin is where the most of the critical work is done.
- Committee staff is key to receiving proposed amendments on bills that are being tracked and are a good source of information on what is likely to happen to a bill or amendment. Rarely are amendments available on the internet before they are voted on.

Legislative Process cont.



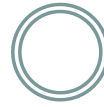
- Gut and Stuff: Sometimes, amendments are prepared for a bill that completely (or nearly) delete the existing bill and replace it with subject matter that has no relationship to the original subject matter of the bill. This is known as a “gut and stuff.” The original provisions of the bill are deleted by amendment (i.e. “gutted”) and replaced (i.e. “stuffed”) with new provisions. As long as the new provisions fall within the relating clause of the bill, they are proper and will be allowed.

Research Tools



- Information is available in many forms:
 - Hard copy references:
 - ✦ Local issues: contact Clerks (city or county) office and ask for access to archives.
 - ✦ State issues: State Archives or State Library, Secretary of State Office, contact specific agencies.
 - Internet is a wealth of information:
 - ✦ Local & State: most information in at least the past five years is posted on local government websites.
 - ✦ www.oregon.gov
 - ✦ [www.oregon.gov/a to z listing.shtml](http://www.oregon.gov/a_to_z_listing.shtml)
 - ✦ www.leg.state.or.us
 - ✦ www.qualityinfo.org/olmisj/CES (employment stats)
 - ✦ [www.nass.usda.gov/Statistics by State/Oregon/index.asp](http://www.nass.usda.gov/Statistics_by_State/Oregon/index.asp) (County stats & ag)
 - ✦ www.cascadepolicy.org

General Internet Research Tools



- Google

- <http://news.google.com/archivesearch>
- <http://scholar.google.com>
- <http://www.google.com/ig/usgov>

- Directories

- <http://directory.google.com/Top/Society/Government>
- http://directory.google.com/Top/Science/Social_Sciences/Economics

- General References

- <http://www.answers.com/>
- http://en.wikipedia.org/wiki/Main_Page

- Information Services

- <http://www.nexis.com>
- <http://lexis.com>

- Online Libraries

- <http://www.barleby.com>
- <http://oll.libertyfund.org/>
- <http://www.econlib.org/>
- <http://gigapedia.com/>

- Legislative & Legal

- <http://thomas.loc.gov>
- <http://www.oyez.org>
- <http://www.law.cornell.edu/>
- <http://www.findlaw.com/>

- Stats, Econ and Political data

- <http://www.fedstats.gov>
- <http://www.gallup.com/home.aspx>
- <http://www.nationmaster.com/index.php>
- <http://www.statemaster.com/index.php>

- Think Tanks

- <http://aei.org>
- <http://www.cato.org>
- <http://www.heritage.org>
- <http://cei.org>
- <http://taxfoundation.org>