

House Bill 3595

House Amendments ([html](#))
A-Engrossed ([html](#))
Senate Amendments to A-Engrossed ([html](#))
B-Engrossed ([html](#))
Enrolled ([html](#))
Introduced ([html](#))

**HB 3595 By Representative MINNIS (at the request of Richard Weill)
-- Relating to taxation.**

- 03/30 (H) First reading. Referred to Speaker's desk.
- 04/06 (H) Referred to Revenue.
- 04/22 (H) Public Hearing held.
- 05/12 (H) Public Hearing held.
- 05/14 (H) Work Session held.
- 05/20 (H) Recommendation: Do pass with amendments and be printed A-Engrossed.
- 05/24 (H) Second reading.
- 05/25 (H) Third reading. Carried by Witt. Passed.
- 05/25 (H) Potential conflict(s) of interest declared by Lowe.
- 05/25 (H) Vote explanation(s) filed by Uherbelau entered in Journal.
- 05/26 (S) First reading. Referred to President's desk.
- 05/27 (S) Referred to Public Affairs.
- 06/04 (S) Public Hearing held.
- 06/17 (S) Work Session held.
- 06/24 (S) Recommendation: Do pass with amendments to the A-Eng. bill. (Printed B-Eng.)
- 06/25 (S) Second reading.
- 06/28 (S) Carried over to 06-29 by unanimous consent.
- 06/29 (S) Third Reading. Carried by Wilde. Passed.
- 06/29 (S) Wilde declared potential conflict of interest.
- 07/01 (H) House concurred in Senate amendments and repassed measure.
- 07/01 (H) Potential conflict(s) of interest declared by Lowe.
- 07/14 (H) Speaker signed.
- 07/14 (S) President signed.
- 07/23 (H) Governor vetoed.

- HB 3595 By Representative MINNIS (at the request of Richard Weill) -- Relating to taxation.
- 3-30(H) First reading. Referred to Speaker's desk.
- 4-6 Referred to Revenue.
- 4-22 Public Hearing held.
- 5-12 Public Hearing held.
- 5-14 Work Session held.
- 5-20 Recommendation: Do pass with amendments and be printed A-Engrossed.
- 5-24 Second reading.
- 5-25 Third reading. Carried by Witt. Passed.
 Ayes, 40 --Nays, 20, Beck, Deckert, Devlin, Edwards, Gardner, Hansen, Hopson, Kafoury, Lehman, Leonard, Merkley, Montgomery, Morrisette, Piercy, Prozanski, Rasmussen, Rosenbaum, Taylor, Walker, Wells.
 Potential conflict(s) of interest declared by Lowe.
 Vote explanation(s) filed by Uherbelau entered in Journal.
- 5-26(S) First reading. Referred to President's desk.
- 5-27 Referred to Public Affairs.
- 6-4 Public Hearing held.
- 6-17 Work Session held.
- 6-24 Recommendation: Do pass with amendments to the A-Eng. bill. (Printed B-Eng.)
- 6-25 Second reading.
- 6-28 Carried over to 06-29 by unanimous consent.
- 6-29 Third Reading. Carried by Wilde. Passed.
 Ayes, 16 --Nays, 14, Beyer, Brown, Burdick, Castillo, Corcoran, Courtney, Dukes, Duncan, Gordly, Hannon, Metsger, Miller, Shields, Trow.
 Wilde declared potential conflict of interest.
- 7-1(H) House concurred in Senate amendments and repassed measure.
 Ayes, 37 --Nays, 16, Beck, Beyer, Deckert, Devlin, Edwards, Gardner, Hansen, Hopson, Kafoury, Leonard, Merkley, Rasmussen, Rosenbaum, Taylor, Walker, Wells, Excused, 1--Montgomery, Excused for business of the House, 6----King, Lehman, Lewis, Piercy, Ross, Schrader.
 Potential conflict(s) of interest declared by Lowe.
- 7-14 Speaker signed.
- 7-14(S) President signed.
- 7-23(H) Governor vetoed.
- 7-24 Governor's message read in the House.
 Veto sustained in accordance with Article V, Section 15b, Oregon Constitution.

Prohibits city or county from levying tax on person engaged in practice of law for privilege of doing business in city or county upon lawyers who do not have place of business within geographic boundary of taxing authority° if person conducts business only at courthouse located within city or county.

70th OREGON LEGISLATIVE ASSEMBLY--1999 Regular Session

NOTE: Matter within { + braces and plus signs + } in an amended section is new. Matter within { - braces and minus signs - } is existing law to be omitted. New sections are within { + braces and plus signs + } .

LC 3840

A-Engrossed

House Bill 3595

Ordered by the House May 20

Including House Amendments dated May 20

Sponsored by Representative MINNIS (at the request of Richard Weill)

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.

Prohibits city or county from levying tax { - on persons located outside - } { + for privilege of doing business in city or county on lawyers who do not have place of business within + } geographic boundary of taxing authority.

A BILL FOR AN ACT

Relating to taxation.

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

SECTION 1. { + A city or county of this state may not impose a tax for the privilege of doing business within the city or county on a person engaged in the practice of law:

(1) Whose principal practice is located outside the geographic boundary of that taxing authority; and

(2) Who does not have a place of business located within the geographic boundary of that taxing authority. + }

SECTION 2. { + Section 1 of this 1999 Act is added to and made a part of ORS chapter 305. + }

70th OREGON LEGISLATIVE ASSEMBLY--1999 Regular Session

NOTE: Matter within { + braces and plus signs + } in an amended section is new. Matter within { - braces and minus signs - } is existing law to be omitted. New sections are within { + braces and plus signs + } .

LC 3840

B-Engrossed

House Bill 3595

Ordered by the Senate June 24

Including House Amendments dated May 20 and Senate Amendments dated June 24

Sponsored by Representative MINNIS (at the request of Richard Weill)

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.

Prohibits city or county from levying tax { + on person engaged in practice of law + } for privilege of doing business in city or county { - on lawyers who do not have place of business within geographic boundary of taxing authority - } { + if person conducts business only at courthouse located within city or county + }.

A BILL FOR AN ACT

Relating to taxation.

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

SECTION 1. { + A city or county of this state may not classify for tax purposes a person engaged in the practice of law as doing business within that city or county, if the person conducts business only at a courthouse located within the city or county. + }

SECTION 2. { + Section 1 of this 1999 Act is added to and made a part of ORS chapter 305. + }

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Statesman Journal (Salem, OR)

July 26, 1999 Monday

Rejected legislation

BYLINE: Staff

SECTION: SPECIAL; Pg. 5F

LENGTH: 580 words

Highlights of the bills vetoed so far by Gov. John Kitzhaber:

House bills

HB 2415: Allow a tax credit for donors to ongoing political action committees operated by interest groups.

HB 2452: Provide a \$1 million-a-year tax break for the timber industry.

HB 2474: Change procedures for developers to appeal land-use conditions imposed on them.

HB 2566: Provide \$10 million in grants to high-growth school districts.

HB 2652: Prohibit Department of Environmental Quality from requiring permits for certain kinds of pollution runoff from agricultural operations.

HB 2657: Prohibit cities and counties from imposing construction excise tax.

HB 2792: Provide additional property tax relief to seniors on fixed incomes.

HB 3028: Revise criteria for state and local governments to adopt regulations to protect farmland.

HB 3031: Prohibit Board of Dentistry from investigating complaints against dentists five years after conduct occurs.

HB 3065: Restore water permit that had been yanked from the Grants Pass Irrigation District.

HB 3131: Overturn Fish and Wildlife Commission decision disallowing fish mitigation plans at Milltown Hill Dam in Douglas County.

HB 3259: Allow schools to be built on farmland in urban reserve areas.

HB 3346: Require Water Resources Department to conduct sediment study before ordering removal of a dam.

HB 3541: Prohibit state agencies from adopting greenhouse gas rules until U.S. Senate approves Kyoto Accord.

HB 3595: Exempt attorneys with offices outside the city or county from paying Portland's or Multnomah County's business tax if the only business they conduct is at the county courthouse.

HB 5022: Budget for higher education.

HB 5055: Budget for Oregon Youth Authority.

HB 5057: Budget for Agricultural Experiment Station, OSU Extension Service and Forest Research Laboratory.

HB 5060: Budget for Engineering and Technology Industry Council.

Senate bills

SB 3: Put new state women's prison at Umatilla.

SB 229: Remove limit on number of off-track betting sites.

SB 259: Provide income tax refunds during the current two-year budget to re-tired federal workers who were not covered by a recent court settlement.

SB 474: Declare new state policy that land-use laws are to be applied to private property in the least restrictive manner possible.

SB 483: Provide \$2 million for system that uses computers to link drivers with people who need door-to-door transportation by car or van.

SB 595: Provide personal property tax exemption to wineries operating in exclusive farm use zones.

SB 675: Revises authority of Department of Environmental Quality to manage water quality in Oregon.

SB 811: Allow holders of concealed weapon permits from neighboring states to obtain Oregon permit without having to establish an Oregon residence.

SB 849: Revise Oregon Department of Transportation's authority over frontage and utility roads.

SB 887: Require school districts to adopt "Eddie Eagle" gun safety program.

SB 987: Require Legislature's permission to remove any dam.

SB 988: Require Department of Fish and Wildlife to apply for transfer of federal authority to state to manage marine mammals.

SB 989: Prohibit state from agreeing to federal acquisition of land or water without consent of county government.

SB 1115: Give farmers more power to dismiss workers who strike or slow down on the job.

SB 1166: Narrow eligibility for Outstanding Resource Water Designation to essentially pristine waters.

LOAD-DATE: August 29, 2003

LANGUAGE: ENGLISH

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The Oregonian

June 2, 1999 Wednesday SUNRISE EDITION

LAWYERS ARE PEOPLE, TOO

SECTION: EDITORIAL; Pg. B12**LENGTH:** 265 words

OK, we'll confine the lawyer jokes to the headline. We think we're entitled to at least one without the Oregon bar coming down on us, because we're about to side with a certain subset of attorneys in their dispute with the city of Portland.

They're the lawyers whose practices are principally outside Portland, but who get dinged with the city's business tax because -- and here's the critical thing -- they must file legal documents or conduct trials in Portland.

Their practices are not based in Portland. They're not doing business here in any meaningful way. The parties to their lawsuits may not even have a tie to Portland. But the city hits them with a 2.2 percent tax on the net adjusted income allegedly earned here.

Appearing in court here or filing papers downtown is conducting business here? That's a real stretch, a tax collector's rarefied argument. These lawyers have no choice but to come into Portland, because that's where the courts are. It's not the same as noncity or nonstate residents who choose to come downtown every day to do business or make a living.

Happily, **House Bill 3595** recognizes this special reality and would prohibit Oregon's cities and counties from imposing a tax on attorneys whose principal practices are outside their boundaries. The House passed this fair and narrow bill last week. The Senate should do the same soon. Gov. John Kitzhaber should then put an end to what Revenue Committee Chairman Ken Strobeck, R-Beaverton, rightly labels "a raw money grab" by signing **House Bill 3595**.

Now, have you heard the one about the . . .

LOAD-DATE: October 5, 2000**LANGUAGE:** ENGLISH**TYPE:** Editorial

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THE OREGONIAN

May 26, 1999, Wednesday

Oregon House Approves Tax Relief for Portland-Area Lawyers

BYLINE: By James Mayer

LENGTH: 301 words

SALEM, Ore.--The Oregon House approved a bill Tuesday punching a big loophole for lawyers in Portland's business income tax.

House Bill 3595 would prohibit cities or counties from imposing a tax on attorneys whose "principal practice" is outside their boundaries. The bill passed 40-20 and moves to the Senate.

Supporters said it is unfair for Portland tax lawyers with offices outside the city who have no choice but to come to the county courthouse to conduct business.

"Is there no end to what the city of Portland will do to collect revenue?" said Rep. Karen Minnis, R-Wood Village, who introduced the bill on behalf of attorney Richard Weill of Troutdale.

The business tax is based on income earned in Portland. A sole proprietorship must gross at least \$ 25,000 a year to be subject to the tax, which is 2.2 percent of net adjusted income earned in the city.

The city considers attorneys who try cases or file documents at the Multnomah County Courthouse as doing business in the city.

Rep. Diane Rosenbaum, D-Portland, said the city's tax was no different from Oregon collecting an income tax from Washington state residents who work in Oregon.

But Rep. Ken Strobeck, R-Beaverton, chairman of the Revenue Committee, called the city's tax "a raw money grab."

In 1998, Multnomah County and Portland collected about \$ 87.5 million in combined income tax revenues from about 42,500 accounts. About 970 of these were attorneys who paid a total of \$ 5.2 million in taxes. Ed Waters, an economist with the Legislative Revenue Office, said it is unknown how many of these had a "principal practice" outside the city.

But Waters said the bill would probably increase the incentive to move offices outside the city and for other professionals to ask for similar treatment.

LOAD-DATE: June 1, 1999

LANGUAGE: ENGLISH

KR-ACC-NO: PO-TAX-BILL

JOURNAL-CODE: PO

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The Oregonian

MAY 26, 1999 Wednesday SUNRISE EDITION

HOUSE OKS TAX RELIEF FOR LAWYERS

SOURCE: JAMES MAYER The Oregonian**SECTION:** BUSINESS; Pg. B01**LENGTH:** 333 words**DATELINE:** SALEM

The bill would prohibit cities or counties from collecting revenue from lawyers whose practice is outside their boundaries

The Oregon House approved a bill Tuesday punching a big loophole for lawyers in Portland's business income tax.

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You can reach James Mayer at 503-221-8234 or by e-mail at jim-mayer@news.oregonian.com.

LOAD-DATE: October 11, 2000**LANGUAGE:** ENGLISH

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