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LEAGUE OF WOMEN VOTERS® OF OREGON

Legislative Report

January 9, 2013

Volume 23, Number 1

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Welcome to the Pre-Session Edition of the Legislative Report 2013

The 77th Oregon Legislative Session will begin February 4, with swearing in on January 14. Our Action coordinators have already been working behind the scenes making contacts and gathering information prior to the actual start of the session. This preparation enables the coordinators to focus in on specific legislation which they will follow and possibly testify on.



*Alice Bartelt, Action
Committee Chair*

The Action coordinators want to share and prepare you, our readers, for the coming session as well. This pre-session report includes a glimpse of what to expect from this session. Our coordinators are:

[Public Access](#), Paula Krane, kranep@peak.org
[Governance](#), Kappy Eaton, gopher44@comcast.net
[Natural Resources](#), Peggy Lynch, zuludar@aol.com
[Social Policy](#), Karen Nibler, niblerk@comcast.net
 and me, [Action Chair](#), Alice Bartelt, a.bartelt@lwvor.org

As you read each coordinator's report, you will realize what a huge task they take on. Not only do they follow bills but they attend committee meetings, meet with legislators and agencies, and work with other organizations. They work around the clock for the full session. If you have any interest in being where the action is for advocacy, please contact one of the coordinators. They need your help. If you can follow one committee, one issue, or one bill, you will give the League of Women Voters a stronger voice for advocacy and for Oregonians.

Please participate by reading the *Legislative Report* and taking action when you can. Thank you for your continued support.

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Anyone Can Access the Legislature

I will again be serving as Access Chair for the Action Committee this session. It is important that the Legislature is aware that we are watching and listening. You can participate, with me, by observing the Legislature in action either in Salem at the Capitol or in the comfort of your home.



*Paula Krane,
Public Access
Coordinator*

Watching hearings or floor sessions is easy. Just turn on your computer. Start by accessing the Oregon State Legislature website at <http://www.leg.state.or.us/index.html>. At the top of the page is a menu bar. From that menu bar you can locate senators or representatives, find a bill, or committee agendas. Clicking on Audio/Video enables you to watch and listen to hearings and chamber sessions. All this can be achieved without leaving home and in the comfort of your PJ's.

The Action Committee may ask you to lobby Legislators at the Capitol or in your district. If there are hearings in your area I will contact your local League to help with monitoring and when necessary, to testify. Your voice can make a difference. Look for Action Alerts in your email!

Everyone can have access to the legislative process and can participate. ADA Resources are available. For more information on these services contact Legislative Administration at 503-986-1848.

This session, I will be working on how electronic information is being archived for others to use 10 or 20 years from now? Are all versions of a bill kept and not just the final version? What happens to all the emails sent to Legislators from the public? Where will we find the material to help future generations? You can help me by asking your legislator to archive all correspondence they receive by email or hard copy. Ask them what they personally are doing to maintain a legislative history for future generations. We want to know.

If you have any problems accessing a hearing, contacting a legislator, or getting information about a bill, please let me hear from you. I am here to help you have access to the legislature.

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Governance

Tired of Oregon Being Neglected?

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**Join the 77th
Oregon Legislative
Assembly
for opening
ceremonies of the
2013 Session
at the Capitol
January 14, 11:00 am
What?**

You can't be there?

No problem.

**View it online
through the
Legislative website.**

Click here

No, not yet.

**On January 14th for
live viewing.**

**Legislative
Process Day**

National Popular Vote (NPV), the growing idea of having every voter's vote count in the Presidential election, is coming to Oregon. Legislation for the Interstate Compact, which ultimately would lead to a different way of allotting the Electoral College ballots, will be introduced during the 2013 Oregon legislative session.



*Kappy Eaton,
Governance
Coordinator*

NPV has now been passed by eight states and the District of Columbia, comprising 132 electoral votes, 49% of the 270 needed to elect a president. The basic premise is that all the electoral votes from the enacting states would be awarded to the presidential candidate who receives the most popular votes in all 50 states.

The League of Women Voters amended the national position on banning the Electoral College, after the 2010 national convention, to allow consideration of alternatives such as NPV. Leagues in the states passing the proposal have been active in support, and LWVOR has given it the high priority for Governance in 2013. No states will be battlegrounds, and candidates will have to reach out to everyone. There will be *Action Alerts* on this issue.

A Mock Hearing on NPV will be part of the Legislative Process Workshop on January 17 with Barry Fadem, President of the NPV Board, as a "guest witness."

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Some Old, Some New Election Laws

Security for the disposal of unused, spoiled and returned ballots has special procedures and specified processes for the county election clerks. However, because it continues to be questioned by citizens and political parties, the issue will be addressed again in 2013.

Other Election Division proposals being drafted for consideration include:

- changing the terminology for long-term absentee voters to "overseas voters" (the federal definition),
- a process for minority party status,
- all Voters Pamphlet statements to be filed electronically, and
- cleaning up various statutory campaign finance issues.

Not known yet are possible other election issues raised by individual legislators or committees.

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Thursday, Jan 17
10:00 - 2:00
State Capitol

Room 50

Sponsored by
LWVOR
AAUW
OCW
NOW

Guest speakers
House Speaker
Tina Kotek,
Attorney General
Ellen Rosenblum,
System Director of
Early Learning
Councils
Jada Rupley,
President National
Popular Vote Board,
Barry Fadem

[Register Here](#)
Deadline

Monday Jan 14
9:00 am

See you there!

The State of Oregon finds a way to keep public records.

A software solution to make access to government records easier, more transparent, and affordable.

It has been named, **Oregon Records Management Solution (ORMS)**

[Click here for article](#)

Oregon League of Conservation Voters offers a

Citizen's Toolkit

It includes tips for phoning or writing an elected official and

Tough Tax Credit Decisions

State law now requires that any tax credits sun setting (expiring) during the legislative year must be reviewed as to purpose, goals achieved, and cost in lost state revenue. Decisions must be made as to whether the credits will sunset, be revised or kept in place as is. A Special Joint Tax Credit committee looks at the recommendations from the policy committees which have jurisdiction over the topic of the credit. Ways and Means determines how much revenue can be achieved by eliminating or cutting back on some credits.



The House and Senate Interim Revenue committees met jointly in November to begin the process. Four popular credits were specifically discussed, indicating the difficulty there will be in deciding how to treat the issues involved. On the table are:

- Earned Income Tax Credit (EITC) for 200,000 working-poor families,
- Political tax credit given for personal monetary support of candidates and issues,
- Cultural Trust which provides statewide arts enhancements, and
- Farm Workers Housing Fund which provides shelter construction dollars for migrant workers/families.

The League has supported both the EITC and the housing credit in the past. While the Governor's 2013-15 budget supports a 3% increase for EITC, any credits will be carefully scrutinized because of the projected shortfall in General Fund revenue. The list is long and full of credit favorites.

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Fiscal Priorities Underscored by Governor

Under the new budget setting rules, the Biennial budget (2013-15) proposed by the Governor must be balanced and based on the December 2012 General Fund revenue forecast, with no proposed increases other than by realignments. The good news is that there is a \$30 million projected increase in revenue for the remainder of this biennium which ends June 30, but the projected ending balance is down \$226 million from the end of the 2009-11 biennia.

-PERS reform takes a top position as the Governor proposes a plan to downsize the pension plan growth to save the state, local governments and school districts several hundred millions annually, allowing dollars for other state programs and services.

many other great tips. Worth checking out before you "take action."

[Click here](#)

Support the Action Committee!

Please show your appreciation of the Action Committee and the Legislative Administrator by making a donation to [LWVOR](#)

It is your support that makes it possible to carry out this advocacy work at the Legislature

Volunteer to work on issues for the 2013 Legislative Session
It's exciting!
Contact the [LWVOR Action Team](#)

-Investment in education, from pre-school through higher education, is in the Governor's recommendations as the seamless P-20 system revs up under the Chief Education Officer Rudy Crew.

-Creating work force opportunities through regional projects and assistance for students and small business incentives is also prominent.

-The Governor also is supportive of advancing the construction of the I-5 bridge across the Columbia, in agreement with Washington, which will create jobs and enhance the trade which both states need.

Now the dance begins between the executive and legislative branches of government to adopt an Oregon growth budget and underline sound fiscal policy. Stay tuned.



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Women's Health/Wellness Will Stay Focused

Emphasizing the need to really address women's health issues, the Women's Health and Wellness Alliance has laid out several priorities, with the top issues being developed into a package by mid-January. On the plate are such items as:



- long term care (prevention and early intervention),
- victim confidentiality,
- sexual assault protection order,
- adding "attempted" to prostitution statutes,
- paid family leave,
- coverage for dense cancer screenings/patient information,
- increase slots in cervical and breast cancer program,
- toxic disclosure for kids,
- teen pregnancy prevention,
- smoking in cars with minors,
- women in retirement security (wage gap, aging, social security),
- earned income tax credit increase (in Governor's budget), and
- TANF (temporary assistance to needy families).

There will be the usual Breakfast for Legislators in February and support for the Oregon Women's Commission.

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Possible Discussions for Campaign Finance Reform/Initiatives

The Legislative Concepts adopted by the Senate Rules Committee indicate some renewed interest in campaign finance reform and initiatives. The Secretary of State is also contemplating looking at Oregon's lack of campaign restraints.

One of the issues is likely to be consideration of the proposed U.S. Constitution amendment regarding the *Citizens United* Supreme Court decision. Several states and many cities have already passed and sent in support for action by Congress.

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Natural Resources

Budgets Matter

A broad range of interests, from the business communities to environmental concerns, came together to ask the Governor to increase General Funds for the natural resource agencies (see [letter](#)). And he listened. The 2013 recommended budget adds \$36 million to these 14 agencies, just over 1% of the General Fund.



Peggy Lynch, Natural Resources Coordinator

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10-Year Energy Action Plan

"...Oregonians spend approximately \$14 billion on energy each year, and most of that money leaves the state."

Governor Kitzhaber appointed a citizen task force who received comments from a wide variety of interests. That group developed a draft plan that was broadly distributed. On Dec. 17, the Governor released a final plan focused on energy efficiency, renewable energy, and improved infrastructure and transportation.

The League will use our national Climate Change position and our state Energy Conservation positions to support many of the recommendations contained in the [Governor's Plan](#).

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An Integrated Water Strategy

The Governor has said that water quality is a priority this session. With the adoption of the Integrated Water Resources Strategy (IWRS), a [work plan](#) has been proposed to increase monitoring and data collection among a number of natural resource agencies. The plan also proposes to provide monies for feasibility studies and possible storage bonding to assure abundant clean water for people and jobs.



Look for bill numbers in an upcoming Legislative Report.

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Water Rights Management Fee-Yes!

To manage over 85,000 water rights for the good of both the right holder and the general public, a new annual flat fee will be considered by the Legislature (with a \$ cap). Monies are to be used to fund field, technical and administrative activities of the water right permit and certificate system.

Monies collected this first biennium will update water right information, including current owners. But future biennia should yield about \$10 million for this important work. Oregon's water belongs to the public. Water right holders are given permission to use a certain amount of water for a beneficial use. See the League's 2009 and 2010 [Water Reports](#).

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Columbia River Water

The Governor has asked the Umatilla area Regional Solutions Team to convene a broad work group to consider whether there is water in the Columbia River for use by agriculture and residents in the Umatilla area, water that can be removed without harming the ecosystem.



A report from that work is expected by the session. Additional storage of winter water might be a part of the answer. See [Oregon Solutions](#) for information.

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Onsite Septic: At Time of Sale Inspection

The Environmental Protection Agency has required Oregon's Department of Environmental Quality (DEQ) to address the issue of failing septic in the Coastal region. You can read about this issue in our new [Coastal Report](#).

A rule is being considered that would require a septic inspection at time of sale of property. The Legislature will need to approve staff to implement the program paid for by fees.

The League is supporting ([see letter](#)) this effort because of our water quality positions, but we are also asking that a grant or loan program be set up to help low value property owners pay for the inspection and, if necessary, septic improvements. See DEQ, [Water Quality](#).

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Wetlands: A State or Corps Issue?

For the past 18 months the Department of State Lands (DSL) has been working with the U.S. Army Corps of Engineers and the Environmental Protection Agency to consider whether Oregon should "assume" permitting responsibility for a certain portion of wetlands permits known as "[404](#)" permits. A broad group of interests has also met to provide input during these discussions.



The latest word is that, although talks will continue, this will not be an issue during the 2013 (and maybe not the 2014) legislative session. But DSL will continue to work on streamlining their permitting processes while continuing to protect Oregon's wetlands.

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Simple Boundary Expansions?

An advisory group has been meeting for the past year to propose new, more simple processes for expanding urban growth boundaries around Oregon. One proposal, supported by the League, is to have Portland State's Population Center provide population growth projections to counties and cities every few years. The tradeoff: No appeal of these numbers.

But growing cities will be able to begin the process of considering their land needs more quickly. And that's where the discussion should be focused: How to enhance growth inside cities and where, if really necessary, should land be added.

There is no agreement yet on that part of the new process, but we expect at least three more bills around this issue from the Department of Land Conservation and Development. The bills are to give guidance and instruct the Department of Land Conservation and Development to begin rulemaking on the details of these new processes.

More information on this project is available at [Governor's Natural Resources Office](#).

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Marine Reserves and Ocean Energy

The Governor has proposed \$2.5 million for the Department of Fish and Wildlife to implement a work plan for the designated marine reserves. Over the past year, committees have been working on amending the [Territorial Sea Plan](#) to address policies and mapping for possible ocean energy development. The Ocean Policy Advisory Committee will meet Jan. 4th to finalize a recommendation to the Land Conservation and Development Commission, who are scheduled to take action on Jan. 24th. See [meeting information](#).



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Rural Economies

A priority of the Governor is increasing jobs in rural Oregon. He has established a broad-based working group to develop a U.S. Congressional proposal on federal forests.



The League would like to see a more open process since the working group is currently meeting behind closed doors and not all interest groups are at the table. His budget also includes monies to support more forest collaboratives between industry and environmental interests to provide jobs and work on forest health.

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Regional Land Use Project

Monies were set aside in the 2011 budget to allow Jackson, Josephine and Douglas counties to review their rural lands to determine if there had been zoning errors OR if some lands

should be zoned for another purpose while still protecting our important agriculture and forest industries. A [work plan](#) has been drafted.

The Rogue Valley Council of Governments will provide coordination for this project and citizens should have access to the process. The Governor has monies in the 2013 budget to continue this [project](#).

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Oregon Conservation Network

The League continues as a member of the [Oregon Conservation Network](#) (OCN) along with about 50 other environmental organizations. Soon OCN will announce its four Priorities for a Healthy Oregon. Stay tuned!

Sign up for [SalemWatch](#), OCN's newsletter.

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14 agencies and one Coordinator

Can you help? If natural resource issues are of interest to you, jump in! Working from home, following one committee, or one issue or even one bill will help make the League's voice stronger. Contact Peggy Lynch 541-745-1025 or ZULUDAR@aol.com

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Social Policy

Budget Crisis Abounds

The **Department of Human Services** reported a critical need in the **Temporary Assistance to Needy Families** (TANF) in December due to the economy, the lack of jobs and used-up unemployment benefits.

In February, the **Emergency Board** added \$105.5 million for the increased caseload, unfunded personnel and shared business costs. This time the E-board approved \$40 million in special appropriations to cover the increased need for the remainder of the biennium.



Karen Nibler, Social Policy Coordinator

The projections for the next biennium indicate a growing

TANF caseload and even greater budget demand for 2013-15.

Seniors and People with Disabilities programs were separate. The **Aged and Physical Disabilities** had an unfunded budget hole of \$23.5 million for in-home, respite and personal care, but they could get more federal dollars for these services.

The **Developmental Disabilities** program also had a gap of \$2.7 million, with a need for \$6.6 million for services and higher group care rates to complete the biennium.

More information available on Department of Human Services [Rebalance Report](#).

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Enough Funds?

The [Oregon Health Authority](#) reported a current fund surplus, even with a growing caseload, on the Oregon Health Plan, mainly due to federal grants for health care transformation.



The **Oregon State Hospital (OSH)** continues to adapt to a new facility and legal restrictions on its population. OSH has closed wards in Salem and Portland hospitals in order to stay within the budget. The passage of [HB 3100](#) and [SB 420](#) from the 2011 session revised the admissions criteria for OSH and required more services on the community level.

The **Psychiatric Security Review Board** will monitor fewer cases and turn over less serious forensic cases to the community mental health. There is a question of whether the community mental health services have been adequately funded for the added responsibilities.

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Will the New Hub Process be Ready?

The **Department of Administrative Services** has been assigned responsibility for the **Early Learning Council (ELC)** and **Youth Development Council (YDC)** as of this 2012-2013 fiscal year. [HB 4165](#) stipulated that regional hubs (similar to Health Care regional organizations) will be designated to manage service delivery in local regions. The Request for Proposal Process is to be developed by January 1, 2014.

The **Oregon Commission on Children and Families** has been abolished, but the local Commissions on Children and Families continue under the ELC in order to manage current service programs. The question will be if that new hub process will be ready by January 1, 2014, or the current system will be extended until the new process is on board.



The next Legislative session will determine budgets for ELC and YDC services. A **Comprehensive Children's Budget** has been identified with \$1.7 billion in state and federal funds but many of these resources exist in other agencies within the state budget.

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Reducing Corrections

Last but not least, the major Public Safety target will be the reduction of the **Department of Corrections** budget for the operation of prisons and the assignment of those savings to prevention and community services for victims and lower level offenders.



The **2012 Public Safety Commission** received an analysis and recommendations from the PEW Research Center at a December 6 meeting of the Commission in Salem (see [PEW report](#)). These recommendations will go to the Judiciary Committees in the new session and to the Public Safety Ways and Means SubCommittee for budget decisions near the end of session.

Please watch for further details on recommendations and specific bills.

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