



LEAGUE OF WOMEN VOTERS® OF OREGON

Legislative Report

May 6, 2015

Volume 25, Number 12

2015 Legislative Session

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**Printer-Friendly
Version**

League Victory!

***SB 941** has now passed the House and Senate.*

*It is currently being enrolled by Legislative Counsel to be signed into law by Governor Brown.**

Read Marge Easley's, LWVOR Action Team Member, testimony given during the marathon hearing on this bill.

To see bill and amendments in OLIS [click here](#) (then click "text" drop down arrow for the introduced bill, amendments and engrossed bills).

Note: Governor has veto authority.

The LWVUS & the
LWV of Florida in
Action

Social Policy

Ways and Means Budgets

At this point in the Legislative Session, the budget committees are taking a second look at agency needs and program specifics. In **Public Safety, The Oregon Judicial Budget, [SB 5514](#)**, presented specifics on the Multnomah County Courthouse, which will cost \$250 million to construct a replacement courthouse. \$125 million will come from Q bonds and the repayment will cost \$18.2 million a biennium for 15 years, according to Fiscal Office calculations. Both Jefferson County replacement and Multnomah County replacements had initial bonding approved in the last session.



Karen Nibler, Social Policy Coordinator

Two additional replacement projects in Tillamook and Lane Counties are next in line for bonding during this or the next session. The historic Supreme Court building had a temporary repair last session but needs plumbing, heating and electrical system remodels.

Another Budget need for the Oregon Judiciary is **completion of the e-court rollout in all circuit courts**, which are due to be completed by June 2016. Fees have been established for e-filing, but they are not sufficient to operate the system yet. Technology training and system support will be needed.

The Chief Justice has asked for circuit court staff, increases in judicial salaries, pro tem judges and hearings officers to manage cases in circuit courts. Growth in guardians and conservatorships for an aging population is anticipated to put demands on family law staff. Permanent staff for specialty courts has been requested too. Budget cuts would come from circuit



U.S. Supreme Court Upholds Florida Ban on Campaign Finance

U.S. Supreme Court Justice Brown delivered the opinion citing a need for public confidence in judicial candidates.

The LWV of the United States and the League of Women Voters of Florida joined in an amicus brief.

[Read LWVUS President Elisabeth MacNamara's comments.](#)

ODOT Rail Division holds public meetings in Pendleton, Bend, Klamath Falls and Keizer

The meetings will provide the public with information and gather input on updating and/or deleting current OARS while adopting new OARS establishing responsibility, communications and notifications of Oregon hazardous materials transport.

[Read hearing notice.](#)

PUBLIC HEARING DATES, TIMES AND LOCATIONS

(Pendleton meeting held 5-5)

Deschutes Public Library,
Brooks Room

court operations. ([Read Karen's testimony in support of SB 5514.](#))

In **The Education Ways and Means**, The Early Learning Division was heard last week for three days as part of **HB 5016**, the **Department of Education Operations Budget**. **SB 213** granted authority for 16 regional hubs in Oregon, which were established with \$4 million last session. Each hub received \$50,000 plus \$15 per child in the region. The goals of school readiness and family stability were managed with federal funds of \$1.3 million from **Great Start** and \$2.5 million from **Title IV for Healthy Families**. The total funds in the last session were \$8.4 million, with a minimal amount for hub development.

The Governor's Budget added \$24 million in the 2015-17 Budget, which would increase Hub coordination to \$10 million for the biennium and an increase to \$11.2 million each for school readiness and family stability, for a total of \$32.4 million. Lower resource allocations options were presented at \$23.8 million and 13.8 million for current service level. The Governor's Office and the Education Subcommittee will be negotiating the amounts. ([Read League testimony on HB 5016.](#))

Federal Funds provide **Head Start** programs for 62% of eligible children. The waiting list would require an additional \$120 million to cover, but the proposal is to expand 22% with state funds. The **Healthy Families** program visits 2,470 families in the state with 1100 unserved. Expansion to \$10 million was proposed to prevent abuse and neglect. The cost is \$4,000 per child, with the potential of saving \$29,000 per child welfare case. The cost of Early Intervention and Special Education services is a mandatory service at a cost of \$7,419 per child, with both state and federal funds.

In **Human Services Ways and Means**, the committee passed out the **Psychiatric Review Board Budget**, **SB 5532**, at a funding level of \$2,616,492 to fund an agency that supervises Guilty Except For Insanity clients in the community. The agency has 11 staff to conduct hearings to transfer patients out of the Oregon State Hospital to community placements and supervise those clients in the community.

The **Public Health Modernization Bill**, **HB 3100A**, was amended again on April 17 and passed out of the House Health Care Committee. The bill was referred to the Ways and Means Committee because there will be a substantial financial investment over time in public health. The Oregon Health Authority has the responsibility of communicable disease control,

601 Wall Street, Bend OR
Wednesday, May 6, 2015
3:00 p.m. or 6:00 p.m.

Klamath Community
College, Room H138
7390 S Sixth Street,
Klamath Falls OR
Thursday, May 7, 2015
3:00 p.m. or 6:00 p.m.

Keizer City Hall, Room Iris
B
930 Chemawa Road NE,
Keizer OR
Monday, May 11, 2015
3:00 p.m. or 6:00 p.m.

**Rules to be adopted:* 741-510-0015, 741-510-0025, 741-510-0035, 741-510-0045, 741-510-0050

**Rules to be amended:* 741-510-0010, 741-510-0020

**Rules to be repealed:* 741-510-0030, 741-510-0040

****Read proposed rule text***

*For more details read the Portland Tribune article, "**State sets meeting on oil train rules**"*

HB 2666

What is best for Oregon farmland?

The League strongly opposed the bill that would alter key criteria to allowing mines on EFU land and "shift balance and overly favor the mining industry."* League and other opposition were met with powerful Aggregate Industry interests wanting to push this bill through on the fast track.

(This bill is currently in House Rules)

environmental testing and inspection, prevention of injury and disease, and prevention of communicable diseases with immunizations, screenings, lab and clinical services. OHA has the responsibility of funding these activities, or they could revert to the state allowing counties to opt out.

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Governance

Grand Bargain Downfall

On April 30, the Oregon Supreme Court threw out 90% of the PERS reduction plan (2013 Special Session). Citing as unconstitutional any changes in the statute contracts for state pension retirees reimbursement, the Court unanimously ruled that the plan to reduce the unfunded liability of the PERS through cutting COLAs (cost of living) was a contract breach, thus wiping out some \$5 billion in PERS savings over the next 20 years. Although the rates set for payment into their PERS accounts by local governments and school districts will not be affected for 2015-17, there will be a projected loss of \$500 million to these entities starting in 2017, impacting education budgets in particular. PERS will pay the 2% COLAs, \$130 million, from its \$600 million contingency fund.



*Kappy Eaton,
Governance
Coordinator*

One source of "recovered" funding would be for the Legislature to keep the estimated \$350 million in "Kicker Law" fund expected at the end of the current 2013-15 biennium. However, that action takes a 2/3 support vote in both chambers, which is considered unlikely. Another possible source is the "PERS pickup" where employers pay the member's annual 6% contribution to their contribution accounts, a benefit covering about 70% of the membership. That leaves the alternative of cutting non-PERS expenses related to public services and layoffs. This "elephant in the corner" problem has no easy or comfortable solution.

Campaign Finance Action Alert

SJR 5, the constitutional amendment necessary to allow the Legislature and the people, by initiative, to set candidate contribution limits, needs action by the Senate Rules committee to refer it to the Senate for a vote. Having limits, along with the transparency

[*Click here to read LWVOR testimony in OPPOSITION.](#)

Justice Reinvestment

[See the Action Alert](#)

[SB 5506](#)

(bill remains in Joint Committee on Ways and Means Public Safety Subcommittee)

Read about it in the article in Street Roots: [Human investment: The politics of trying to keep people out of prison](#)

Learn More at [Partnership for Justice and Safety.](#)

Revenue Forecast May 14, 2015

Many bills in Ways and Means will not be acted upon until the Forecast from the [Office of Economic Analysis](#) is released.

Click here to Read the [February 19, 2015 Forecast](#)

Legislative Bill Work Session Deadlines:

05/22 - Deadline to post 2nd chamber work sessions

06/05 - Last day to hold work sessions for 2nd chamber.

regarding who is giving contributions and how much, already provided by ORSTAR, allows more voters to participate in the process.

Oregonians support such limits by 74%, in the latest polling, up from the 72% who voted for the last limits proposal in 1994. There actually were limits from the early 1900s to 1976. The two lawsuits to declare limits unconstitutional, in 1976 and 1997, both clearly stated the necessity of amending the constitution.

It's time to [contact your state Senator](#) and urge them to support SJR 5. We will also need your House member to be in support (will be available at link above), add them to the list. We want SJR 5 to be moved from the Senate Rules committee to the Senate with a "do pass" recommendation so, having had a positive hearing, there needs to be a work session. **All senators need to be asked, but in particular, the [members of Senate Rules](#), (Chair Diane Rosenbaum, and members Ginny Burdick, Ted Ferrioli, Lee Beyers, and Brian Boquist).** The Governor supports SJR 5, and the coalition to which the League belongs on this measure includes **Common Cause Oregon, The BUS Project, Oregon Action, OSPIRG, AARP and NAACP**, among others. You can contact legislators by phone by calling 1-800-332-2313, telling the operator your address, and they will connect you. You may also send e-mails.

National Popular Vote Compact

The House Rules committee is expected to hold a work session on the National Popular Vote Compact, [HB 3475](#), on May 11. The League is joined by Common Cause Oregon and others in this support effort, and we are **hoping for a floor vote the week of May 18.** Please contact your legislators and urge their support for this effort to move towards direct election of the President, and making sure that every vote is counted.

Ethics Proposals Update

The two biggest issues in the area of Ethics law revisions are how to deal with the person who is connected with the Governor as a spouse, partner, fiancé, or significant other (you name it), and the sprawling Oregon public records system. Together, the Republicans (Rs) and the Governor have introduced nine bills.

[SB 9](#), a comprehensive public records proposal from the Governor (based on her experiences as Secretary of State), calls for a very specific Performance Audit of public records laws and recommendations concerning the (1) retention status of various records; (2) the

ACTION ALERT
SB 680

**National
Popular Vote** ✓

Your involvement is needed.
Senate Leadership is holding
up a vote on this bill.

[Read how you can
help.](#)

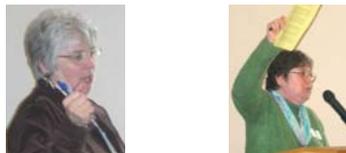
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(Oregon Legislature's
Information System
Also,
**Oregonian Bill
Tracker**

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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 2015 Legislative
Session
It's exciting!

more than 400 exemptions to access; (3) the cost/fees for receiving copies; (4) the timeline for delivery of requested documents; and (5) other access issues. The Senate Rules committee took testimony April 30 (including the League) and moved SB 9 to the Senate floor with a "do pass" recommendation. At issue is the public's right to know. The review will be done by the Secretary of State, with a report back due November 15, 2015.

The House Rules committee heard discussion on the R's ethics bills April 27. [HB 3505](#) relates to the public records laws. Rather than the specific Performance Audit contained in SB 9, HB 3505 sets a retention time of a minimum three years on all documents, and various times for others. There are specified timelines for delivery of requests, fees and penalties, and accessibility. Strong opposition came from local governments and other keepers of qualified records as to the time of delivery times, exemptions, and fees. Most counties, schools, special districts and cities do not have either the personal or the financial resources to comply with the requirements of the proposal. They, also, have issues with retention and exemptions.

Two bills deal with an apparent belief that state agencies are presenting inadequate or even false information to legislative committees. [HB 2790](#) would require public agency testifiers to take an oath as to the accuracy and truth of their information, swearing against falsification, as presented to a committee. [HB 2791](#) would allow unsworn falsification to be a felony crime with penalties. The only testimony was presented by Representative Parrish, the bill's sponsor.

[HB 3043](#) would require that the Governor provide identity information about the First Spouse to the [Oregon Government Ethics Commission](#) (OSEC), and it would set policies and procedures regarding the public role of the First Spouse, prohibiting policy-making and agenda-setting. The Governor has introduced two proposals in this area. [HB 2019A](#) was heard in the House Consumer Protection and Government Effectiveness committee, amended, and is in Ways and Means. It increases the membership of the Oregon Government Ethics Commissions (OGEC) from seven to nine, all Governor appointees, but with various leadership nominees required. Also, the time lines for starting and finishing investigation of complaints are shortened, a chronic problem. This bill is in House Rules. [HB 2020](#) speaks to the responsibilities of the First Partner, prohibits any statewide elected official and the First Partner from accepting money for public speaking and requiring an annual filing of a Statement of Economic Interest with the OGEC.

Contact the
[LWVOR Action Team](#)

LWVOR Battle Front!
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[Social Policy,](#)
[Governance and](#)
[Natural Resources as](#)
[captured by our](#)
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legislators and staff.**



The 2015 Legislative

Other ethic proposals in House Rules include **[HB 3331](#)** and **[HB 3547](#)**. HB 3331 would allow the Legislature to appoint an independent counsel for investigation of the Governor by a joint resolution of the two chambers. HB 3547 would require a member of the Legislature to file a statement of paid political activity with the Secretary of State if the member, or an immediate family member, serves as a paid candidate consultant. Every seven day filings of activity are required and penalties established.

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Natural Resources

Aerial Spray Bill Returns, Budgets Passed, and Budgets Heading for Second Round

New bill filed: [HB 3549](#) is the promised "aerial spray work group" bill. People are encouraged to read the bill and watch for a hearing in House Rules.



Peggy Lynch, Natural Resources Coordinator

Budgets passed Full Ways and Means and headed to chamber floor: The Parks and Recreation Department (**[SB 5528](#)**) budget saw a reduction due to the State Fair having been removed from Parks into its own entity (**[SB 7 2013](#)**). And the money for land acquisition was also reduced. Having added a new park a year for the last few years, they are now concentrating on maintenance and repair of current parks and adding facilities to these new parks. The lottery revenue has been slowly declining meaning the funds for parks are also declining. Even a stable lottery would mean a loss of services due to cost of living increases.

The **Department of Land Conservation and Development** (**[HB 5027](#)**) budget was adopted as a "current service level" amount, meaning a reflection of the last biennium's budget with no additional staffing nor substantial increase in local government grants. They do have permission to continue upgrading their technology systems using their 5-year plan for same. The League will continue to work to get funding for **[HB 2633](#)** to address natural hazards planning.

The Department of State Lands budget (**[HB 5037](#)**) did not pass Full Ways and Means last Friday, due in part

Guides are available in Room 59 for only \$3.00.

The Guides provide pictures and information about each legislators, as well as information about Committee Staff.



[LWVOR UPDATES HEALTH CARE PAYER STATEMENT \(click here\)](#)

[Voter Registration Lookup available online through the SOS office.](#)

Address changes can also be made at the SOS link above.

It's your right . . . It's your responsibility to vote.



League Links

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LWV Testimony

to concerns about how to deal with the **Elliott State Forest** and its drag on the Common School Fund. There was a motion to reconsider the budget bill, so we expect to see it again on this week's Full Ways and Means meeting agenda. But it's clear that legislators are grappling with what to do about the Elliott-preserve, sell, log or something else? The decision officially belongs to the **State Land Board** (Governor, Secretary of State and State Treasurer). However, the legislature certainly has a role as well.

Budgets coming up-second round: The Department of Environmental Quality (DEQ) budget (**HB 5018**) will be considered again. The focus this week is wastewater permitting. The Water Resources Department (WRD) budget (**HB 5042**) will also have a second hearing. Since the Ways and Means Capital Construction Subcommittee is hearing lottery and general obligation bonding requests from WRD this week, we can expect to hear more about their requests. The **Oregon Department of Fish and Wildlife** budget (**SB 5511**) second round will be May 11 and 12, with May 13 reserved for additional public testimony. The League has been working with others on the need for license/fee increases to reflect the downturn in sales, while also assuring that the general public's interest in this department's mission is met with General Funds.

Peggy Lynch, Natural Resources Coordinator; Claudia Keith, Climate Change Portfolio; Jennifer Haynes, Forests and Pesticides Portfolios; Marge Easley, Land Use and Aggregate/Mining Portfolio

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Updates on League Supported Bills

Affordable Housing

[HB 2564.](#)

UPDATE: Passed the House. **Scheduled for public hearing and possible work session MAY 19 in Senate Committee On Human Services and Early Childhood** (click bill link above for meeting details)
Read League testimony in support ([click here](#)).

Moving to work sessions:

[HB 2633](#) (Natural Hazards Rulemaking) **[Read the League testimony](#)** from Peggy Lynch, LWVOR Natural Resources Coordinator

UPDATE: In Joint Ways & Means.

[SB 246A](#) (septic tank replacement loan program)

UPDATE: unscheduled in Ways & Means.



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State Bonding Capacity

For the 2015-17 biennium, the maximum recommended General Fund capacity is \$974 million and lottery bonding capacity is \$161 million. Both are less than the requests. Although our bond rating is AA+, factors that affect our rating include the kicker law, the volatility of our personal income tax and our active initiative process. Capital Construction informational hearing was held March 20th.

Information on bond financing: [State Bond Financing in Oregon](#) from the Department of Administrative Services (DAS)

[Overview of the 2015 Debt Policy Advisory Commission Report](#)

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