



LEAGUE OF WOMEN VOTERS® OF OREGON

Legislative Report

June 16, 2015

Volume 25, Number 17

2015 Legislative Session

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NATURAL RESOURCES

SOCIAL POLICY - Public Safety, Healthcare

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GOVERNANCE

Printer-Friendly Version

ACTION ALERT **SJR 5**

Campaign Finance Reform

Your involvement is needed. Tell Senator **Senator Diane Rosenbaum** to move the bill forward. Senate Leadership is holding up a vote on this bill.

Read how you can help.

2564A

would give Oregon communities the option to use inclusionary zoning in order to increase housing options for

Natural Resources

DOGAMI, Mining on Farmland, Clean Water Partnership, Watershed, Elliott Forest, plus . . .



Peggy Lynch, Natural Resources Coordinator

The League has been following the **Department of Geology and Mineral Industries**

(DOGAMI) budget (**SB 5512**).

They usually get little General Fund money, instead seeking

federal and private dollars. Because of their

important role in helping to identify landslide and flood areas, earthquake and tsunami zones, \$1.3 million of General Funds was added to their budget for 2015. Separately, a bill to increase fees (**HB 3563**) to the aggregate and mining industries was introduced. The industries support the increase as the Minerals Industries Division is fully privately funded, but there was a rumor that they were going to seek amendments to lessen the public process for siting of aggregate and hard rock mines contained in **HB 2666 A**. The League joined with partners to oppose any such amendments, **click here** to view a consolidated opposition flyer.

HB 5002 - The Department of Agriculture budget included monies for the Clean Water Partnership that the League supported to increase work on cleaning up Oregon's rivers and streams. They will also be able to modernize their laboratory-helpful to address food safety, water quality and other department missions.

SB 5540 and **5541** - The Oregon Watershed Enhancement Board was awarded the monies from voter-approved Measure 76 related to protecting salmon and watersheds. They were instructed to use \$1 million of their grant monies to fund grants related to the Clean Water Partnership mentioned in the Agriculture budget.

working families at all income levels

**Contact
your Senators now
and urge them to
support [HB 2564A](#)**

[Find your Senator](#)

[HB 3470](#)

ACTION ALERT UPDATE: Work Session on [HB 3470](#) Climate and Justice Act of 2015

We need you to act now! to assist in achieving an affirmative vote on this Climate Stability and Justice Act - a Carbon Cap and Allocation Bill, [HB 3470](#), in this session

**[Click here to read
LWVOR Action Alert.](#)**

Following Twitter:

Drought Emergencies Declared in 19 counties.

Read OPB article by AP
([click here](#))

*More info can be found
and followed through:*

[#ordrought](#)

[Important UPDATE:](#)

[SB 5510](#) - The Department of Energy budget reflected the winding down of the Business Energy Tax Credit program and the reduction in wind farm projects.

The Oregon Marine Board budget [SB 5522 A](#) passed the Senate chamber. Their increased fee bill, [HB 2459 A](#), passed the House - both are headed to the other chamber. Part of reason for the registration fee increase is the reduction in gas usage since they get a portion of the gas tax. If the gas tax is not increased (in a general transportation package), they need to increase other fees. Expectation is that the increase would last for four years. This budget is important to all Oregonians (not just those who own motorboats or non-motorized boats) since these fees also provide the funding for boat inspections at our borders trying to stop invasive species which could decimate our public infrastructure.

[HB 3415 A](#) received a public hearing in Ways and Means Subcommittee on Natural Resources. The League had supported the original bill-a moratorium on hydraulic fracturing in Oregon. As amended, the bill would have required a study and possible rulemaking. The League provided comments, expressing concern that monies might be better spent working on natural hazards planning.

[HB 3549](#), related to aerial spray in forestry management areas, passed House Rules and moved to Ways and Means. It calls for increased staffing at the Department of Agriculture and a hotline for reporting violations. It was amended with -4s last week, which require a 60-foot buffer from residences and schools. Policy Option Package 151 in the Department of Forestry budget, ([HB 5019](#)) to increase public notification to nearby residents for a variety of forest operations, was included in their recommended budget out of the Ways and Means Subcommittee on Natural Resources .

[HB 3212 A](#) had a "relating to land use" clause that could make it a vehicle for "gutting and stuffing". It died in committee. However, [HB 2938 A](#), related to annexation, was stuffed with a -3 amendment that would preempt local cities which have voter annexation provisions in their charters when all property owners of property in a city's urban growth boundary request annexation. Under the new bill, the city is required to annex. The League provided testimony to Senators to reject this egregious usurpation of citizen governance ([click here to read testimony](#)). The Senate President pulled the bill from the Senate chamber to Senate Rules.

***Criminal Justice
Commission Budget
Passes Joint Ways &
Means
Subcommittee on
Public Safety!***

***Read more in Karen's
Social Policy report***

**Interim Legislative
Days**

September 28-30, 2015
November 16-18, 2015
January 13-15, 2016

SHORT SESSION 2016:
February 1 - March 6

**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.**

***PERS Oregon
Supreme Court
Decision impacts
2017-2019 budget.***

***Click here to read
more.***

SB 939

Two bills we worked with the Department of Environmental Quality to get improved with amendments ([SB 412](#) and [SB 829](#)) are headed to the Governor. Sometimes when we see bills filed, we have opportunities to work with others to address concerns even before the original hearings are held. That was true with these two bills, so the League did not provide written testimony.

The Elliott State Forest was a topic of discussion at the [State Land Board meeting](#) on June 9. [HB 3533](#) is the only bill still alive this session. It would allow the State Land Board to sell the forest under certain circumstances. The Board has stated it will not privatize the forest. Jennifer Haynes reminded the Board of the [League's previous testimony](#). The League has been invited to a stakeholder meeting in July and the next State Land Board meeting is scheduled for August 13.

Update on Columbia River Treaty: The League's position to add ecosystem-based function to the Columbia River Treaty is getting legs:

"The U.S. State Department, in possible future negotiations with Canada over the Columbia River Treaty, has decided "to include flood risk mitigation, ecosystem-based function, and hydropower generation interests in the draft U.S. negotiating position," according to a recent letter from the state department to the Northwest congressional delegation."

Bills in House Rules we SUPPORT: [HB 3470 A](#) - the Climate Stability and Justice Act 2015 There was an [informational hearing](#) on this bill and SB 965 on June 10 in the Senate Committee on Environment and Natural Resources.

Bills in House Rules we OPPOSE: [HB 2666 A](#) -aggregate mining on farmland.

Bills in House Rules we are WATCHING: [SB 534](#)-allowing public services to be extended to airports outside of cities.

Bills in Senate Rules we OPPOSE: [HB 2938 A](#) -amended to preempt local control of annexation issues.

Bills in Ways and Means we SUPPORT:[SB 246 A](#) -onsite septic loan program, [SB 266 A](#) - place-based water planning (with funding for grants in HB 5030), [HB 2633 A](#) - natural hazards planning, [SB 830 A](#) -suction dredge mining, [SB 952 A](#) - task force on



Children of Incarcerated Parents Packet

[\(Click here to get detailed information.\)](#)

(Read the about activity on SB 939 in the [Social Policy report.](#))

Are you ready for "The Big One"?

Use [OPB's Aftershock website](#) for the seismic intensity and preparation needed. **Put in your address and see the results.**

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



natural resource agencies (both funding and efficiencies), [HB 3549 A](#) - addressing aerial spray.

Bills in Ways and Means we OPPOSE: [HB 3089 A](#) -relating to the study of mining in Southern and Eastern Oregon.

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[Social Policy](#)

Recording in the Courts, Public Safety, Mental Health, GEI Patients . . .



Karen Nibler, Social Policy Coordinator

Public Safety - The [Senate Judiciary Committee](#) finished up its last week with a plethora of bills, including [HB 3399 B](#), which required justice court or municipal courts to record criminal proceedings. During the last week local judges appeared to object to the costs of recording in the budgets of municipal and county courts, thus the A -2 amendment put the cost of the recording on the defendant. The other provision in this bill was to require a local judge be a member of the Oregon State Bar. The bill was passed the House 42-16, and the Senate by 18-11, and House concurred 50-8.

[HB 2316 B](#) proposed an increase in fees in Justice Courts and passed the House 54-5. The bill was referred to Senate Finance and Revenue, was passed to Senate Rules, where it was amended and passed out as [HB 2316 C](#) on June 11th. The bill is currently waiting for a Senate floor vote. The intent of legislation was to decrease filings in the lower courts.

[HB 2313 A](#) was originally a bill to prohibit youth under 21 from being under influence of marijuana at school, for example. The bill had passed House Judiciary and the House with 60 votes. However, some legal technicalities were noted in the measurement of marijuana in the body, so the bill was gut and stuffed with an A 4 amendment to allow the Department of Corrections to get records from the Oregon Youth Authority and Juvenile Departments when youth offenders are transferred to the Department of Corrections. The Senate Judiciary passed [HB 2313 B](#) and the Senate voted approval by 22-8. The House concurred 57-3. The committee discussed the need for treatment for youth due to

Volunteer to work on issues for
the 2015 Legislative Session

It's exciting!

Contact the
[LWVOR Action Team](#)

League Victory!

Governor Signs Firearms Safety Act, SB 941, into Law

*This landmark legislation
was made
possible through the
passion and hard work
of gun safety advocates.
The League's Action
member, Marge Easley, is
one who, with other
volunteers and alliances
helped make SB 941 law.*

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

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

marijuana use and this issue may come back in the Interim or short session.

Mental Health Bills - [SB 832 B](#) was a very comprehensive bill on the integration of primary care and behavioral health care homes in the Coordinated Care Organizations. The bill listed clinicians qualified to work in behavioral health as psychiatrists, psychologists, registered nurse practitioners, social workers, marriage and family therapists, counselors or mental health associates. The bill also included peer support specialists in the recovery treatment for mental health and addictions. The bill allows urgent care and primary care to use mental health billing codes for services. The bill passed out of Senate Rules and sailed through the Senate with 50 votes. The bill is now in House Rules.

House Judiciary passed these bills. [HB 2557 B](#) (now enrolled) gave those who were Guilty Except for Insanity the process for expunging their record. [HB 2429](#) gave recovered GEI patients the right to have guns. In both cases, the applicants are vetted by the Psychiatric Review Board. The court is allowed to make fitness to proceed decisions in [HB 2382 A](#) at any stage of the criminal process. The bill passed to Ways and Means early in the session. [HB 3347 A](#) modified the definition of a person with mental illness in civil commitment statutes to cover one who is unable to avoid serious physical harm in the near future. One bill that did not pass, [HB 3249](#), asked for civil commitment of a person who was noncompliant with an Assisted Outpatient Treatment order. There is a lower criteria for Assisted Outpatient Treatment than civil commitment.

The Governor signed [HB 2420 A](#), which allowed the court to require a mental health evaluation in the community for offenders with C felonies or misdemeanors. The intent was to decrease admissions to the Oregon State Hospital for lesser offenses. [HB 2557 B](#) and [HB 2429](#) were signed by the Governor, and [HB 3347 A](#) is waiting for the Governor's signature.

[SB 663 A](#) requires that retail stores for cigarettes, nicotine or inhalant delivery products be licensed. The bill was amended in the Senate Health Care Committee and referred to Senate Finance and Revenue. The Oregon Health Authority is the agency assigned to do inspections and licenses. OHA considers tobacco to be the most costly in the health care system. Others were concerned about access for minors and the sampling of vapor products in stores. A -12 amendments were submitted, but no decision was made. On June 11, the Chair announced that the

the Department of
Administrative Services
(DAS)

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

***Another Victory for
Firearms Safety***

***In a bipartisan effort
SB 525B passes the
Senate to keep guns
away from domestic
violence offenders.***

***LWVOR Battle Front!
[Read the Issues on
Social Policy,
Governance and Natural
Resources as
captured by our LWVOR
Coodinators.](#)***

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**Over 250 policy bills
have been sent to
Ways & Means**

bill was not to be heard again because no agreement was reached.

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**Concealed Carry
Reciprocity Bill
Commission, HB 3093**

[HB 3093B](#) has had an interesting history. The original intent was to allow recognition of concealed handgun licenses (CHL) from any state with CHL laws as stringent as Oregon's, which the League opposes. However, the bill sailed through the House, and when it reached the Senate it became a catchall for several fixes to the new background check law. It passed easily out of Senate Judiciary on 6/4 and is headed to almost certain passage on the Senate floor. It is scheduled for a third reading June 11. (**[Read the Floor Letter submitted by the League.](#)**)

The League continues to oppose the bill, because we believe that CHL reciprocity would be difficult to monitor and enforce and would greatly increase the number of people who are able to carry concealed firearms in the state. Our preference would be to strengthen Oregon's rather weak CHL requirements to include live-fire training.

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**Children at Risk, Early
Learning**

Early Learning

On these Early Learning bills discussed in earlier Legislative reports, you, as readers, are invited to watch personal **[testimony](#)** by Governor Brown on **[SB 213](#)**, relating to Early Learning Hubs and **[HB 3380](#)**, relating to preschool programs that create a high quality mixed delivery preschool, focusing on under-served children by expanding eligibility to 200% of the poverty level. "We need adequate resources and they need to be sustained over the long run. Both of these bills need to be funded. The challenge is to maintain this over the long run, not just this session."



*Marge Easley,
LWVOR Action
Team Member*



*Chris Vogel, Early
Education
Portfolio*



Read Peter Wong's Portland
Tribune Article: [State
Revenue Forecast:
Kicker on the way](#)
Get the reactions from
Governor Brown and Others

Read the Office of Economic
Analysis
[May 14 Revenue
Forecast](#)

The Joint Committee On Ways and Means Subcommittee On Education will hear [HB 5016](#), on 6/18/2015, which is the Department of Education budget, including Early Learning operations, [SB 213 A](#) relating to Early Learning Hubs, and [SB 217 A](#) relating to strategic education investments, including the Oregon Early Reading Program.

[SB 187](#), relating to student privacy, would enact the Oregon Student Information Protection Act or applications for kindergarten through grade 12 school purposes. It allows limited disclosure of information made to further school purposes, to comply with legal and regulatory requirements, to participate in judicial proceedings, and to protect safety of the user or the integrity of application. The bill prohibits the operator of website, service, or application designed for kindergarten through grade 12 educational purposes from engaging in targeted advertising, amassing student profiles, selling student information, or disclosing covered information. This bill has passed both the Senate and House and is awaiting the Governor's signature.

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

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**The Guides provide
pictures and**

Governance

Campaign Contribution Limits, LWVOR & Task Forces, Property Taxes, Public Records Reforms and more . . .



*Kappy Eaton,
Governance
Coordinator*

Campaign Finance Proposals Stuck

Campaign finance reform is posing a dilemma in both the Senate and House Rules committees. [SJR 5](#)

relates to amending the Oregon Constitution to permit the Legislature or the public to set candidate contribution limits. The coalition of organizations supporting SJR 5 reports that there are enough votes on the Senate Rules Committee and in the Senate to pass, but a work session has been thwarted by the Senate President.

LWV of Oregon members called to serve on Task Forces.

[HB 2178](#) has been scheduled for work sessions several times since its initial positive hearing on February 16. Originally, it proposed additional

information about each legislators, as well as information about Committee Staff.

League Links

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transparency filing within 48 hours for campaign contributions of more than \$2500, either one time or aggregated during the final 14 days prior to an election. The proposed amendments would remove the aggregate amount and **add creation of a Campaign Finance Task Force** under the direction of the Secretary of State. The League considers this a priority for Oregon election disclosure, the only campaign finance control Oregonians have available.

On Monday, [HB 2178](#) passed out of House Rules with an unanimous vote, with a Do Pass recommendation as amended, and with a referral to Ways and Means for funding of the 15-member task force. **The LWV of Oregon is the only organization explicitly named in the bill to have a member of the task force appointed by the Secretary of State!**

[HB 3500](#) also passed out of House Rules with a Do Pass recommendation on May 28. The amended bill creates a **Task Force on Expanding Access to More Voters in Primary Elections**. *Again*, The 17-member task force will include "One member to represent the interests of the League of Women Voters." It is currently in the Joint Subcommittee on General Government and is scheduled for a public hearing on June 18.

Ethics

[HB 2020](#), which officially defines "public officials" to include the governor's partner (spouse, man, lady, mate, etc. some choices referred to by Gov. Brown in her June 11 Senate Rules Committee testimony), passed the House 58-1 on June 3. It is now headed to the Senate for expected acceptance and the opportunity for the Governor to formally sign the designation into law.

[SB 9A](#), the Governor's bill to improve the public's right to know, was signed on Monday. The bill calls for the Secretary of State to conduct a Performance Audit of state agency's public records retention and public service practices and to make recommendations for changes.

Measure 50 (1997) Property Tax Rates

[HJR 21](#) is an Oregon Constitution amendment proposed to address the mandated and outdated county permanent property tax rates adopted as part of the property tax law revisions in Measure #50, enacted in the special 1997 election. Thirteen of Oregon's 36 counties were left with permanent county property tax rates of under \$2 per \$1000 of assessed value, leaving them with continuing funding problems, especially for social services, public safety and transportation. Two of the counties, Tillamook

and Linn, have managed local-option tax rates to help overcome the problem, but the other 11, which include Deschutes, Coos, Curry, Josephine and Lane, struggle to provide minimum services.

The amendment would mandate that any rate of ad valorem property taxes imposed by a county for any property tax year may not be less than \$2 per \$1000, and equally as important, excepts \$2 per \$1000 minimum from the compression under Measure 5 (1990), which is causing local option taxes, especially for education, to raise lower amounts than anticipated. According to the information provided by the Legislative Revenue Office, the rates cannot be changed except by amending the Constitution, and the Special election would be held in May, 2016, the same time as the Primary. After a brief hearing on June 11, the House Revenue Committee referred the measure to the House Rules Committee for the provision of a caption for the amendment.

Marriage Equality

[HB 2478 B](#) passed the House on party lines and was scheduled in Senate Rules on June 9. It would revise all statutes relating to married persons and provide gender neutral language for all married individuals. References change from "male and female" to "spouses married to each other".

Paid Sick Leave Coming

With House passage of [SB 454](#), 33-24 on June 12, and the Senate approval, 17-13 on June 10, businesses in Oregon with 10 or more employees must provide up to 5 days, or at least 40 hours of paid sick leave starting January 1, 2016. The bill has been very controversial and partisan in support and opposition. Supporters cite the importance of a consistent statewide policy and a healthy work force, while opponents point out significant problems for small businesses and agricultural employers.

Redistricting

While it makes good sense to plan ahead for the reapportionment of Oregon's Congressional and legislative districts in 2021, attempts to do so in 2015 have had mixed results. [HB 2974 B](#) calls for 10 public hearings across the state before and five after a proposal has been drafted. The Legislature has adopted it.

However, [SB 331 A](#), a common sense measure to have prison inmates counted in the population of the area from which they came, was referred back to the Senate Rules Committee to probably die. The [Redistricting Matters Coalition](#), which wants to remove the redistricting authority from the

Legislature to an independent commission, still hopes the measure will be voted on during this session.

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