



# Legislative Report

June 12, 2013

Volume 23, Number 19

## In This Issue

[NATURAL RESOURCES - DLCD Budget and Policy Bills](#)

[Southern Oregon Pilot Crash Lands](#)

[Another Request to the "Oregon Planning Commission"](#)

[A Chance to Use our New Coastal Position](#)

[Dept. of Agriculture Budget](#)

[Bills Still on Life Support](#)

[SOCIAL POLICY - Budgets, Budgets and More Budgets](#)

[GOVERNANCE - The Oregon 2013-15 Budget: Gridlock](#)

[Counties in Crisis: Update](#)

[Elections and Voter Registration: Slow Motion](#)

[National Popular Vote: Inaction](#)

[Board and Commissions and Public Involvement](#)

**Printer-Friendly Version**

## Natural Resources

### Dept. of Land Conservation and Development Budget and Policy Bills



*Peggy Lynch, Natural Resources Coordinator*

[SB 5530](#), the Department of Land Conservation and Development (DLCD) budget bill and their two priority policy bills, [HB 2253B](#) and [HB 2254B](#), were passed out of the Natural Resources Subcommittee on Ways and Means on June 3rd. The two policy bills were then passed out of Full Ways and Means on June 6th.

The League provided [testimony](#) March 14th in support of [SB 5530](#). The bill includes three budget notes-two related to their approved information system and a third, which the League is expected to be involved in during the interim, to look at the process of post-acknowledgement plan amendments, including issues of public notice, public review and conduct of hearings on these amendments.

For further information on this issue, see [HB 3362](#), which the League orally opposed. The interim group, unlike HB 3362, is not proscriptive, but contemplative, so there is hope for a good broad-ranging discussion.

[Back to top](#)

### Southern Oregon Pilot Crash Lands

[SB 5530](#) provides for the Department of Land Conservation and Development (DLCD) to complete distribution of 2011-13 funding for the Governor's Executive Order 12-07 related to the Southern Oregon Regional Pilot Project, but does not currently include further monies. League members have been monitoring this project.

Jackson and Josephine Counties have inclusive Technical Advisory Committees. Jackson County seems to be working toward reviewing lands that might have been "mis-zoned"

## Legislature Links

[OR State  
Legislature](#)

[Legislative Audio  
and Video](#)

[View the Bills](#)

[State Senators  
Contact Info](#)

[State  
Representatives  
Contact Info](#)

---

## League Links

[LWVOR Action Team](#)

[LWV of Oregon](#)

[LWV of the US](#)

**Join Our  
Mailing List**

**LWV  
Testimony**



[Follow Us](#)



[Like Us](#)



[Join OCN Salem  
Watch](#)

during the original Comprehensive Plan process. This is a project they were already authorized to do in [HB 2229B](#) (2009).

Josephine County has recently lost critical staff, and it is unclear as to the direction they are going with the project.

Douglas County has moved full speed ahead, seeming to focus on the need to provide more land to allow a "rural lifestyle" instead of the direction in the Executive Order. They have created a draft map of potential new 10-, 20- and 40-acre lots. But that was not the direction in the Executive Order. The DLCD budget was pulled from the June 6th Full Ways and Means hearing as members consider the implications of this information.

Readers with knowledge of the project should share their information with the Co-Chairs of the [Full Ways and Means Committee](#) and Co-Chairs of the [Natural Resources Subcommittee](#).

[Back to Top](#)

---

## Another Request to the "Oregon Planning Commission"

[HB 3536](#), a request from one family in Central Oregon to substantially expand their golf course at Aspen Lakes, was heard in House Rules on June 5th. The League provided

[testimony](#) in opposition. We continue to believe that we have a statewide land use planning program with local implementation. It is important that local citizens and their local governments consider land development applications, rather than trying to make the Legislature the Oregon Planning Commission. We don't expect this bill to move this session, but it may well return in 2014.



[Back to Top](#)

---

## A Chance to Use our New Coastal Position

[SB 737A](#) was passed out of the Senate Rural Communities and Economic Development Committee and sent to

Ways and Means. Because it has not yet moved, the League provided [testimony](#) in support of the creation of a new Oregon Ocean Science Trust. Housed in the Department of State Lands where the State Land Board will have some



## Urgent Action For Justice **HB 3194**

is sitting in the Joint  
Committee on  
Public Safety

### Contact Committee Members

and tell them to support  
Public Safety changes in

### **HB 3194**

Tell them to

### **Pass**

the bill

See LWVOR [Action Alert](#)  
for more information

## Protect Oregon Rivers



### **SB 838A**

suspends  
suction-dredge mining

Tell [Legislators](#) to  
stand up for Oregon's  
Scenic Rivers

Contact  
members of the  
[Joint Ways and Means  
Committee](#)

and tell them to

### **Pass**

### **SB 838A**

See

[Legislative Report](#)  
**#18**

## It's Time for Oregon to Pass **The National Popular Vote Interstate Compact** **HB 3077**

It is sitting in the  
Senate  
Committee on Rules  
Only 3 more votes are

oversight responsibility, the Trust will provide a venue for private parties and grant funding to assure on-going ocean research. League members were solidly in support of such science research.

Please contact the [Full Ways and Means Committee](#) members with your support for this important bill.

[Back to Top](#)

## Dept. of Agriculture Budget

[SB 5502](#) and [SB 5503](#), the Department of Agriculture budget and fee bills, were passed out of the Full Ways and Means Committee on June 6th. The League had provided [testimony](#) in February. We are pleased that the budget included monies to support water quality issues.

[Back to Top](#)

## Bills Still on Life Support

There are bills the League supports or opposes sitting in committees that could still act on those bills. By the time we write the next *Legislative Report* we should know which have life and which are dead for this session. The list is long. Look for more information in the next *Legislative Report*.

[Back to Natural Resources](#)

[Back to Top](#)

## Social Policy

### Budgets, Budgets and More Budgets

The end of the session brings us to the budget hearings to determine how the agency requests and policy decisions are playing out in real dollars. The largest budget is [SB 5519A](#) for the Department of Education **State School**

**Fund**, which will receive \$6.55 billion in the next biennium. This budget was \$1 billion more than last session. With PERS adjustments and property taxes, schools should have \$6.75 available for the next two school years. The full Ways and Means Committee passed this budget on May 31st along with [HB 2506B](#), which establishes a Task Force on School Funding. This bill



*Karen Nibler, Social  
Policy Coordinator*

needed  
Contact your  
[Senator](#)  
to help get this bill  
passed  
Help move Oregon  
forward.  
See LWVOR  
[Action Alert](#)

### Ladies at the Legislature Brown Bag Lunch Series

Workshops are from  
11am -1pm  
Next, and last, workshop  
of the session is  
**June 21**  
with speaker,  
**Attorney General  
Ellen Rosenblum**  
Oregon's first female  
Attorney General

Contact  
[Rep Julie Parrish](#)  
for more information  
or call  
(503) 986-1437

### Bill Update

June 12th  
**2,267**  
measures introduced  
**667**  
bills  
passed by the  
Oregon House  
**623**  
bills  
passed by the  
Oregon Senate  
and  
the Governor has  
signed  
**349**  
bills  
[Click here](#)  
to see the bills

**Alert!**  
**Keystone Pipeline**

also redistributes \$33 million from the Educational Service Districts to the Quality Teaching and Learning Network.

The Department of Human Services and the Oregon Health Authority are big agency budgets, which demand a large proportion of the state revenues, but also draw matching federal dollars for human services and health care services. How agencies plan to meet the needs of Oregonians has been foremost in the minds of human services advocates. The paragraphs below explain the specific programs that are funded in Human Services. The Oregon Health Authority Program Budgets are also being heard and will be reported next week.

**The Department of Human Services (DHS) Budget**, [HB 5529](#), Child Welfare and Vocational Rehab divisions were heard June 3rd, in the Ways and Means Human Services Subcommittee. **The Child Welfare Budget** comes in at \$906,903,176 for this biennium, with an increase in staff for cultural differential response and Indian Child Welfare cases. Investments were added to restore 48 residential placement beds, the continuation of Runaway and Homeless Youth funds, and protective services for children in their own homes. A budget note asked the agency to report in 2015 on the progress toward program outcomes.

Companion bill, [SB 123A](#), on Foster Care Rights was heard along with the Child Welfare Budget. This bill will add costs for a hotline and ombudsman in the Governor's office. There will also be costs in printing out a notice of Rights for foster children and cards with the phone hotline number. A few foster youth spoke in both Senate and House Human Services for this bill and came across well for the cause.

Another bill, [HB 3445A](#) directs the agency to establish up to 3 community homes for children placed in their legal custody. Catholic Community Services in Salem has developed a community-home model for children in their own communities. The homes provide permanency in the community and schools in several communities. In the new model, the foster parents move rather than the children. So far 73 children have been placed, with 80% remaining in the home, and 20% moved under court order. The cost was estimated at \$120,000 including both General funds and Federal Funds. The League testified in the last session on a similar bill allowing guardianship in those homes.



**The Vocational Rehabilitation Program** receives federal funds for most of its financial support. Its total budget is \$91,459,880 for the biennium, with \$71,425,384 from federal funds. The agency places adults with disabilities in



**is  
ALL Risk,  
NO Reward**

The League opposes the  
KXL Pipeline.  
We need your help.

**Tell Secretary Kerry  
to reject it!**

[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](#)

**Do you enjoy statistics?**

Go to [Oregon Explorer](#)  
*Information to help citizens, planners, and policymakers make more informed decisions about*

job placements. The goal is employment after an initial trial period with the current employment/closure rate of 57% and a future target of 66%.

The Department of Human Services (DHS) budget hearings continued on June 5th with the **Developmental Disabilities Program**, which also receives a majority of federal funds. The total budget is \$1,681,962,770, with \$1,105,979,575 in federal funds. The budget includes additional funds for Family to Family Networks across the state, an increase in wages and health care insurance for personal support workers, and increased rates for group homes, specialized living, transportation and adult foster care. The budget supports an Employment First Initiative to move people with developmental disabilities out of sheltered workshops and into integrated supported employment. This initiative is shared by Vocational Rehabilitation and the Department of Education, which provides special education until age 21 for young adults.



Companion bills, [SB 559A](#) and [SB 640A](#) were also passed. [SB 559A](#) gives an adult with developmental disabilities the choice of 3 placement options before initial placement or transfer from placement. Exceptions allow for remaining within a geographic area or transferring due to health or safety risks. [SB 640A](#) requires DHS to assess the support needs for each adult in 24 hour residential care and set a detailed service rate. This will be done with current agency staff and not require additional funds.

**The Aging and People with Disabilities (APD)**

**Program** includes long term care and nursing home care options. The total budget is \$2,425,682,990, with a majority of it from federal funds for \$1,560,168,061. The APD budget includes the regional Aging and Disability Resource Connection (ADRC,) which assists seniors, persons with disabilities, and veterans, with the option for long term care services. It also supports coordination between local APD, Area Agencies on Aging, and Coordinated Care Organizations. The agency has applied for a federal Medicaid K Waiver to increase in-home and community-based care funding and home care worker rates. [SB 21A](#) requests expansion for future aging populations, and [HB 2216B](#) extends the long term care facility assessment. Both bills are still pending. The agency is required to report to the Interim Ways and Means or E-Board in November 2014, prior to the 2015 session.

The Human Services Ways and Means Subcommittee scheduled the Self Sufficiency and Temporary Assistance to Needy Families Program for June 10th and the total

*Oregon's natural resources and communities.*

Rural communities are using [Oregon Explorer.info/rural](http://OregonExplorer.info/rural) to access community data and help with planning.

**Check it out!**

**Visit OLIS**  
Oregon Legislative Information System

Easy way to find information about session bills, committees, hearings and what's going on at the Legislature today. OLIS can help. [Click Here](#) and give it a try.

Department of Human Services (DHS) Agency budget is set for June 15th. The League [supported SB 5529](#), the total DHS budget, at an earlier hearing in March.

**The Office of Long Term Care Ombudsman** had been allocated \$2,688,281 in [HB 5024A](#) on May 23rd. This agency has 11 staff and many volunteers who visit clients in nursing facilities, assisted living or residential care facilities or adult foster care homes. The staff responds to complaints and investigates the situations for clients and their families. Advocates attend 500 meetings, and certified ombudsmen volunteer 25,000 hours annually. This Budget was passed by the Full Ways and Means on May 31st.



**The Psychiatric Security Review Board Budget, [HB 5040A](#)**, was also reviewed in the Ways and Means Human Services Subcommittee on May 23rd. This agency holds hearings for adults and juveniles charged with crimes, who are committed to the Oregon Health Authority for evaluation and treatment. The agency was allocated \$2,452,173 for 11 staff. This Budget was passed by the Full Ways and Means Committee on May 31st. The League verbally supported this budget.

**Oregon Housing and Community Services Budget, [HB 5015](#)**, was heard in Ways and Means Transportation and Economic Development Subcommittee on June 3rd. Oregon Housing and Community Services (OHCS) provides anti-poverty programs, energy and housing assistance in regional agencies. Federal and Other Funds are passed through to local agencies for food banks, emergency shelters, rental assistance, and homeownership programs. The agency receives \$8,465,209 in General Funds the first year, with the second year held in E-board Special Purpose Appropriations. The total budget is a sizable \$670,309,372, which includes Federal funds for Neighborhood Stabilization and Foreclosure Mediation Programs, which are time limited. Energy and Weatherization programs were due to sunset, but were continued. The agency is due to report in February 2014 on alternative methods of service delivery. The League [supported](#) this budget due to the emergency food and housing services.

[HB 2417](#) expands the document recording fee to add \$5 for veterans' housing, which will be managed by the OHCS agency. This bill was passed, along with the OHCS budget, on June 3rd. The [Housing Alliance](#), of which the League is a member, submitted a [letter](#) in support of this bill.

**The Ways and Means Public Safety Subcommittee** has passed almost all the agency budgets submitted to them

this session. The Oregon Judicial Department, Department of Corrections, Board of Parole and Post-Prison Supervision, Oregon Youth Authority, and Criminal Justice Commission have been reported in previous weeks. The Ways and Means Public Safety Subcommittee will close at the end of this week. See below: Defense Attorneys and judges got a raise in their final budgets.

**The Oregon Judicial Department (OJD) final budget, [HB 5016](#)**, passed out of Ways and Means Public Safety on June 11. The new panel of 3 Appellate Judges and 9 staff were added for October 1, 2013. The Appellate, Tax, and Circuit Court Judges received raises of \$5000 a year for January 2014. That's the good news!!! See League [testimony](#) on [HB 5016](#).

The total budget was \$468 million, mainly General Fund, and a FTE of 1763, which is still down 140 staff from 2009-2011. The OJD had to take reductions of \$3 million in their budget while maintaining full access and continuing to set up the e-court system in circuit courts. The state will issue bonds in March 2015 to provide funds to hire 40 limited duration staff to set up the e-court system. The fee schedule to file documents and get copies etc. has not yet been determined.

**The Public Defense Services Commission Budget, [HB 5041](#)**, submitted by the Oregon Judicial Department (OJD) was passed out of the Ways and Means Public Safety Subcommittee on June 6th. This commission provides defense attorneys for appellate and district court cases. The total budget was \$253,163,207 for 76 positions. The agency requested additional funds to increase defense attorney salaries and hourly rates for contracted attorneys and investigators. The approved budget added \$2,135,433 for these raises. The League [supported HB 3463](#), which asked for salary increases equivalent to deputy district attorneys. The increased rates were 34% of the difference in salaries.

The Full Ways and Means Committee passed the following budgets on Thursday afternoon, June 6th:

- Department of Corrections, [HB 5005](#), for \$4.48 billion for the operation of 14 prisons and 36 county community corrections agencies for probation and parole services and use of jail facilities.
- Oregon Youth Authority, [HB 5050A](#), for 324.9 million and 992 FTE for 750 correctional facility beds, 658 residential placements, behavioral rehabilitative services, community supervision, local detentions, diversion and juvenile crime prevention.
- Department of Justice, [HB 5018](#), for \$441 million for 1284 positions for legal services, assistance to District

Attorneys, child support collection and victim services. This is not a definitive list.

- Oregon State Police, [HB 5038](#), for \$342 million, with 1245 positions for forensic lab services, medical examiner, crime investigations and patrol. The staff for the radio project was transferred to ODOT.
- Department of Fish and Wildlife, [HB 5013](#), for \$331.6 million for fish hatcheries, research projects, near-shore monitors, and fish and game enforcement. Federal funds pay for research projects.
- Department of Public Safety Standards and Training, [HB 5042A](#), for \$44 million for 130 staff to teach 13 basic police training series over the two-year biennium.
- Criminal Justice Commission, [HB 5007A](#), for \$21.49 million for 7.5 FTE, data analysis, and grant management for drug courts and other criminal justice projects.
- District Attorneys, [SB 5517](#), for \$10 million for 36 FTE in 36 counties for the elected District Attorney. The county pays for additional deputy district attorneys and staff. The Dept. of Justice pays for child support staff, multi-disciplinary teams, and crime victim services.
- [SB 843](#) sets up a Work Group on corrections health care costs, which is to report by January 1, 2014.



[Back to Social Policy](#)  
[Back to Top](#)

## Governance

### The Oregon 2013-15 Budget: Gridlock

The Oregon Constitution requires two actions of the Oregon Assembly. It is to convene on the second Monday of January in the uneven years, and it must pass a balanced budget for the biennium. The 77th session of the Legislature, after a fairly structured start with agreed upon deadlines for various decisions, is bogged down on the issue of the General Fund budget for the next two years.



*Kappy Eaton,  
Governance  
Coordinator*

As required, the Governor presented his proposed budget on December 1, 2012, based on the December revenue forecast. The co-chairs of the Joint Ways and Means Committee issued their proposed budget in March, following



that revenue forecast. The two General Fund budgets were fairly close at somewhat over \$16 billion, up a billion from the current biennium. There was general agreement within the legislative leadership and members that investment in public education would be the primary focus for the biennium. There was \$6.55 billion put in for K-12 education. On a budget "side bar" was possibly \$7 billion for schools. With less than three weeks left until the agreed upon June 28th adjournment date, the school funding is not yet ensured.

Currently, there is not political support for the proposed revenue streams to support the proposed budget. The Governor had proposed about \$900 million in PERS reforms. With the passage of [SB 822A](#) and some other adjustments, there is between \$800 and \$900 million. The extension of the health provider tax of about \$745 million and the federal Medicaid match add another about \$2 billion. These are part of the Democratic co-chairs proposed budget. However, the Republicans want more revenue and other revisions from PERS reform and are refusing to support extension of the provider tax until more changes are made. Additionally, one Democratic senator is refusing his support for the proposed school budget as being inadequate. Because tax revenue is required, a 3/5 majority vote is mandated so the budget cannot pass. The Governor has made three attempts to bring about compromise, thus far to no avail.

Meanwhile, the Joint Ways and Means Committee is passing agency budgets and other revenue legislation as the bills move through the six subcommittees. These subcommittees will close down on June 14, and the Capitol Construction Committee will serve as the money "rules" committee. Uncertainty reigns, and [SB 5504](#), from that committee, extends by resolution the quarterly spending authority of state agencies to August 15th, just in case the Governor has not signed the budget by July 1. (Somewhat like Congressional copycats.)



[Back to top](#)

---

## Counties in Crisis: Update

On June 6th the House Rules committee sent [SB 496](#) and [SB 581](#) to the House floor with "do pass" recommendations. The first clarifies that the expenditure of moneys in the county road fund shall be used solely for both direct and indirect costs of public safety patrolling. The second extends the sunset date for provisions of the 2012 law relating to a county in fiscal distress and the fiscal distress board statutes that can allow the Governor to intervene at a

county's request.

Work sessions were held June 10th on [HB 2206](#) and [HB 3404](#) after public hearings on June 6th, during which the League presented [comments](#). Under [HB 2206](#) the Secretary of State would assume election- related duties and the functions and powers of county clerks when the Governor has declared a public safety emergency for a county in fiscal distress. Counties could receive assistance payments from the County Assessment Function Funding Assistance Account for tax years 2013-14 and 2014-15 under [HB 3404](#), if they have not received special federal timber funds and are unable to perform taxation and assessment functions as required by law.

No action has been taken on either [HJR 2](#), allowing counties to merge, or [HB 3453](#), allowing the Governor, the House Speaker and Senate President, together, to declare a county is in public safety emergency. This bill was vigorously opposed by Representative Hicks, Rules Co-Vice Chair, and several constituents from Josephine County.

[Back to Top](#)

---

## **Elections and Voter Registration: Slow Motion**



Still awaiting action in Senate Rules is the ballot security bill, [HB 2199A](#). Tightening up the video camera coverage to all rooms in the county election offices and providing effective process and procedures for the disposal of unused ballots is critical to voter trust and fraud-free elections. [HB 2199A](#) passed the House 40-20 but is still sitting in the Senate Rules Committee since its May 22nd hearing with no work session scheduled. The League provided [testimony](#) in support.

The Secretary of State's greatly enlarged voter registration bill, now [HB 3521A](#), is lodged in the General Government Subcommittee of Ways and Means, where it finally had a public hearing on June 3rd. The bill started out as [HB 2198](#), an effort to have all new drivers' license holders, if eligible, be electronically registered to vote with the Secretary of State through the Department of Motor Vehicles (DMV). The House Rules Committee oversaw combining bills that

1. defined what a qualified designated voter registration agency might be, besides the DMV,
2. increased the number of electors in any precinct from 5,000 to 10,000,
3. established the date for minor party status for the 2014 election, and

4. prohibited public record disclosure of any voter registration information for persons under 18 who are registered to vote. This particular issue was raised in the debate over registration of 16 year olds and the attempts to seek their support for candidates or measures even though they couldn't vote.

The new bill still is the original voter registration proposal with the above additions.

The League continues to [support](#) this effort for registration modernization.

[Back to Top](#)

---

## National Popular Vote: Inaction

[HB 3077](#), the National Popular Vote Interstate Compact, still awaits a hearing in the Senate Rules committee, two months after it moved out of the House on a 38-21 vote. There are 13 positive votes in the Senate, and we need 3 more.



Please call your [senators](#) and ask them to talk with their colleagues in support of [HB 3077](#). This is too important for Oregon not to move forward. See [sidebar](#).

[Back to Top](#)

---

## Board and Commissions and Public Involvement

The League testified with concerns regarding [SB 300](#), including the [-3 amendments](#), heard in Senate Rules on June 5th. The League has a position in support of a strong executive branch but also supports Boards and Commissions as currently appointed. We provided [testimony](#) in opposition to the part of the bill that would have allowed the Governor to remove all Board and Commission members "at will". This action could mean having an entirely new body with little history of current issues. It could also mean a standoff between the Governor who appoints and the Senate who confirms. Vacant Boards and Commissions could stop important work of agencies. Of interest was a [chart](#) of some of these entities and who appoints and has the power of removal.

We respect the work of Secretary of State Auditor Gary Blackmer but League members' experience with Boards and Commissions differs from his conclusions. We see members providing professional oversight and assuring public

involvement in policy decisions and legislative implementation through rulemaking. We hope to work with others in the interim to recommend ways to address the deficiencies found in the [auditor's report](#) while strengthening these Boards and Commissions, which are so vital to Oregonians' participation in government.

[Back to Governance](#)

[Back to Top](#)

---

[Forward email](#)



Try it FREE today.

This email was sent to [lwvor@lwvor.org](mailto:lwvor@lwvor.org) by [lwvor@lwvor.org](mailto:lwvor@lwvor.org) | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

League of Women Voters of Oregon | 1330 12th St. SE, Suite 200 | Salem | OR | 97302