



# Legislative Report

June 19, 2013

Volume 23, Number 20

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## Social Policy

### Early Learning and Youth Development Divisions



*Karen Nibler, Social Policy Coordinator*

The Ways and Means Education Subcommittee heard budget bills for the Oregon Department of Education (ODE) and the Oregon Education Investment Board on June 11th to 13th. [HB 3234A](#) creates the Early Learning Division (ELD) and [HB 3231A](#) creates the Youth Development Division (YDD). Both bills were approved and the divisions were included in the Department of Education budget. The ELD includes the Office of Child Care as well as, Pre-Kindergarten, Early Head Start, Early Intervention and Early Special Education programs. The YDD assumed programs for Youth Investment, Juvenile Crime Prevention, Gang Involved Youth, Community Schools and Foster Care Reduction.

[HB 2013A](#) clarified the intent to prepare kids for kindergarten and implements the kindergarten readiness assessment. The bill also sets out a process for the development of Early Learning Hubs in seven regions in the state, with nine more regional hubs in the second year of the biennium. The League submitted [comments](#) on this bill in March.



Funding in the Early Learning Division will be allocated at \$4.3 million for regional hub formation, \$720,000 for counties at \$20,000 each, \$4 million for Kindergarten Readiness, \$387,618 for Healthy Start and Relief Nurseries, and \$2.2 million for flex funding for the continuation of current programs.

The Department of Education bill, [SB 5518](#), includes the office of the Deputy Superintendent, support for the State Board of Education and oversight of K-12 education. This budget includes special education, pre-school, school nutrition, vocational education, youth corrections education,

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and the School for the Deaf. The State School Fund for school districts was in a prior budget, [SB 5519A](#), last week.

The total ODE budget is \$2 billion plus, with over half in Federal Funds for grants and nutrition programs. The General Fund portion of \$432 million pays for Early Intervention/Special Education and Pre-Kindergarten. Lottery funds of \$42 million will be used for debt service. A Longitudinal Data System with new equipment was proposed and a business plan is anticipated to manage the development of this system. A Special Purpose Appropriation is reserved at \$4.6 million for the new assessment system.

The Early Learning Division has a total budget of \$302 million from the consolidation of the current Early Learning Education, Child Care Employment Programs, and the Commission for Children and Families Programs. The Youth Development Division (YDD) has a smaller budget of \$15.5 million. An additional \$1.7 million will be reserved for the YDD in the second year.

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## Education Initiatives Pass Muster

The Oregon Education Investment Board (OEIB) initiatives in [HB 3232A](#) are in Early Reading, Post-Secondary Aspirations and Connecting to the World of Work. The Oregon Department of Education (ODE) budget provides \$27 million for OEIB initiatives. A Fund of \$1.7 million was set aside for preparing individuals with disabilities for employment. Other programs are physical education, SMART, First Robotics, Ready to Read and Native American support. The Quality Teaching and Learning Network, [HB 3233A](#), provides a new professional development initiative, funded at \$33 million.

The OEIB budget, [SB 5548](#), pays for the Chief Education Officer, 11 staff for the 0 - 20 system, and support for Board members. The \$6.16 million includes funds for projects and studies. Budget Notes ask OEIB and ODE to report to the 2014 Session on the initiatives, amount of grants and any transfer of funds between programs.

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## Ways and Means Logjam

The subcommittees submit recommended agency budgets to the Co-Chairs, but not all of the budgets



## 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

glide smoothly through the Ways and Means process. At this time in the session, our action team looks at which budgets have already been passed through the subcommittees and which budgets are caught in the logjam. Most of the Education budgets have made it through Ways and Means but wait to be scheduled for a House or Senate vote. Apparently the School Fund Budget will have to be rescheduled.



Within the Social Policy agencies, most of the Department of Human Services Division budgets have been passed through the subcommittee, except for the Self Sufficiency Division. The Temporary Assistance to Needy Families demands a good share of that budget, so it must be held up until all the other budget decisions are made. Likewise, the Public Health Division and Employee Benefits have passed, but the Oregon Health Authority Medical Assistance Program, and Addictions and Mental Health were held up until June 13 and June 18. Reports on the final results of those Human Services will be reported next week.

The Public Safety Subcommittee has passed most of its agency budgets, but the Full Ways and Means Committee has taken some of them off the agenda for final budget approval. Why? The Joint Committee on Public Safety has not taken action on [HB 3194](#), which was expected to bring budget savings that could be used to shore up public safety budgets. The new revenues and savings are not developing as planned, so reductions may have to be taken in the budgets in the logjam. See League [testimony](#) and [Action Alert](#) on [HB 3194](#).

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## Governance

### Initiatives Campaigns: Improvements

Two bills, passed by the Senate, that address signature gathering during campaigns for petition measures, were discussed in House Rules on June 13th, with support from the League. [SB 148A](#) deals with the integrity of signature gatherers, as well as taking a cost away from the Secretary of State. The chief petitioner would now have to ensure that criminal background checks are made on all personnel carrying petitions, giving the employer responsibility and



*Kappy Eaton,  
Governance  
Coordinator*

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

### Join the Rally to **Stop GMO in Oregon**

Thursday, June 20th  
on the front steps of  
the Capitol in Salem

Petition to  
stop GMO in Oregon  
will be presented to  
Governor Kitzhaber

Sponsored by  
MoveOn Civic Action

### **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 18th  
**2,668**  
measures introduced  
**770**  
bills  
passed by the  
Oregon House

accountability for the campaign. In addition, provision is made for the correction of "clerical errors" on ballots, as well as giving protection to petition passers who report election law violations, critical to keeping fraud out of the system.

[SB 154](#) closes a gap in the initiative process regarding training in election laws now required of all paid petition passers. The bill mandates that any organization, individual, or other entity that pays people to gather petition signatures must register with the Secretary of State. Compliance with laws and regulations will be enforced through the requirement that representatives of the employer must take the training.

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### **Ballots: Overseas and Security**



[SB 149A](#) updates the statute on voting procedures for overseas and military voters. The ability to electronically receive and return ballots was passed in 2009. This bill changes the law referring to a "long term absent elector" to "military or overseas elector" conforming to the federal law.

The long-discussed ballot security proposal, [HB 2199A](#), was passed to the Senate floor, 3-2, by the Senate Rules Committee on June 12th, with division on party lines. Ensuring the correct, proper, and absolutely secure disposal of all unused ballots has been the topic of vigorous and sometimes heated discussions in the House Rules committee for a least three sessions. It passed the House, 40-20.

This measure very specifically details process and procedures for all county clerks in the handling of returned, spoiled, and unused election ballots, including the placement of video cameras in all election office rooms. One of the sticking points has been how long these ballots were to be securely stored before destruction. They must be available for any recount, for example. The agreed upon date is now the date of election certification by each clerk.

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### **English as Second Language Voters: Help?**

Earlier in the session, a bill was introduced and discussed in the House Rules committee to require the Secretary of State and all county election clerks to provide election

**664**  
bills  
passed by the  
Oregon Senate  
and  
the Governor has signed  
**349**  
bills  
[Click here](#)  
to see the bills

## Drinking Water Volunteer Needed

The League is looking for  
a volunteer to serve on  
the state's

[Drinking Water  
Advisory Committee](#)

The committee meets  
quarterly and provides  
advice to the state on  
policies related to the  
protection, safety and  
regulation of public  
drinking water in  
Oregon.

If this is of interest to  
you or you would like  
more information  
contact

Peggy Lynch at  
[zuludar@aol.com](mailto:zuludar@aol.com)

## 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

materials to all voters who are English as a second language speakers. The need for such materials was to be based on a 5% of the county population, including everyone above 5 years of age, or a minimum of 10,000 in population. That bill was replaced by [HB 3506A](#) which was heard in the subcommittee on General Government in Joint Ways and Means June 13th. The new proposal would establish a Task Force on Minority Language Voting Materials, which explains why the idea is now in Ways and Means for the fiscal impact analysis.

The Task Force would have six to nine members including the Secretary of State (or designee), the Director of Elections (or designee), a Senate member, a House member, two county clerks appointed by the Secretary and the two legislators, and up to one to three others may be appointed from the community at large. Specifics as to the charge of the Task Force and language issues are included along with the requirement of a report to the Legislature by October 1, 2014. The League [testified](#) in support of this measure. Questions asked by the committee were mainly those that will be discussed by the Task Force.

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## Independent Expenditures: Transparency



The General Government Ways and Means subcommittee also held a hearing on [HB 3523A](#) on June 13th. The subject of independent expenditures transparency is critical to Oregon's disclosure campaign finance process. Currently, all contributions made by independent persons or entities are filed with the Secretary of State on paper. If the bill passes, all such contributions will appear electronically on ORSTAR, giving better and quicker access to the public.

Originally, [HB 3523A](#) had a threshold of \$1000 for reporting. That threshold has been lowered to \$750, and all independent expenditures will be counted in aggregate, rather than in separate amounts. One committee member asked the bill sponsor to define "independent expenditure". He did so, quoting from the bill itself which contains that definition. Other provisions remove the need to include pledges to the campaign or a campaign bank account.

Based on our positions of the public's right to know and the need for transparency and accountability in campaigns, the League supports this legislation. See our [testimony](#).

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work at the Legislature



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

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## University Governance: Not Yet

[SB 270A](#) still remains in the Ways and Means subcommittee on Education. Its primary purpose is the establishment of internal boards of directors at the University of Oregon and Portland State University. After initially rejecting the idea, Oregon State University is now considering having the new governance structure. The four regional universities may decide in the future, but will remain under the jurisdiction of a state entity, probably the Higher Education Coordinating Council. The restructure of the entire state system of public higher education is contained in [HB 3120A](#), also awaiting budget action.

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## Sine Die: T-Shirts

No reconciliation yet on the 2013-15 budget. Rumors abound in the Capitol halls. Is there movement on PERS or the Provider Tax, or the Senior Medical Credit or the mysteriously needed \$200 million? The only thing around are the colorful Capitol Gift Shop T-Shirts stating: *Keep Calm and Sine Die*



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## Natural Resources

### State Parks and Scenic Rivers

[HB 5034](#), the Oregon Parks and Recreation budget, passed the Ways and Means Subcommittee on Natural Resources with a budget note requiring them to comply with ORS 390.855 and study and analyze at least three river segments to be added to Oregon's Scenic Rivers program each biennium. The process is to include hearings in the local area of any river being considered.



*Peggy Lynch, Natural Resources Coordinator*

Oregon Parks is also to participate in the Oregon Solutions project with county parks providers to consider ways to help the fiscally distressed county parks systems. For this session, [SB 331A](#), which would have changed the distribution of RV license revenues, is dead.

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## Regional Solutions and Business Oregon's Budget

[HB 5028](#), the Oregon Business Development Department's budget, was heard on June 13th. There are many important programs embedded in this budget for the economy of Oregon. See the entire [budget recommendation](#). Of special interest is yet another budget note, this time related to the Governor's request for \$50 million for Regional Solutions projects. Regional Solutions is a process set up by Governor Kitzhaber and comes from his Oregon Solutions process. Oregon Solutions is a mediation process that brings together disparate groups in order to address an important project of statewide concern. (Relocation of Vernonia Schools and the Columbia River water agreement are two examples of this process.) Recently the Governor set up Regional Solutions Centers to focus on projects of regional concern.

The Ways and Means Subcommittee on Transportation and Economic Development adopted a budget note to the Business Oregon budget, which requires the agency to develop legislation for the 2014 session that would put these Regional Solutions Teams into statute. By setting these groups into state law, the legislature would have more control over their membership and governance and would establish criteria for spending any monies allocated to Regional Solutions.



The League is pleased to see this proposed oversight. Should the proposed bill pass in 2014, \$10 million would be allocated for these projects. See [Legislative Report #17, Natural Resources, Regional Solutions](#).

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## Energy

### Try, Try Again

During the week of June 10th, more energy concepts that had previously "died in Committee" were proposed as amendments to "live" bills. This generally happens with bills with broad relating clauses (such as "relating to energy") - almost any amendment can be



legitimately advanced.

*Theresa Gibney,  
Natural Resources  
Volunteer*

**Weakening the Renewable Portfolio Standards (RPS).** Of great concern to the League this week was an amendment offered for [HB 2435A](#) (a bill which exempts biodiesel with 20% cooking oil from road taxes). Amendments to this biodiesel bill have nothing to do with biodiesel and would allow all hydroelectricity everbuilt in Oregon to count towards the [Renewable Portfolio Standard \(SB 838C, 2007\)](#). The problem? This amendment essentially makes the RPS moot.

The Renewable Portfolio Standard calls for 25% of the electricity generation of the two largest utilities in the state to be from NEW renewable sources. This was put in place to ensure that 50% of NEW load for the utilities since 2000 was met with renewable energy.

How does this make RPS moot? Since hydro provides over 30% of Portland General Electric's (PGE) supply, defining hydro as meeting the needs of the RPS eliminates the requirement that the renewable energy be NEW sources of renewable energy and would halt renewable energy investments by PGE. Moreover, investments by smaller utilities would be halted for all time, even if those smaller utilities grow to be large enough to be required to meet the standard.

This RPS-weakening amendment was not adopted as the bill passed out of Senate Finance and Revenue, but Senator George served notice of a possible Minority Report. This means that Senator George reserved the right to offer this alternate amendment on the Senate Floor. As such, risk to the integrity of the RPS remains.



You may be wondering how there can be an amendment to a biodiesel bill that has anything to do with a Renewable Portfolio Standard. The answer is that the relating clause of the bill is "relating to energy" instead of "relating to biodiesel." And so any amendment relating to energy is a valid amendment to the bill.

Please contact your [Legislator](#) asking for their ongoing support of the [Renewable Portfolio Standard](#) as it was passed in 2007!

**Where does your electricity come from?** The Oregon Department of Energy knows. Click [here](#).

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**Energy Budgets**

The Oregon Department of Energy (ODE) budget bills ([HB 5011](#), [HB 5012](#), and portions of the Lottery bill) have yet to be heard in the full Ways and Means. However, the Legislative Fiscal Office (LFO) recommended budget provides approximately 115 positions and \$40 million in other funds and federal funds for department operations. The budget also includes \$2 million in lottery funds and \$177 million in other funds non-limited. This represents funds loaned to schools, state agencies, universities, and other organizations to carry out energy efficiency, renewable energy or deferred maintenance projects.

The Oregon Public Utility Commission (PUC) budget, [HB 5043A](#), provides for 130 positions and \$122 million in other funds and federal funds for department operations. Bills which sought to provide more Legislative oversight for the non-profit Energy Trust of Oregon were embodied in a subcommittee recommendation for the Public Utility Commission. Included is a new performance measure that gauges the extent to which the Energy Trust of Oregon is meeting the 14 reporting requisites required by the PUC in its oversight role. Given that the 14 reporting requisites have previously been provided to the Legislature, this summary performance metric should be an easy one for the Commission to provide.

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