



Legislative Report

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2013 Interim Legislative Report

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Legislative Interim Days

Between legislative sessions, committees of the Legislature meet to work on ideas that will often become bills during the next regular, or special, session. These committee meetings allow information and testimony to be delivered to committees while they are holding public hearings.

The first of the interim committee meetings were held this September 16-18. See [Legislative Report #24](#). In November, the Legislative committees met in public hearings at the State Capitol and once again the LWVOR Action team was there. Below are their reports to keep you informed about what occurred during these November meetings.

[Social Policy](#), Coordinator Karen Nibler
[Governance](#), Coordinator Kappy Eaton
[Natural Resources](#), Coordinator Peggy Lynch
[Energy/Climate/Transportation](#), Theresa Gibney

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Social Policy

Cover Oregon Draws the Press

Both the Legislative Audit and the Health Care Committees grilled the Director of the Health Insurance Exchange about technology glitches in the new system. Both the federal and state exchanges were not up and running as promised by October 2013. Cover Oregon is processing paper applications and reviewing eligibility for subsidies. The [website](#) is open to browse the insurance plans from 11 carriers for individual plans and 8 carriers for small employer plans. Insurance companies will extend the coverage on old plans. Members of the press took photos and notes back to their offices.



Karen Nibler Social Policy Coordinator

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**Printer-Friendly
Version**

The Oregon Health Plan (OHP) has been expanding coverage for low income adults and families. The Coordinated Care Organizations have been operating for one year with good outcomes and reduced costs. Primary care has increased and Emergency Room visits have decreased. Hospital admissions and re-admissions are down. OHP is within budget and reducing the cost trend.

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Human Services

The House Human Service Committee focused on early learning, child welfare and housing programs in this November Interim. Programs to help citizens in poverty with housing and basic needs were a main focus for presentations.



The Early Learning Division

Director described current efforts to support six regional hubs that have been chosen and are in negotiations on the delivery of local services. The Oregon Health Authority has a pediatrician who is working with the Early Learning Council (ELC) in the early identification and screening of pre-schoolers for health and learning stages. The agency is field testing the Quality Rating system with child care providers in selected counties and promoting pre-K literacy with grants in other areas. Legislators asked about new positions on the Coordinating Council and prior notice for conference calls and meetings, especially when requesting input on criteria for grants. The Director responded that rule making would take place in January and February. She expressed a wish for more staff for communications with communities.

The Director of Child Welfare brought a PowerPoint presentation to the Human Service Committees. The agency has established a differential response option in its initial contacts with parents in eight counties. [SB 964](#) in 2011 sought to keep children in their families with services as another alternative to abuse complaints. The agency determines if the home is a safe environment for the child and offers services on a voluntary basis. If the home is not safe, the agency still has the authority to place the child with relatives or in foster care. The committee will continue to follow up on the new options.

Families in financial distress found housing to be the most critical need. Parolees in transition from institutions were more likely to succeed if they had housing upon release. Housing needs for special populations of mentally ill, seniors and persons with disabilities and farmworkers

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No More Silence
On Gun Violence

were pinpointed by advocates. Manufactured Home Parks may see a new bill on purchase of the land by residents.

The Oregon Housing and Community Services (OHCS) Director talked about the progress on the reorganization of the Department. The anti-poverty programs were likely to be retained, as well as housing programs. The Director will make recommendations to the Governor in December prior to the February Session. OHCS administrative funds were held back for the second year of the biennium so that critical decisions on the reorganization could be made in the short session.

A Task Force on the Delivery of Human Services met on Thursday during the Interim Legislative Days. [SB 450](#) was the 2013 bill setting up the Department of Human Services transformation review by legislators and agency heads. They will look at core programs for self-sufficiency, with the intent to streamline the process and integrate services with related agencies. The Task Force is to complete its work by 2015. The meetings are open to the public at the Capitol and on video in real time, but recorded audio is not available.

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Public Safety

Public Safety concerns were discussed by a Joint Judiciary Committee hearing in this Interim. The main topic was the legalization of the sale of marijuana, followed by a report on the issues in Speedy Trials and filing fees for local land use appeals.

Sale of Marijuana. Congressman Blumenhauer spoke to the marijuana issue. Twenty-one states have authorized the use of marijuana as medicine and 8 - 10 states are considering legalization. There are 11 bills in Congress at this time. Polls show that citizens favor medical marijuana. Oregon has 50,000 marijuana patients.



Advocates for legalization said prohibition has failed, an initiative may be certified for the next election, and an excise tax would bring in funds. A retired Drug Enforcement Administration agent from Colorado reported that regulation was difficult and the black market would always be there. Senator Prozanski has submitted LC 80 for the February Session. The Legislative Concept draft allows a person who is 21 or older to legally possess, transfer or produce marijuana. The draft submits the concept to the next general election in order to direct the Legislature in enacting laws in the legalization of

Please show your respect for the lives lost to gun violence. Two simple and solemn events.



December 11 5:30-7pm

is the first anniversary of the Clackamas Town Center shooting. The families of victims and the Oregon Alliance to Prevent Gun Violence are holding a candlelight vigil to memorialize the shooting victims at Clackamas TownCenter. The program will include family members of the victims and members of the faith community.

[More Information](#)

December 14 10-11am

join with the Oregon chapter of Moms Demand Action at the Unitarian Universalist Church of Salem as we commemorate the one-year anniversary of the tragedy in Newtown, Connecticut with a *Call for Remembrance and Resolve*.

[More Information](#)

Save this Date
Monday
February 10, 2014

Day at the Legislature

Registration information will be available in the January 2014 *Legislative Report* and online at lwvor.org in January 2014

The Legislative Interim Days

These are days that the legislature will meet

marijuana.

The Report on Speedy Trial initiated by [HB 2962](#) in 2013 was given by Retired Chief Justice Paul DeMuniz, Aaron Knott from the Department of Justice and Gail Meyer from the Criminal Defense Lawyers Assoc. Chief Justice DeMuniz spoke for himself about the Speedy Trial Statute, which states that a trial must occur in a "reasonable" period of time or be dismissed. Reasonable is not defined in the law. All states have speedy trial laws, which refer to the court administration not to individual rights. The statute of limitations is 24 months, and the state can refile a charge if it can establish reasonable time.

Both the Department of Justice and the Office of Civil Legal Aid (OCLA) representatives talked about difficulties of serving warrants and delays in court appearances. Options were to serve warrants by mail instead of uniformed officer delivery, or to exclude judicial delay as in crowded dockets. The OCLA attorney reviewed the law in 50 states, which have a set time, rather an undefined reasonable time. The Interim work will continue on this issue.



Another Try at Background Check Legislation.

Following last session's unsuccessful attempt to pass a range of gun safety bills, the Oregon Alliance to Prevent Gun Violence has decided to narrow its focus to one issue in 2014-universal background checks. The League will be working again with the Alliance, whose other members include organizations such as Ceasefire Oregon, Moms Demand Action, and the Brady Campaign.

A November interim hearing in the Senate Judiciary Committee was postponed, now tentatively scheduled for January 17th. In an effort to sway key legislators and to counter the very vocal pro-gun voices around the state, there is now a concerted effort to mobilize grassroots support for background check legislation, in the form of neighborhood meetings, social media, letters to the editor, op-ed pieces, and a Clackamas Town Center Memorial on December 11th (see sidebar, *NO More Silence* or www.lwvor.org for more information). We hope you will join in support of these grassroots efforts in your community.

[HB 3363](#) established a **Task Force on Juvenile Court Dependency**, which met on November 5 prior to the Interim Days. Court Appointed Special Advocates were granted access to information in court files in this bill. Concerns are delays in jurisdiction, returning children to parents and proceeding to permanency plans. Criminal charges on the parents create delays. District Attorneys or

between
Sine Die and the 2014
session.

The next and last interim
days will be
January 15-17, 2014
(Wednesday - Friday)

If you want to find out
what will likely be coming
up in the 2014 session,
this is a good way. The
committees hold hearings
and will cover issues that
are of concern.
You can either attend the
hearings at the Capitol, or
listen in.

Mark your calendars
with these important dates

Take Action
Support EPA's
Limits on Carbon
Pollution
This is a significant
step against
Climate Change

A new carbon pollution
standard has been
proposed for new power
plants.

[Submit a Public](#)
[Comment to the EPA](#)
in support of the
standard
at LWVUS

Oregon State
Legislature Website
had a face lift.
It's pleasant to look at
and is very user
friendly.

[Check it out now](#)
and be ready to use it
when the 2014 session
begins.

Support the
Action
Committee!

Department of Justice attorneys represent child welfare in
court and must meet with caseworkers to review cases
prior to hearings. Cases move more quickly if all parties
are represented by attorneys. The workgroup will
continue to meet through 2014.

As a result of [HB 3194](#), a **Justice Reinvestment Grant
Review Committee** was appointed. This Grant review
Committee met at the Capitol in November prior to the
Interim Days. Experts on research were consulted.
Elizabeth Drake from the Washington State Institute on
Public Policy appeared by phone and discussed research
design effects on the outcome of studies. Demographics
that affect outcomes are criminal history, risk
assessments and age.

Portland State University researcher, Dr. Bill Feyerherm,
talked about risk assessments and the principle of the
least restrictive environment. He recommended
prioritizing those at highest risk for services because that
is where the system will get more bang for the buck.

Susan Amsberry from the Department of Justice
presented a sample timeline for rulemaking in the Justice
Reinvestment Program. Grant funds are available for
county corrections programs that have a process to assess
offenders. The Criminal Justice Commission provides staff
support for this committee and has responsibility for the
grant administration.

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Ways and Means Subcommittees Take a Look at Grants and Budgets

The Oregon Judicial Department requested approval
for compensation increases for employees with step
increases and no furlough days. The Public Defense
Services Consortium requested similar increases for
employees to be effective December 1, 2013, and second
increases December 1, 2014.

The Department of Education requested a Federal
Funds limitation increase of \$5.5 million from Race to the
Top grant funds for the Early Learning Division (ELD). The
funds were for state staff and grants to communities and
providers for the Tiered Quality Rating Improvement
System for child care providers. The approval was
recommended for the 2014 February Session budget
adjustment. The ELD was asked to report on the grant
expectations to the September 2014 Interim Committee.

The Department of Human Services had applied for a
grant from the Center for Medicare and Medicaid Services
for \$1 million for national background checks for



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



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Happy Holiday Wishes
from the
League of Women Voters of Oregon



employees in long term care facilities. The agency applied for the grant without prior legislative approval and received it at end of July 2013. The agency requested retroactive approval. Legislators had some reservations about the retention of finger prints and the receipt of criminal history checks prior to employment. The legislature will review the grant and necessary statute changes prior to the 2015 legislative session.

The Oregon Health Authority (OHA) was awarded a grant for the Maternal, Infant and Early Childhood Home Visiting Program Expansion of \$14.4 million over 3 years. The grant will expand the number of families served in 3 programs: Early Head Start, Healthy Families of Oregon, and the Nurse-Family Partnership. The grant will also cover workforce development, integration with coordinated care organizations, data systems and evaluation. Ways and Means acknowledged receipt of the report on the grant and approved the request to expand services.



The Addiction and Mental Health Division of the OHA presented a status report on the closure of the Blue Mountain Recovery Center (BMRC) in Pendleton and the transfer of patients to other facilities. The facility stopped taking new patients in October and transferred many patients to Portland and Salem facilities. Members of the staff are transferring to the two large facilities or may remain locally. Three smaller facilities are opening on the Eastern Center site. The BMRC facility will remain open until March for patients who will move into the smaller facilities after February 10, 2014. The legislature will review the progress of the transfer in the January Interim and February Session.

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Governance

September Special Session

Following the September Interim Committee hearings, the Governor called the Oregon Assembly into a Special Session on September 30 to further reform the Public Employees Retirement System (PERS) and increase spending for public education at all levels. A Joint Special Committee on the Special Session held public hearings September 26 and 27 on the five legislative concepts



*Kappy Eaton,
Governance
Coordinator*

(LCs) to be considered (see [LR #24](#), Governance article, *Grand Bargain Agreement*). After considerable debate, a "Grand Bargain" was enacted which provides an additional \$244 million to the 2013-15 General Fund Budget. Most of the increases go into effect on July 1, 2014 for the second half of the biennium.

Especially improved are mental health programs, low income families eligible for the Earned Income Tax Credit, tuition costs for community college and university students, and school district budgets across the state. As promised by legislators who supported the funding package, the Interim Revenue committees are reviewing consequences of the statutes and will be considering revisions as necessary.

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State Budget Process: How to Improve

The 2013 Legislature established a Task Force on Restructuring the State Budget Process ([SB 552](#)) with a reporting date of November 15. The charge is to review all of the budget process statutes, decide which laws should be repealed, kept, modified or newly written, and report draft recommendations. These are to be in a comprehensive package of statutory changes to modernize the development of the biennial budget and to help align the process with the outcomes recommended and adopted by the Legislative Assembly.

The committee met November 12, after working with the Legislative Revenue Office and the Legislative Fiscal Office, to identify and divide the multiple statutes into the categories for review. Members agreed to meet January 14, at which time they will forward a report to the February annual session requesting an extension of time to complete the review and recommendations. There is disagreement within the committee regarding a number of the current laws, and the committee was not given any resources to assist in its research. The Governor and the Ways and Means Committee have been working under an understanding to develop a budget around existing resources, but the process needs codification and updating in statute.

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"It's as Good as It Gets"

So stated Oregon's State Economist in explaining Oregon's economic status and the December revenue forecast to the Senate and House Interim Revenue committees on November 21. The economic indicators are

moving in the right direction, with unemployment down, business balance sheets up, personal income tax receipts up, and economic improvement across the state, both urban and rural. The state is not back to historic growth rates, but 10% is the long-term projection. Oregon's demographics indicate a shrinking workforce that will influence future growth.

Legislators were visibly shaken when the economist said that the personal income tax receipts brought General Fund revenue about half way to having the "kicker law" implemented, although he added that he did not forecast that disaster. Revenue was up \$136 million from the December projection, and there is an additional \$158 million in the 2013-15 biennial budget. The housing industry is not yet strong nor has the labor force had a very strong recession response, but the upside outlook nationally and in Oregon is good, with wages and salaries increasing in both the public and private sectors. In other words, it's better, economically, but it could be better.



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Oregon Business Expansion Program (BEP)

Business Oregon provided information on a new incentive program available to existing companies expanding operations in Oregon or new companies coming to the state. According to Director McCabe, this program is making money for the state as it requires new hires make at least \$78,000/year and the income taxes from those salaries come to the state. There are claw back provisions should the terms of the loan not be met (unless bankruptcy intervenes). The loan is "forgivable" should the terms be fully met over two years.

Garmin Industries just announced a major expansion in the Salem area and is taking advantage of this program. Daimler's expansion in Portland was cited as yet another example and one that would not have stayed in Oregon without the BEP. Take a look at [Business Oregon](#).

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Local Tax Problems: Disparity

A panel of assessors from Deschutes, Clackamas and Lane Counties presented graphic information about the continuing impacts of initiative Measure 5 (1990) and Measure 47 (1997) on local tax revenues and homeowners to the Senate Interim Revenue committee

on November 21. Because of the Constitutional limits on the total percentage of property taxes that can be levied by all sectors of local government and the requirements between real market value and maximum assessed value of homes, inequality between homeowners with similar property has risen dramatically in many cities and counties. Also affected are the outcomes of local elections for schools, libraries, public safety and park districts because the compression factor reduces the amount that can actually be distributed.

This problem is raised every legislative session, as the revenue for counties worsens. Whether the decision-makers will have the fortitude to pass a referral measure to voters is questionable, though the issues are significant.

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Special Session Fixes: Issues

Both the House and Senate Interim Revenue committees heard testimony on November 20 and 21 on issues related to tax changes enacted during the fall Special Session. Of particular concern are the implementation of the cigarette tax increase by 13 cents on January 1, 2014 and the small business tax cut, scheduled for July 1, 2014. During the debate on the "Grand Bargain", part of the discussion included the promise that the 2014 Annual session would review possible revisions. The Legislative Revenue Office indicated that a blank draft bill was in place, awaiting committee action.

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The Carbon Tax as a Public Policy Tool

A report on the implementation of [SB 306](#) (2013) was presented to the House Interim Revenue committee on November 20 by the Northwest Energy Research Center (NERC), located at Portland State University. The legislation calls for a technical review and a possible plan for implementing a clean air fee related to carbon emissions. According to the team carrying out the analysis, the carbon tax is being studied as a tool that would either



- augment existing policies designed to reduce carbon emissions (such as incentives or requirements for energy efficiency, renewable energy, or the carbon intensity of fuels),
- replace these existing policies with a 'market based mechanism',

- generate funds to address the impacts of climate change as they occur (climate change adaptation), or
- a combination of all of these.

Potential approaches to the carbon tax are being measured for effectiveness at reducing carbon emissions, for economic impact, and against the apparent agreement that this tax be 'revenue neutral' (no increase in tax dollars collected). The report is due in time for the 2015 Legislative Session, but may involve an interim report during 2014.

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Post-Secondary Public Education: Updates

Both the Senate Interim Education and Workforce committee and the House Interim Higher Education and Workforce Development committee held hearings November 20 and 21 related to the 17 community colleges as they become integrated with the seven universities. The Senate's Informational meeting focused on community college concepts and the proposed Oregon Opportunity Initiative (OOI). State Treasurer Ted Wheeler explained the purpose and importance of the OOI which will be on the November 2014 General Election ballot. It would provide access and affordability to post-secondary students through a focus on low-income persons and permanent funding. He pointed out that by 2020, 70% of Oregon jobs will require some higher education. Currently, newer jobs that pay higher wages, also call for more educated personnel.

Other issues addressed included access for the Oregon Latino community, revitalizing the Career and Technical education programs, post-secondary transitions, and the Portland State four-year graduation guarantee. There was an interesting panel discussion related to increasing opportunities for high school students to access college programs. Participating were representatives from chambers of commerce, city councils, community colleges, a recent high school graduate, the Oregon Education Investment Board and a legislator. Both committees indicated interest in legislation to continue and expand the P20 education initiative.

The nominations for the university boards of directors at the University of Oregon, Oregon State, and Portland State were approved again by the Senate Interim Rules and Executive Appointments committee on November 20. The nominees were approved in September by the committee, but they did not receive the necessary 2/3 vote in the Senate due to the absence of five members. They are now official and take office July 1, 2014, but

plan to meet to draft bylaws, procedures, and organizational structure during the interim.

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Natural Resources

2013 Oregon Values and Beliefs

Each year a statewide survey is taken of Oregonians' Values and Beliefs. This document is used to help legislators and the Governor better understand the concerns of Oregonians. *"Across the state, Oregonians share a guiding set of values and beliefs-on many topics."*

So the urban/rural split often talked about is more myth than reality. *"We support children."* K-12 school funding continues to be the leading issue.

"Oregonians endorse personal responsibility for health and wellness."

"We favor rehabilitation for criminals and find incarcerations alone to be insufficient."

Of particular importance to those of us in the environmental community, *"We want to protect the environment for future generations, and are willing to consider changing behaviors or priorities to address the prospects of climate change."* Read the entire [report](#).

To get more in-depth discussions on individual topics such as land use, [click here](#).

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Forest Fire Costs Burns up State Budget

The Emergency Board allocated \$2 million of the \$5 million Special Purpose Appropriation for fires to help cover fire costs in the 2013 fire season. An additional \$40 million more is needed to cover expenses. Leadership decided to defer this budget request because the Emergency Board had only \$30 million authorized in their general budget. The Department of Forestry will continue paying the bills out of their other budget dollars until the February 2014 session, when the \$40 million is expected to be approved by the entire Legislature. They also expect about \$45 million from the



Peggy Lynch, Natural Resources Coordinator



Federal Emergency Management Agency for the costs of protecting structures during these fires.

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Selling Parcels in Elliott Forest

Late breaking news from the Department of State Lands: "The State Land Board will deliberate on a request to approve selling five scattered parcels in the Elliott State Forest in Coos and Douglas counties. The parcels ([Land Board December agenda](#) with link to each sales parcel) total 2,714 acres, about 3 percent of the total Elliott acreage overseen by the Land Board. Oregon's constitution directs the board to manage its land holdings to generate money for public education. Revenue from "school lands" is deposited in the Common School Fund, whose earnings are distributed twice a year to Oregon's 197 public school districts. Because of recent restricted timber harvests, in fiscal year 2013 the Elliott was a roughly \$3 million expense to the fund.

The board will be accepting public comment on the sales before their decision on the parcels. Comments will be limited to two minutes per person, and all persons wishing to comment must sign up before the public meeting begins, at approximately **10:30 a.m. on December 10**, held at the State Lands Building, 775 Summer St., NE in Salem." Or you can send email comments to lorna.stafford@state.or.us

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Decision on Bandon/Grant County Parks Land Exchange

[The Oregon Parks and Recreation Commission](#) has tentatively approved the land exchange between Oregon Parks and Bandon Biota, a group that plans a new golf course on the Oregon Coast.



The exchange includes monies for the purchase of property in Grant County (Grouse Mountain Ranch) and other smaller purchases. There was much opposition testimony regarding divesting part of the Bandon State Natural Area and split testimony from Grant County regarding the effect of state purchase of a working cattle ranch.

The League provided [comments](#) guided by our Coos County League. The Governor weighed in ([letter](#)) in support. Of interest is his suggestion that some of the

ranchland might be returned to private ownership, or the forest lands to Oregon's Community Forest Authority for long term sustainable harvests.

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Parks Director to Retire/Your Voice Needed

Oregon Parks and Recreation Director Tim Wood has announced his retirement as of January 10th. The Parks Commission will meet by phone on December 6th to begin talking about recruiting his replacement. You have an opportunity to participate in the selection. Take this [survey](#) to help guide the Commission in its search.

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Preparing for Emergencies

The Oregon Health Authority and Department of Land Conservation and Development have applied for a federal grant to

"integrate social vulnerability and equity considerations into natural hazard mitigation planning and decision making. With advance knowledge of the location and needs of vulnerable communities during a natural disaster, state and local authorities can better mitigate and prepare for these events. For example, responders can plan more efficient evacuation of the elderly and disabled who might need transportation or special assistance."

Good news for Oregonians who might need special help in emergencies.

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HB 2620 Regional Solutions and 2014 Legislation

The League continues to work to inform Oregon citizens of this change in governance related to economic and community development projects throughout the state. The 2013 Legislature authorized \$10 million in bonds for Regional Solutions projects, but held back spending authorization until a bill is passed in 2014 to address governance and oversight.

A report for the Legislative Fiscal Office after the meeting of the Ways and Means Subcommittee on Transportation and Economic Development stated: "Issues of particular concern for this Committee include the establishment of appropriate fiscal and oversight mechanisms to

accompany any state-funded projects; clarification of the process for identifying, developing, and submitting project proposals for legislative approval, and identification of eligible project types and matching fund requirements."

The League encourages local League members to attend the [meetings](#) being held in December on this issue and **let your voices be heard**.

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Regulatory Streamlining Is Back

The House Interim Committee on Small Business heard an update by the Governor's Chief Operating Officer Michael Jordan and Intergovernmental Relations and Regional Solutions Team Advisor Greg Wolf. Chief Operating Officer Jordan [updated](#) the Committee on the Streamlining Initiative. He shared that the state now has over 2,800 applications for computer systems. That is double what we need. Expect a bill in 2014 or 2015 to better integrate information technology systems.

Advisor Wolf explained that the Governor now has three ombudsmen to convene partnerships throughout the state around Regional Solutions. There is a plan to consolidate various permit applications and to move to concurrent permitting.

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Rural Revitalization Initiatives

Both the House and Senate Interim Committees on Rural Communities received [presentations](#) from the National Conference of State Legislatures on how other states are



addressing the loss of jobs and shrinking rural community populations. The main topic was "Agri-Tourism". Oregon already allows some events on farmland and has expanded allowed activities at wineries.

Travel Oregon presented info on a regional marketing program and Business Oregon shared their rural strategies. Unfortunately, higher paying manufacturing jobs are often located near other business resources-not available in rural areas-and most tourist jobs, excepting the business owner, are minimum wage. Even with Oregon's higher minimum wage, these are not really family wage jobs.

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Land Conservation and Development Commission Policy Agenda

Each biennium, the Land Conservation and Development Commission prepares a work plan for the Department of Land Conservation and Development. For many years, the League has weighed in. See LWVOR [letter](#).

The Commission adopted a [work plan](#) (page 3) in October that continues some projects, adds new ones required by the 2013 Legislature and provides a longer list of policy projects that may be considered if there is staff capacity.

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Appeals Fees

The House and Senate Judiciary Committees heard a report from the Work Group on Filing Fees for Appeals from Local Land Use Decisions. In a few cities and some counties in the state, the cost to appeal to a local City Council or Board of Commissioners is prohibitive for the average citizen. Local governments say that they need these fees to pay for staff expenses. Expect legislation again in 2015, if not 2014, to address this citizen lack of access to their elected officials on important land use decisions.

More information is available at [House Judiciary Committee Agenda](#) and [Senate Judiciary Committee Agenda](#)

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Bee Health and Pesticide Use

By Marge Easley

A November 21st informational hearing in the House Interim Committee on Agriculture and Natural Resources shed light on the devastating impacts of pesticide use on honey bees and native bees in Oregon. The hearing was prompted in part by the June incident in Wilsonville when 50,000 bees were found dead in a Target parking lot after workers sprayed linden trees with a neonicotinoid pesticide. Speakers included representatives from the Oregon Department of Agriculture (ODA), Oregon State University, the Xerces Society, honey producers, and beekeepers.



Prior to the hearing, Katy Coba, ODA Director, had been presented with a petition from Beyond Toxics with 12,000 signatures, calling for a ban on a class of pesticides called neonicotinoids. However, Coba and others who testified

claimed that an outright ban on this pesticide was not feasible, since neonicotinoids replaced more toxic pesticides in the 1990s, and farmers have no effective alternatives to protect crops from insect infestation.

Recommendations included improved labeling, increased educational efforts to alert growers and the public about proper usage, and better communication between beekeepers and growers. Training is part of the pesticide licensing requirement for large growers, but the larger threat is from home gardeners and smaller growers who use them improperly and are unaware of the harmful effects to pollinators.

The Xerces Society supports the Saving America's Pollinators Act, sponsored by Congressman Blumenauer, which calls on the EPA to suspend the use of four of the most toxic neonicotinoids.

There may be a bill in the 2014 session to ban these pesticides from consumer use and to require professionals to take a class on bee protection before allowing them to use these pesticides.

For those who would like more information about why honey bees are in such jeopardy, this link may be of interest to you: <http://billmoyers.com/2013/05/02/honey-bee-die-off-caused/>

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Canada Dam/Water for Oregon

Canada is considering adding a hydroelectric dam to the Columbia River system. They have asked Washington and Oregon to consider helping to pay for the dam to address water needs by providing additional water storage that could be accessed by these two states. Expect legislation in 2015 to authorize the Water Resources Department to purchase the water and perhaps bonding money to help in the dam construction.



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Agricultural Water Quality Management

The Senate Interim Committee on Environment and Natural Resources, now chaired by newly appointed Senator Michael Dembrow, heard a [progress report](#) on how the two-year pilot project is coming related to Agricultural Water Quality. If this volunteer program shows success, more regulatory means may be avoided.

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Other Natural Resource Bills for 2014

The House Interim Committee on Agriculture and Natural Resources expects to have bills related to education requirements for water well inspectors, addressing cormorants and discouraging the feeding of raccoons.

The Senate Interim Committee on Rural Communities and Economic Development may introduce bills related to the Salmonberry Trail, another run at state/county division of recreational vehicle license fees and a bill related to U.S. Senator Wyden's federal legislation on the O&C timber counties.

The Senate Interim Committee on the Environment and Natural Resources may introduce bills related to temporary water rights in the Klamath Basin and Environmental Assessments.

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New Leadership

The 2013 November interim session introduced newly-appointed Senator Michael Denbrow as the Chair of the Senate Environment and Natural Resources Committee (ENR).

Representative Jules Bailey indicated that he plans to resign his role in the Oregon Legislature to run for Multnomah County Commissioner.

There will be new leadership for the House Energy and Environment (E&E) during the 2015 regular session.



*Theresa Gibney,
Natural Resources
Volunteer*

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A Dance Between Legislatures and Courts: Oregon and California's Fuels Standards

During the 2013 regular session, the Western States Petroleum industry argued that Oregon's Clean Fuel Standard (2009) would be litigated and found in violation of the Commerce Clause of the US Constitution or shown to overreach the state's authority under the Clean Air Act and the Federal Renewable Fuels Standard (RFS). During the November interim, legislators in both the Senate

Environment and Natural Resources and the House Energy and Environment received an update on the status of suits against California's Low Carbon Fuel Standard. In short, a long sequence of court action is required.

Details can be found by listening through the entire presentation found at the beginning of the recording of the House Energy and Environment meeting. You can hear both parties testify by clicking on the black circle next to the date, 11/22/2013, under Meetings on the right, at <https://olis.leg.state.or.us/liz/201311/Committees/HEE/2013-11-22-08-00/MeetingMaterials>. There is no written testimony for these presentations.

The lobbyist for the Western State Petroleum industry implied an Oregon-specific challenge in Oregon's Courts, should the courts rule in favor of California's Low Carbon Fuel Standard. League support of removing the sunset from Oregon's Clean Fuel Standard must move forward within this context.

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Non-smog Toxins in Oregon's Air

The City Club of Portland presented their study of toxics in the Metro-area air-shed, pointing to the need for residential woodstove replacement and diesel engine retrofit programs to reduce the emissions of toxics that directly increase the risk of cancer, adult cardiovascular disease, and asthma.



City Club testimony called for increased DEQ monitoring of toxics in the metro air-shed to replace modeled data, knowing that actual measurements will be required to build credibility to support funding the proposed programs. Questions about whether these programs would remain focused on Portland or spread state-wide were raised by Legislators.

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A Lot (of planning) Going On!

In the House Energy and Environment Committee, legislators were provided with context for pending decisions. Context included information about updates to the Columbia River Treaty, the role of the Bonneville Power Administration and federal agencies involved in operating generating resources, American Recovery and Reinvestment Act funded developments on the Smart Grid and Demand Response, and long term planning for investments in the Northwest power grid and fish/wildlife programs by the Northwest Power and Conservation Council.

The presentations are worth listening to in full. To listen to the recording, click on the black circle next to '11/22/2013' at <https://olis.leg.state.or.us/liz/201311/Committees/HEE/2013-11-22-08-00/MeetingMaterials> and seek to 1:19:30 (one hour, nineteen minutes and thirty seconds). PowerPoint presentations to match this recording can also be found on this page.

The presentations indicate that Bonneville Power Administration's leadership of a regional consensus on the extension of the Columbia River Treaty is on track to be delivered by the end of this year, that the 7th Fish and Wildlife plan will be released in February 2014, that the 7th Plan for Power and Conservation will be released sometime in 2014 or early 2015, and that Smart Grid/Demand response shows promise to free up hydro balancing capacity to meet other demands for water use from the Columbia River.

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Need Passports Soon?

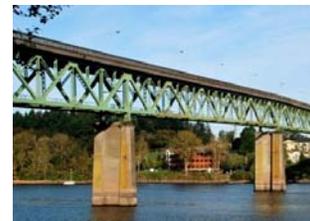
Oregon is non-compliant with federal requirements that drivers licenses and ID's are linked to information that proves citizenship/residency (on an ongoing basis) and has laws on the books that prevent Oregon's Department of Motor Vehicles (DMV) from complying unless 100% of funds to do so are provided by the Federal Government ([SB 536](#), 2009). The US Department of Homeland Security (DHS) plans 2014-5 enforcement of federal requirements. If Oregon does not comply, Oregon Drivers' licenses will become an invalid form of identification for federal purposes (such as Transportation Security Administration (TSA) clearance at airports or entering a federal building). See the DMV summary at: <https://olis.leg.state.or.us/liz/201311/Downloads/CommitteeMeetingDocument/31022>

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Transportation Issues in Oregon

The good news: all but one of the high priority bridges targeted for reconstruction has been completed.

The bad news: this \$5 billion investment (approved in 2003) addressed 25% of the bridges that need work in Oregon and does not include the rebuilding of bridges and other transportation infrastructure built before seismic codes were established. There are greater issues for future road construction, airport and port maintenance, and



transportation modes such as Amtrak, freight rail, rural and municipal transit districts, safe bicycle and pedestrian paths, etc.

The Governor's policy advisor emphasized that fuel taxes now buy 50% of the steel and concrete that they purchased 20 years ago (tax not inflation adjusted), that maintenance is far less expensive than later repair, and that a good transportation system is a competitive issue in locating businesses worldwide. See <https://olis.leg.state.or.us/liz/201311/Committees/HTED/Overview>; On the right under Meetings, click on the black circle next to "11/21/2013" and choose timestamp = 26 minutes.

A subsequent presentation from Oregon Department of Transportation showed how involved state government is in coordinating the planning and funding of the privately owned rail system. See the same committee hearing above at timestamp = 1 hour, 30 minutes.

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