



# Legislative Report

February 27, 2013

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## In This Issue

[SOCIAL POLICY - New Education Divisions](#)

[Oregon Youth Authority](#)

[Human Services and Housing](#)

[Housing Agency Faces Program Cuts](#)

[School Based Health Care](#)

[Oregon Patient Safety Commission](#)

[GOVERNANCE - National Popular Vote: It's Time](#)

[Oregon's Relation to Federal Tax Code: It's Complicated](#)

[Higher Education: Equity and Boards](#)

[Oregon Tax Credits/Programs](#)

[NATURAL RESOURCES - Cutting out Processes or Citizens?](#)

[Preserving Our Best Farmland](#)

[State/Federal Forests Connection](#)

[Money for which Parks?](#)

[Renewables...Continued](#)

[An Efficient Start?](#)

[Agency Program Reviews?](#)

## Social Policy

### New Education Divisions



*Karen Nibler, Social Policy Coordinator*

The Department of Education Budget [SB 5518](#) will include the newly formed Early Learning Council and Youth Development Council. The Early Childhood Division will administer the Early Intervention and Early Special Education, and Head Start programs already within the Education Department and add the Childcare Division from the Department of Employment. The Early Learning Council will oversee the Race to the Top federal grant, in addition to the prevention programs from the Oregon Commission on Children and Families (OCCF). The regional hubs will receive funds formerly assigned to OCCF administration.

The Youth Development Division will administer Community Schools Initiatives, federal Youth Investment funds, the Casey child welfare project, Juvenile Crime Prevention, and Gang Prevention and Intervention Services, all formerly within the OCCF agency. The Budget structure was released by the Legislative Fiscal Office last week, prior to the March Co-Chairs Budget numbers. Stay tuned.

[Back to Top](#)

### Oregon Youth Authority

The public testimony for this budget, [HB 5050](#), in the Ways and Means Public Safety Committee was overwhelmingly positive. This state agency operates the state juvenile correctional facilities and supervises committed youth in residential placements or on parole in the community. Oregon Youth Authority passes funds to the County Juvenile Departments for local supervision, sanctions and diversion services. The agency was credited with the use of risk assessments and evidence based programs in the treatment of youth offenders. Two

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research staff gave a PowerPoint [presentation](#) to this committee. The PowerPoint is on the Oregon Legislative Information System (OLIS) committee website for 2-19

[Back to Top](#)

## Human Services and Housing

The House Committee heard three bills of interest on February 13. The first bill, [HB 2392](#), required the Youth Development Council to include representatives of county departments and boards of county commissioners. Counties will be taking administrative responsibility for the time gap between the County Commissions for Children and Families, ending June 30, 2013, and the start of the regional hub administration for the Early Learning and Youth Development Programs. [HB 4165](#) from last session required that counties sign off on the regional hub proposal in their region. So the involvement of counties are already required. The issue is the distribution of funds by county population of children or by a grant proposal process from the state office. Funds have been reserved for gang prevention and intervention, but only a few counties have gang programs. Local representatives testified regarding the impact on the currently funded services in their counties. The League submitted a [letter](#) on the bill.

[HB 2350](#) relating to teen dating violence was heard but not passed last session.

The bill asked for funding from court fees, but the court fee schedule was

streamlined last session. The Public Health Division has been successful in getting grants for prevention programs, most recently for a Maternal Mental Health Education Program, so this

alternative was suggested. The League [testified](#) on this bill and supported the education and prevention role of the Public Health Division.



[HB 2388](#) requested funds for Oxford Houses of Oregon for the establishment of a revolving loan fund in order to purchase housing for recovering substance abusers, veterans and domestic violence victims. The presenter said the non-profit group could house 8 people in a house and repay the revolving fund, subsequently purchasing another house and housing another 8 people. The requested amount was \$100,000. Since the state budget is so tight the past few sessions, I thought this bill would get no attention, but Representatives Buckley and Richardson came into the hearing. The Ways and Means Committee Members were very supportive of this request because the initial funds would yield a great return on investment. The League did not testify as this bill did not

come to our attention earlier, but it is a great example of the ingenuity of non-profits.

[Back to Top](#)

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## Housing Agency Faces Program Cuts

The Governor's Budget proposed only one year of funding for the Oregon Housing and Community Services Department. The American Recovery and Reinvestment Act (ARRA) federal funds for Homeless Prevention, Weatherization, Tax Credit Assistance and Neighborhood Stabilization will be phased out. The Governor transferred some of the federal Community Development Block Grant to the Oregon Business Development Department. Other proposed cuts were for the Oregon Food Bank, Energy Assistance, Housing Assistance, Rental Housing Preservation, Manufactured Park Preservation and permanent housing for the homeless. The second year of funding will be held as a Special Purpose Appropriation by the Emergency Board. Expect many of the social service advocates to testify at this budget hearing, which is not yet scheduled.



On a more positive note, [SB 323](#) relating to tax credits for farmworker housing was passed by the Senate Rural Agriculture Committee and referred to the Tax Credits Committee. Stay tuned.

[Back to Top](#)

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## School Based Health Care

[SB 436](#) was heard in the Senate Health Care Committee on February 21. The bill requested that the Coordinated Care Organizations (CCOs) maximize the use of school based health centers and integrate with the Early Learning and Youth Development Councils, the children's programs and the summer food programs in the region. The bill asked CCOs to transfer the child's health records in a timely manner to promote continuity of care. The Oregon School-Based Health Network suggested amendments. The Chair commented that no CCOs were present to respond, but they are required to work with the school based centers. The bill will be rescheduled at a later time in the committee.



[HB 2326](#) authorizes the Oregon Health Authority (OHA) to contract to assist school based health centers that receive grant moneys. Federal grant funds have helped

**Save the Date!**  
**April 10th**  
**Day at the**  
**Legislature**

LWVOR's partner  
Oregon Conservation  
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releases  
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2013**

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**Co-Chairs Release  
Budget Proposal**

Senator Richard  
Devlin of Tualatin and  
Representative Peter  
Buckley of Ashland,  
co-chairmen of the  
Oregon Legislature's  
joint budget committee,  
will unveil their budget  
framework on

**March 4.**  
No time or place has been  
set.

See [article](#) at  
StatesmanJournal.com

establish school based health centers. The bill directs OHA to prepare a report on the cost effectiveness of expanding a grant program and submit the report to the legislature before Dec. 31, 2013. This bill was assigned to House Health Care Committee but it has not yet been scheduled for a hearing.

[Back to Top](#)

## Oregon Patient Safety Commission

[SB 483 A](#) directs the Patient Safety Commission to use information received from notices of adverse health care incidents to improve patient outcomes and reduce the frequency of adverse health care incidents. Health care facilities and providers may file adverse health care incidents and may participate in a discussion or mediation to resolve errors or adverse events.

Governor Kitzhaber presented the bill and a letter with the agreement of the Oregon Medical Association and Trial Lawyers Association. The Governor acknowledged the follow-up from [SB 1580](#) last session and the concerns about the cost of defensive medicine. The Director of the Patient Safety Commission reported that the agency started with voluntary hospital participation in 2006. An insurer advised this was not tort reform to protect the physicians. A dentist objected to the inclusion of other practitioners who did not participate in the work groups.

The bill establishes a Task Force and directs the Task Force to report by October 1, 2018. The bill was heard in the Senate Judiciary Committee on February 14, amended, and passed to the Ways and Means Committees.

[Back to Social Policy](#)

[Back to Top](#)

## Governance

### National Popular Vote: It's Time

With 45 (of 90) legislators signing on, [HB 3077](#) and [SB 624](#) were officially introduced on February 21. The National Popular Vote (NPV) is now ready for legislative action in Oregon with bi-partisan support. The Interstate compact to ensure that every person's vote cast for President of the U.S. is counted has been passed by nine states and the District of Columbia. It is on the



*Kappy Eaton,  
Governance  
Coordinator*

docket of six states this year, and hearings are currently taking place in Connecticut and Minnesota. As part of the [LWVUS position](#) on the Electoral College, the consideration of alternatives such as NPV has been added, and state leagues across the country have worked and are working for passage.

LWVOR is giving governance priority to NPV, and we will be working with [Common Cause](#) and [OSPIRG](#), as well as the two NPV professional lobbyists for both committee hearings and ultimate passage. The bills will be heard in the House and Senate Rules committees, and Representative Chris Garrett, chair, of House Rules has signed on. Thirty two Representatives and 13 Senators are in support. Election of the President takes a minimum of 270 Electoral College votes. The Interstate compact states now hold 149.

When the bill is scheduled for a hearing, you will receive an Action Alert and additional background information.

[Back to top](#)

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## Oregon's Relation to Federal Tax Code: It's Complicated

The first hearing for [HB 2456](#), a statute dealing with personal income taxation, brought out the complexities of changing Oregon connections to the federal tax code in the interests of increasing state revenue. The purpose of the proposal is to change the connection point from federal adjusted gross income to federal taxable income by eliminating allowance of itemized deductions or the standard deduction.



The Oregon Revenue Coalition, to which LWVOR belongs, testified in favor of the bill. Cited were the issues of fair, stable and sustainable revenue and Oregon's control over its tax policy rather than federal. In opposition was the Oregon Realtors Association which pointed out the reliance on mortgage interest deductions as vital to both new home ownership and long-time home owners. There are 43 states that have various ways of dealing with deductions according to the Legislative Revenue Office. The House Revenue committee expects to spend considerable time on this revenue issue.

[Back to Top](#)

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## Higher Education: Equity and Boards

The House has passed landmark legislation in [HB 2787](#). It



## Want to Help?

### Oregon Conservation Network

invites you to join us at one of our gatherings to discuss the legislative session this month. We will share priorities with you and hear about the issues that matter most to you when it comes to protecting our natural legacy.

Feb 27th - Bend, 7-9 pm at Broken Top Bottle Shop

Feb 28th - Portland, 6:30-8:30 pm at The Waypost

### *If you happen to be in Washington, DC* Celebrate the Centennial of the 1913 Woman Suffrage March

A centennial re-enactment of the Grand Procession down Pennsylvania Avenue  
Sunday, March 3rd  
Hosted by the National Women's History Project

For other event activities  
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## Support the Action

provides an exemption from payment of non-resident tuition and fees for enrollment in a public university for a student who is not a citizen or lawful permanent resident of the U.S. The student must have attended an elementary or secondary school in the U.S, D.C. or Puerto Rico during the five years prior to enrolling. In addition, the student must have a diploma from an Oregon secondary school or the equivalent and show intent to become a citizen or a lawful permanent resident. A report on the number of such students and the financial impact must be made to the House Speaker, the Senate President, and the Legislative Interim committees annually on July 1, by the Oregon University System.



The anticipated legislative discussion about institutional boards for the seven public universities began February 22 in the House Committee on Higher Education and Workforce with presentations by the presidents of the Oregon Health Science University (OHSU) and Portland State University (PSU) on [HB 2339](#) and [HB 2149](#). The first bill would allow a joint Metropolitan Universities Board of Directors for the two schools that already are working together on a new research building and coordinating studies and students in health and science related classes and research. The second bill is the 96 page blueprint for the state universities to have institutional boards of directors, if they wish, and authorizing those boards for the University of Oregon and PSU. Representative Michael Dembrow, committee chair, urged committee members to study the bills with the expectation that amendments and much further discussion will take place.

Representative Dembrow has announced that his committee will be discussing higher education governance issues every Friday at 8:00 am. Senator Hass, chair of the Senate Higher Education and Workforce committee, has scheduled hearings on [SB 270](#), one of the Senate versions of university boards of directors, at 1 p.m. on Thursday, Feb. 28 and Tuesday, March 5.

[Back to Top](#)

## Oregon Tax Credits/Programs: The Dance Begins

The League gave neutral [oral testimony](#) on [HB 2407](#) to the House Rules committee on February 18. The bill extends the political contribution tax credit, and we have conflicting positions. We support revising or repealing tax credits that have no compelling social value and impact revenue to the General Fund, in opposition to extending any sunset. However, we do support public participation

## Committee!

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in elections and government activities. In explaining our neutrality, we suggested that perhaps only campaign contributions to measure campaigns should be continued. Support for the extension was provided by various unions, and Tax Fairness suggested having a means test for contributors in several of the current credits, citing that about 50 percent of them were above the \$90,000 income level.

There were many supporters for extension of the Cultural Trust tax credit, [HB 2470](#), as there were for the Farmworkers Housing credit bill, [SB 323](#), earlier. The task of the Tax Credit Committee in gaining revenue will not be easy.

Both the House and Senate Revenue committees heard a report on the status of the Senior Property Tax Deferral program. The program is now back in the black after repaying the 19 million loan from the Common School Fund to fill the depleted fund. There is enough to pay the county taxes for the 1700+ homes in November. The issues of reverse mortgages, length of home ownership, and bar to foreclosure are being discussed in House Rules with [HB 2459](#), [HB 2489](#), [HB 2510](#) and [HB 2513](#). A survey of owners in the program was conducted by Oregon State University in January, with 2063 responses, representing a good demographic group. The responses are now being analyzed.



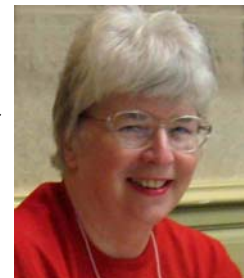
[Back to Governance](#)

[Back to Top](#)

## Natural Resources

### Cutting out Processes or Citizens?

[HB 2620](#) was heard in House Consumer Protection and Government Efficiency on Feb. 19. On listening to testimony in favor by sponsor Rep. Clem, HB 2620 is intended to increase cooperation among state agencies and their local partners. It is unclear what differences would exist from the current Regional Solutions Teams set up by the Governor.



*Peggy Lynch, Natural Resources Coordinator*

On Feb. 21st, the Senate Rural Communities and Economic Development Committee heard [SB 251](#), yet another permit streamlining bill. This bill allows the Governor to "resolve" issues among the various permits.

The League raised a [concern](#) about this process: After all, the Legislature has set policies and agencies have processes to administer these permits. As permits are processed concurrently, citizens' rights should not be abrogated.

The League will be watching these bills. While we believe in good governance and government efficiencies, these bills are so broad in scope as to require further discussion. [HB 2620](#) and [SB 251](#) put the reorganization planning in the hands of the Governor without clear citizen input pathways.

[Back to top](#)

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## Preserving Our Best Farmland

*by Marge Easley, Natural Resources Volunteer*

The Willamette Valley has some of the most fertile soil in the nation, but each year Oregon is losing more and more of its prime agricultural land to aggregate mining operations. The League has supported farmland



protections since 2007, following our participation as the public representative to the Aggregate/Farmland Consensus Group (2004-06). However, since that time we have been disappointed when bills that seek to protect farmland fail to advance. We hope that this session will be different.

This week we submitted [testimony](#) to the House Land Use Committee in support of two bills, both requested by the Oregon Farm Bureau. [HB 2201](#) requires that aggregate sites on our best farm soils be reclaimed back to the same quality farmland as originally existed. [HB 2202](#) requires an alternative analysis be done prior to permitting future aggregate mines on Class I and II soils. While the League acknowledges that both the mining and farming industries are important players in Oregon's economy, we feel strongly that destruction of our best farmland is not in the public's best interest.

[Back to Top](#)

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## State/Federal Forests Connection

*by Robin Wisdom, Natural Resources Volunteer*

[SB 257](#) creates the "Forest Product Sale Loan Fund" separate from the General Fund, and would be funded by lottery bond net proceeds and repayments of principal and interest on the loans made. The State Board of Forestry would receive funds to carry out the





loan program. An amount to begin the program has not yet been determined, but it is also expected that the State Treasurer will estimate an additional amount for payment of bond-related costs.

The loan fund would be available to the U.S. Forest Service to prepare federal forestlands to be harvested within Oregon. Wildfire, restoration and jobs were cited as primary reasons for such legislation. A [report](#) is available on Oregon Legislative Information System (OLIS) on which this bill's introduction is based on. It is expected that this bill will quicken the pace of sales of forest products to be harvested from federal forestlands within the state, create jobs, and will likely result in forest products to be processed within the state. If passed by the Committee, it will need to be sent to Ways and Means for funding consideration. The League is monitoring forest bills as they relate to both local and state revenue issues as well as their environmental impact. Many of our local league communities are affected by forest policy.

[Back to Top](#)

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## Money for which Parks?

*by Peggy Lynch, Natural Resources Coordinator*

As counties struggle with funding for many county services, [SB 331](#) was introduced to change the share of recreational vehicle license fees from the current 35% to counties to 45% to counties for county parks programs, operation and maintenance. Every 5% change is worth about \$1.6 million. The bill passed out of committee and was sent to Ways and Means to be considered during final budget negotiations because the current state parks budget did not consider the loss of \$3.2 million in revenue.



On another note and in other bills, consideration is being given to change the structure of our State Fair yet again. It would remove the fair and expo center revenue losses and debt burden from state parks and create a non-profit business model that may allow it to better negotiate rental contracts and aggressively market the facilities for the public good.

[Back to Top](#)

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## Renewables Continued

*by Theresa Gibney, Natural Resources Volunteer*

There are a number of bills that offer



tax advantages for renewable energy manufacturing and generation facilities: [HB 2472](#), [SB 321](#), [HB 2819](#), [HB 2291](#), [HB 2798](#), and [HB 2799](#). Two bills, [HB 2343](#) and [HB 2797](#), seek modifications to the requirement that new and renovated public buildings include 1.5% of the building contract price for installation of solar or geothermal energy: technical fixes and greater compliance. Finally, [HB 2108](#), [HB 2713](#), and [SB 121](#) seek to eliminate utilities requirements to invest in renewable energy by allowing existing hydroelectric generation to fully meet the requirements of the Renewable Portfolio Standard and to exempt smaller utilities from compliance with this requirement as they grow larger, in some circumstances.



Another four bills focus on wave energy or coastal hydro-electricity: [HB 2694](#), [SB 354](#), [SB 359](#) and [SB 360](#). [HB 2439](#) transfers responsibility for certifying low impact hydro and monitoring RPS compliance to the Oregon Public Utility Commission (for both investor and consumer owned utilities).

We will continue to follow these bills and may testify to support bills that fit with the League's climate change and energy positions.

[Back to Top](#)

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## **An Efficient Start?**

*by Theresa Gibney, Natural Resources Volunteer*

Eleven bills with an energy efficiency focus linked to the Governor's Ten Year Energy Plan have been released to date:

- [HB 2220](#) and [HB 2794](#) call for the Oregon Department of Energy to launch an energy audit and reduce energy in state owned buildings by 20%,
- [HB 2344](#) calls for public/private partnerships for energy efficiency with monies from the Small Scale Energy Loan Program,
- [HB 2345](#) and [SB 230](#) call for a Task Force to explore a West Coast-wide public/private partnership for infrastructure related to energy transmission, energy efficiency, water and municipal wastes, and
- [HB 2436](#) revises the existing program that supports energy efficiency loans with on-bill repayment.

As if timed to the renaissance of the real estate market:

- [HB 2793](#) requests the creation of an Energy Performance Score ("miles per gallon" for a home),
- [HB 2812](#) calls for real estate appraisers to include

- the value of energy efficiency in home appraisals,
- [HB 2437](#) proposes a tax credit for the purchase of energy efficient homes and
  - [HB 2894](#) calls for energy tax credits to be taken in one year rather than spread across four years.

[SB 561](#) calls for utilities to be able to make a profit on energy efficiency programs (rather than have these be a non-profit pass through).

[Back to Top](#)

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## Agency Program Reviews?

*by Peggy Lynch, Natural Resources Coordinator*

[HB 2373](#) would set up a new Legislature Agency Review Office where individual state agencies, programs, Boards and Commissions would be reviewed from a policy stand point. Currently agencies get a fiscal review by the Ways and Means Committee. Of course, during that review, their programs come under some scrutiny. The stated intent, as shared by Senator Bruce Starr and Representative Kim Thatcher, is to assure these entities get a more in-depth review of their current mission. They testified that Texas and Minnesota have both passed similar legislation. HB 2373 would have a fiscal impact that might be beyond our current revenue income.

[Back to Natural Resources](#)  
[Back to Top](#)

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