



Legislative Report

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Action Alert Gun Safety Bills

The League will be testifying in support of four gun safety bills (see below) on Thursday, March 14, 1:00 p.m., in a hearing of the House Judiciary Committee. League support is based on the [LWVUS Gun Safety position](#) and [Violence Prevention position](#).

We ask League members to **take action** by sending emails to [members of this committee](#) or, if possible, by attending the hearing in person. This will be a **highly visible demonstration of support for gun violence prevention in Oregon**, so wear your League pin and show where you stand on this important issue.

- [SB 347](#) prohibits possession of firearms on school grounds,
- [SB 699](#) prohibits possession of firearms in public buildings, including the Capitol,
- [SB 700](#) requires criminal background checks before transferring firearms to anyone outside of immediate family, and
- [SB 796](#) requires applicant of concealed handgun license to pass firing range test.

For questions about this **Action Alert**, please contact Marge Easley, marge.easley@frontier.com.

Natural Resources

Appealing for Appeals

Last week the perennial discussion about limiting citizen access to the appeals process-this time at the Land Use Board of Appeals (LUBA)-started in the Senate Rural Communities and Economic Development Committee with [SB 77](#). The bill would increase the filing fee from



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\$200 to \$1,000 and require a \$1,000 deposit for costs. The bill would also require the appellant to list all the assignments of error at the time of filing the notice of intent to appeal rather than after the full record had been provided.

Peggy Lynch, Natural Resources Coordinator

As usual, the argument that, unless you're the developer, you have no "skin in the game" was raised. However, the League ([testimony](#)) and others shared the amount of time and labor citizens invest. We also shared that, although there are thousands of land use applications filed each year, the highest number of LUBA appeals has been just over 260 and more recently down to less than 110. This continues to be a solution in search of a problem.

The League did [support](#) that section of the bill asking for more complete data on appeals as we also did during LUBA's budget hearing ([SB 5531](#)). We believe that, once the factual information exists, maybe we can finally stop fighting this battle. In the meantime, it will be important to be vigilant. Should this bill come up for another hearing, we will send out an Action Alert.

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Farmland/Aggregate Saga Continues

by Marge Easley, Natural Resources Volunteer

This past week the League provided [testimony](#) in support of two bills related to aggregate mining on the Willamette Valley's best farmland. The conflict between these two industries is a long-standing one, given that both farmland and aggregate are protected Goal 5 resources, alluvial soil and rock are highly prized by each industry, and both are located in the same bottomlands of the Willamette Valley.

[HB 2201](#) and [HB 2202](#), submitted by the Farm Bureau and heard in the House Land Use Committee on February 26 and 28, attracted a host of witnesses on both sides of the issue. HB 2201 would mandate a



reclamation plan for surface mining operations on Exclusive Farm Use land that would take the land back to its original state. Testimony on this bill indicated that this would prove to be a very expensive proposition for mining companies due to current mining practices. HB 2202, requiring an alternatives analysis before mining can occur on Class I and II soil, received a more positive reception from committee members, who requested more exact information from the Department of Geology and Mineral Industries (DOGAMI) and the Oregon Department of Agriculture on the impact of

**LWV
Testimony**



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Legislature

Thank You!

**From LWVOR Action
Committee**

Many thanks to all League members who interviewed their Representatives and Senators. The information that was gathered will be very helpful to the Action Committee as they work on various bills. It also serves as a way for members to get to know their state legislators. All of those connections raise the League's profile and influence in the Legislature.

aggregate mining on Class I and II soils. Stay tuned.

Interested parties, including those from the Governor's Office, will be working behind the scenes to find answers that can go forward.

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Barrier to Wetlands Restoration

by Peggy Lynch, Natural Resources Coordinator

[HB 2173](#) would require that wetlands restoration projects on exclusive farm use land go through a local Conditional Use Permitting process rather than allowed as an outright permitted use. A landowner in Southern Oregon has complained that her land is now flooding due to a restoration project on nearby land.

The League has not yet weighed in on this bill, but many farmers who own land and have chosen to restore wetlands provided testimony against the bill as well as the Nature Conservancy and a variety of land trusts. This bill and others related to what should and should not happen on farmland may be part of an interim work group to assure our farmland is saved and appropriate uses are also allowed. This discussion may also include the aggregate on farmland issue.



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Location, Location, Location

by Theresa Gibney, Natural Resources Volunteer

Many of the bills heard in the House Energy and Environment committee have focused on siting of renewable energy facilities. Representatives from rural counties repeatedly express concern that "ten years of doing nothing" has blocked renewable energy development in their districts and call for a focus on the jobs that these installations might bring.

Two bills introduced by Representative Huffman were heard this week and are expected to be amended:

- [HB 2105](#) is expected to direct the Siting Council to conduct an audit of current Energy Facility Siting (EFSC) processes to see if there are ways to improve what Representative Huffman called "our already nation-leading EFSC process." A requirement for better coordination across the processes of state agencies and counties was called out as the most

Attorney General's Charity Bill Moves

When
Attorney
General
Ellen
Rosenblum
attended
our



Legislative Process Day in January, she shared that one of her priority bills was HB 2060, a bill that would allow the Attorney General's office to disqualify charities that fail to expend at least 30% on program services for three fiscal years.

An amendment would also disqualify them from getting a property tax exemption.

The amended bill unanimously passed the House Committee on Consumer Protection and Government Efficiency February 28th. It will go to the full House with a "do pass" recommendation.

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Capitol

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likely outcome.

- [HB 2106](#), as introduced, included a call for landscape level planning in Eastern Oregon. The Governor's Ten Year Energy Plan called for this approach: to bring more certainty to the siting process for developers and to replace the current ad-hoc, one-off wildlife mitigation process with a more strategic protection of wildlife, especially the sage grouse, in order to stave off its listing as an endangered species.



A workgroup will convene during the week of March 4th to gain consensus on amendments, most likely to drop the requirement for landscape level planning and to focus this bill on an as yet undefined mitigation system: a land bank, a financial bank, a system built on existing processes for wetlands mitigation or something entirely new.

The League is watching but has not weighed in on these bills. They are a sample of the balance the League tries to find between competing positions:

- taking action on climate change by supporting renewable energy projects, and
- land use planning that includes protecting our farmland and our natural, scenic, cultural, historic, and wildlife sites.

The Governor's balanced budget calls for a \$500,000 General Fund commitment to the Oregon Department of Energy for funding this process.

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The Right Stuff?

by *Theresa Gibney, Natural Resources Volunteer*

There are about 10 bills introduced investigating whether there is excellence in expenditures on energy programs:

- [HB 2292](#) and [SB 229](#) ask the Department of Administrative Services to review Oregon Department of Energy (ODOE) programs,
- [HB 2786](#) adds reporting requirements to the Legislature for the combination of Federal and matching funds,
- [HB 2802](#) and [HB 2807](#) ask ODOE to investigate the effectiveness of energy programs,
- [HB 2873](#) asks Treasury and ODOE to investigate the Small Scale Energy Loan program.

The Joint Ways and Means Subcommittee on Natural Resources will carry out its biennial review of:

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- [HB 5011](#) and [HB 5012](#), the ODOE budget bills, and
- [HB 5043](#), the budget for the Public Utilities Commission.

League positions call for post audits to be conducted independently of the legislative or executive branch, so a few of these bills may deserve additional scrutiny if they are heard in committee.

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ACT on Climate Change!

by Deanie Anderson, Natural Resources Volunteer

Quote from [350.org](#):

Beginning in the 18th century, humans began to burn coal and gas and oil to produce energy and goods. The amount of carbon in the atmosphere began to rise, at first slowly and now more quickly. Many of the activities we do every day like turning the lights on, cooking food, or heating or cooling our homes rely on those fossil fuel energy sources that emit carbon dioxide and other heat-trapping gases into the atmosphere. We're taking millions of years' worth of carbon, stored beneath the earth as fossil fuels, and releasing it into the atmosphere. **By now the planet has about 392 parts per million CO2 - and this number is rising by about 2 parts per million every year.**

LWVUS has a powerfully useful tool in its [Climate Change Toolkit](#) and the members of the Climate Change Task Force (CCTF) to help you. There are other grassroots efforts like [350.org](#) and [FORWARDonCLIMATE](#) to investigate as well. Take a look and decide to take action. To see what action looks like, whether you agree or disagree with all the points, view: [350.org/en/watch-forward-climate-video](#)

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Urban Growth Expansion Process May Change

by Peggy Lynch, Natural Resources Coordinator

Next week we expect to see the product of much work done among a variety of land use interests over the past year to try to find a more simple process for expanding urban growth boundaries for growing cities while continuing to protect our best farm and forest lands and continuing to support livable communities. [HB 2254](#) will be "gut and stuffed" (text completely replaced by amendment) and will contain two new processes: one for cities under 10,000

population and another for larger cities.

Two other bills, [HB 2253](#) that sets up a new process for population forecasts and [HB 2255](#) related to employment lands, will also be heard at 3pm in House Land Use on March 7th. To learn more, tune in to the hearing to hear the Governor's Natural Resources Policy Advisor Richard Whitman explain the intent of these bills.

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Bottle Bill Updates

by Marge Easley, Natural Resources Volunteer

Two bills related to Oregon's Bottle Bill were recently heard in the Senate Environment and Natural Resources Committee. These are continuing tweaks to the successful redemption program that was expanded in 2011 to cover nearly all beverage containers and set up large-scale pilot redemption centers. [SB 112](#) would allow the Oregon Liquor Control Commission to impose civil penalties of between \$50 to \$5000 for violations related to beverage containers by individual distributors, importers, or distributor cooperatives. It also allows audits to be made of these entities to ensure compliance.

[SB 117](#) would expand the pilot redemption center system to more areas of the state. According to testimony at the hearing, the three state-of-the-art redemption centers that currently operate in Wood Village, Oregon City and Salem have won customer approval and greatly alleviate unsanitary conditions and congestion at neighborhood grocers' bottle return sites. While grocers will continue to accept limited numbers of beverage containers, it is hoped that a statewide network of these large redemption centers will be in place by 2018.



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Agriculture Department Budget

by Peggy Lynch, Natural Resources Coordinator

In keeping with our support of the newly adopted Integrated Water Resources Strategy, the League [testified](#) in support of the Governor's Budget Package 325 for data collection and monitoring positions in [SB 5502](#), the budget for the Department of Agriculture.

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Parks and Salmon Plan Budgets

by Peggy Lynch, Natural Resources Coordinator



The Ways and Means Subcommittee on Natural Resources will soon hear budgets on:

- [HB 5034](#), the Oregon Parks and Recreation Department,
- [HB 5048](#), Oregon Watershed Enhancement Board (OWEB), and
- [HB 5049](#), OWEB grants.

You can provide written testimony at any time to, WaysandMeans.NaturalResourcesSub@state.or.us, or look for "public testimony" on agendas to come to the Capitol and provide oral testimony. The League supported Measure 76, an update of original Measure 66 that dedicated 15% of the state lottery for these two important agencies.

If you have a park in your area or are a participant in a watershed council or soil and water conservation district, these budgets may affect you. **Get involved!**

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Agency Reorganization - Follow up

by Peggy Lynch, Natural Resources Coordinator

After visiting with legislators and others, the League decided to provide [testimony](#) to the House Committee on Consumer Protection and Government Efficiency on [HB 2620](#) to ask that any such project have a broad public process.

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Social Policy

Public Safety Recommendations

The first bill to appear in the Joint Committee on Public Safety was explained by staff on Wednesday evening. [HB 3194](#) contains all the recommendations from the 2012 Commission in one bill. Craig Prins, Criminal Justice Commission director, was there to further explain and answer



Karen Nibler, Social Policy Coordinator

questions from the legislators. On Friday, the hearing will focus on Drug Court programs discussed by invited speakers.

The League sent an **Action Alert** to local league presidents requesting local attention to the Commission recommendations. Check with your local league president or contact Karen by e-mail for ways your league can help with this effort.

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Addictions and Mental Health Budget Input

The Oregon Health Authority Budget has been reviewed by the Ways and Means Human Services Subcommittee in Divisions. Public Health was last week and Addictions and Mental Health was this week. The League will testify Thursday on the urgent community mental health needs. The US Department of Justice was concerned about the condition of the old state hospital and has been checking on the progress of the Oregon State Hospital Replacement project. Their concern expanded to the lack of services in community mental health and the state was pressured to provide more resources to the community. See the League's [testimony](#) on [HB 5030](#), budget for Oregon Health Authority - Addictions and Mental Health.

The Public testimony on Addictions and Mental Health brought many young adults to the Capitol. They talked about the need for mentors, peer counselors, transition for foster care youth, and drug treatment for young mothers. A



representative of the Association of Mental Health Directors talked about the county role and county funds for mental health services. Disability Rights Oregon leadership reminded the legislators about placement in the least restrictive environment and the need for crisis services, stabilization, housing and support.

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Psychiatric Security Review Board

The Psychiatric Security Review Board (PSRB) budget, [HB 5040](#), was heard following the Addictions and Mental Health budget, [HB 5030](#), in the Ways and Means Human Services on Monday, March 4. The PSRB has the responsibility for the discharge and release plans for the Guilty Except for Insanity patients at the Oregon State Hospital (OSH). The treatment of these





patients is provided through the Addictions and Mental Health Budget, but the hearings, decisions to release, placement in residential programs or the community are made by the PSRB. The supervision of these patients and others with less serious criminal charges released by the OSH is the responsibility of this board.

Last session they requested and were granted additional staff, which has helped with the performance measures. The recidivism rate (a felony offense) for this population under PSRB supervision was 2.3%, much lower than the 28% from the Department of Corrections parolees.

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Patient Safety is Fast Moving

[SB 483 A](#) on the Patient Safety Commission moved quickly through approval by the Ways and Means Human Services Subcommittee this week and the full Ways and Means on Friday. It will be one of the early bills to pass through and be signed by the Governor. This bill was one of his priorities in health care reform.

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League Addresses the Death Penalty

by Kathy Pugh, Social Policy Volunteer

The League testified orally and submitted a [letter](#) in support of [HJR1](#), a bill proposing an amendment to the Oregon Constitution abolishing use of the death penalty. At the 2006 convention the national League adopted a position supporting abolition because of the exceptional costs, the possibility of innocence, the lack of services for family members of victims, and the unfairness of those targeted for death sentences. State Leagues across the country have used the position to lobby to abolish the death penalty in their states. Five states have done so for a current total of seventeen states that have life sentences for aggravated murder. Thirteen other states have bills proposing abolition of the death penalty in 2013.



Other witnesses included Frank Thompson, former superintendent of the Oregon State Penitentiary and supervisor of the two 1996 and 1997 Oregon executions. He discussed the immorality of asking "decent men and women" (employees of the prison) to take human life. Governor Kitzhaber put a moratorium on the death penalty

in November of 2011 and called on the legislature and citizens to debate the issue.

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Governance

Tax Credits: Heating Up

Both House ([HB 2407](#)) and Senate Rules ([SB 320](#)) committees have heard testimony to extend the political tax credit, used by about 8 percent of Oregon taxpayers, 50 percent with incomes above \$90,000. Supporters emphasized the opportunity the credit offers citizens to participate in government while those in opposition cited the need for the revenue of about \$14 million to the General Fund with repeal. The League indicated both [support and opposition](#), based on our positions, and suggested that if a means (income level) test were placed on the credit that would allow both participation and some revenue, we could support extension. The Oregon Revenue Coalition suggests that many tax credits should be means tested along with their goals of value to Oregonians.



*Kappy Eaton,
Governance
Coordinator*

A major tax credit, Earned Income Tax Credit (EITC), was heard in Senate Finance and Revenue on March 1 ([SB 326](#)) with multiple supporters, including Senator Rosenbaum, a committee member. This credit, currently at 6 percent of the federal credit of 18 percent, provides assistance to about 250,000 Oregon families with at least one working member. The League is in favor ([testimony](#)) of extending EITC, based on our LWVUS position of supporting programs and policies to prevent or reduce poverty and to promote self-sufficiency for individuals and families, including quality of health care, housing and public transportation access.

We also support the increase of the EITC percent to 8 percent as recommended in the Governor's budget. Data from the Oregon Center for Public Policy estimates that 660,000 Oregonians are in poverty and one in four children is hungry. We did not testify on [SB 507](#) which would phase in increasing EITC to 9 percent this biennium and to 18 percent over the next five years, given the fragile revenue growth projected through 2019-2021.

Other 2013-14 sun setting tax credits are being reviewed by policy committees, including Rules and Revenue, and

their recommendations as to extension, repeal or revision will be forwarded to the Joint Special Committee on Tax Credits. The Joint Ways and Means Committee provides the Tax committee with the amount of revenue dollars needed from the reviewed tax credits.

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Treasury Reserves: Rainy Day or Oregon Fund

A plethora of bills regarding Oregon reserve funds is up for discussion in the House Revenue Committee on March 5. They range from amending the Rainy Day Fund statute to establish the Oregon Fund to constitutional amendments to put the Rainy Day Fund in to the Constitution. A brief proposal review:



- [HB 2305](#) and [HJR 3](#). The Constitutional amendment establishes an Oregon Fund, sets conditions for appropriating moneys from the Fund, and limits the amount that can be transferred to individual taxpayers from any surplus personal income tax revenue to \$500. HB 2305 implements the constitutional amendment by transferring any surplus remaining after \$500 payouts to the Oregon Fund and transfers any corporate income surplus to the Oregon Fund. It also changes statutory references to the Oregon Rainy Day Fund and repeals other obsolete references to the Fund
- [HB 2315](#) directs the Legislature to appropriate an amount equal to one percent of the total amount of the General Fund and Lottery allocations for the next biennium to both the Oregon Rainy Day Fund and the Education Stability Fund if the state unemployment rate for the previous year is 6 percent or less at the time of the last economic and revenue forecast of the biennium. It directs the Legislature to appropriate $\frac{3}{4}$ of one percent if the unemployment rate is more than 6 percent, but not greater than 7 percent.
- [HJR 4](#) would amend the Constitution to establish the Oregon Fund and how it can be appropriated as well as sub funds. The Fund is part of the General Fund and monthly moneys based on the amount of General Fund interest attributed to the Oregon Fund can be transferred to it. If the amount in the Oregon Fund is at least 10 percent of the amount collected for the General Fund, such moneys shall be returned to the taxpayers, but not more than \$500 to anyone person, with the remaining surplus put in the Oregon Fund.
- [HJR 11](#) is a constitutional amendment to establish the

Rainy Day Fund, with conditions as to appropriations by the Legislature. This proposal limits the amount of excess personal income tax revenues that can be returned to an individual to \$250. The remainder would go into the Fund. On a monthly basis, the interest in the General Fund attributed to the Rainy Day Fund would be transferred to it.

- [HJR 12](#) is another Constitutional amendment to establish a Rainy Day Fund. It differs from the other proposals in dealing with excess personal income tax revenue. Any excess would be transferred to the Rainy Day Fund. The transfer would not occur if the amount in the Fund exceeds 15 percent of the General Fund revenues collected during the prior biennium. If the transfer is suspended, the surplus personal income would be returned to individual taxpayers. Also, if the moneys collected do not reach 15 percent of the General Fund, all of the excess moneys are to be put into the Rainy Day Fund even if the Rainy Day Fund total then reaches over 15 percent of the General Fund.

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Redistricting Discussion Begins

[HB 2686](#) which lays out the implementation of [HJR 17](#), a Constitutional amendment to change Oregon's redistricting process (see [Legislative Report # 3](#), Redistricting: A new Process), was up for discussion on March 4 in the House Rules Committee, along with the amendment. The League joined the Portland City Club and Common Cause Oregon, among others, in support ([League testimony](#)) of the proposals.

Enabling the process to be handled by an independent commission of nine members and removing it from the politics of the Legislature makes good government sense. It also allows the League to present our [position](#) adopted by the members after the [Redistricting study and publication](#).

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University Governance Gets Attention

[HB 2149](#), the House proposal regarding institutional boards (boards of directors) for the University of Oregon and Portland State University has been heard, and the House Higher Education and Workforce committee is now devoting time each Friday to further discuss the issues.



At its March 1 session, the group reviewed a summary of the recommendations and findings of the Special Committee on University Governance that were forwarded to the Governor and Legislature in October, 2012. The bill also sets forth the process for other public universities to choose boards, and the committee chair announced that Oregon State University, originally opposed to the idea of institutional boards, was now reconsidering. Issues of tuition setting, hiring and firing, construction bonds, transparency, coordination and cooperation in the system and board composition are addressed in the legislation and open to changes.

In the meantime, the Senate Education committee has held a hearing on [SB 270](#), and there are three other proposals - [SB 277](#), [SB 278](#) and [SB 279](#) - each with a somewhat different approach to the issues being raised.



The only witness to testify last week was the student body president of Western University, also representing the Oregon Associated Students, who voiced the student opposition to separate university boards.

The Senate committee has another hearing on SB 270 scheduled for March 5.

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