



LEAGUE OF WOMEN VOTERS® OF OREGON

# Legislative Report

April 15, 2015

Volume 25, Number 9

## 2015 Legislative Session

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**Printer-Friendly  
Version**

### Justice Reinvestment

[See the Action Alert](#)  
on  
[SB 5506](#),

Read about it in the article  
in *Street Roots*:

[Human investment: The  
politics of trying to keep  
people out of prison.](#)

Learn More at [Partnership  
for Justice and Safety.](#)

### Bills Supported by League move forward!

Recently, LWVOR Gun Safety  
Portfolio, Marge Easley,  
presented testimony on SB  
941. ([Read the testimony  
here.](#))

[Read the Oregon Firearms  
Gun Safety Act press  
release](#)

### Social Policy

#### Health Care Update and Public Safety

**Health Care Update:** Ways  
and Means Human Services  
Subcommittee wrapped up the  
Oregon Health Authority  
Budget ([SB 5526](#)) this past  
week. The **Oregon Health  
Policy Research** office  
presented data from the  
Coordinated Care

Organizations with incentive measures for  
assessments of children in DHS custody,  
medications for children, contraception in the  
Medicaid population, prenatal care in the first  
trimester, patients in primary care homes, and  
hospital follow up on MH patients discharges. Most  
metrics were improving except for lower first  
trimester care and lower follow up on mental health  
patients. Hospital admissions for diabetes and  
congestive heart failure were 10% lower, and  
hospital readmissions were trending down, which  
are savings. Immunizations were higher in the  
Medicaid population. The last metrics data was  
published for the year ending June 2014 and next  
year's data will be available after June 2015 on the  
Oregon Health Authority website.



*Karen Nibler, Social  
Policy Coordinator*

The **Public Health Modernization Bill**, [HB 3100](#),  
is scheduled for a Work Session on Friday this  
week. The amended bill is 142 pages long, so it is  
extensive. The foundational minimums for county  
public health were listed as epidemiology,  
emergency preparedness, communication, policy  
and planning, leadership, equity and cultural  
responsiveness, and community partnerships. The  
Oregon Health Authority has the responsibility of  
communicable disease control, environment testing  
and inspection, prevention of injury and disease,

In February, Debbie Aiona, LWVOR Affordable Housing Portfolio submitted testimony in Support of **HB 2564**. ([Read the testimony here.](#))

[Read the Affordable Housing Press Release.](#)

### And there's more!

Moving to work sessions are **HB 2633** (Natural Hazards Rulemaking). [Read the Leagues testimony in support.](#)

The League provided testimony on **HB 2666** on 04/15/2015 which is moving to a work session. [Read the testimony here.](#)

*News Flash: Another League supported win! **HB 246** the septic tank replacement loan program moves to Ways & Means.*

**ACTION ALERT**  
on **HB 3470**  
**Act on Climate Change Stability!**

Testimony is being taken through Friday.

**Act Now!**

[Read how you can help.](#)

**The Action Team and Governor Kate Brown at the signing for the Motor Voter Bill.**

and prevention of communicable diseases with immunizations, screenings, lab and clinical services. OHA has the responsibility of funding these activities or they could revert to the state allowing the county to opt out. OHA will adopt evidence-based practices and assist local public health authorities. **SB 663**, which was identical, has been gut and stuffed for another purpose.

### House Health Committee Bills

**HB 3378**, also known as the CARE Act (Caregiver Advise, Record, Enable), requires hospitals to adopt written discharge policies to help the patient and their caregiver successfully transition from hospital to home. The bill has broad bipartisan support, as well as support from over 15 statewide organizations. The role of family caregivers was discussed, and discharge instructions and training were needed for family members. Jean Galleher

**HB 2875** and **3178**, concerning pharmaceutical costs, were heard on April 3. Pharmacists testified that Pharmacy Benefit Managers were not providing wholesale cost savings, but adding another layer of cost to the pharmacy and customers. Amendments were suggested but not adopted. Cost control is a goal in the LWVUS Health Care position. A letter was submitted to the committee. ([Click here to read testimony.](#))

**HB 3200** relates to age discrimination in the provision of health care services. Professionals testified to incidents of denial of benefits to elderly patients. The committee discussed the issues of functional age and patient choices in treatments. One objection was medical practices that do not take Medicare and Medicaid patients or dismiss them at age 65.

**Public Safety Bills: SB 446** The Chief Justice of the Supreme Court asked for cost of living increases for judges' salaries. The judges received a raise in 2013, but asked for yearly adjustments so that they do not fall behind. The League supported judicial salaries in the Oregon Judicial Department Budget. The bill was sent to Senate floor with a do pass recommendation and subsequent referral to Ways and Means.

**HB 3399** requires new standards for justice and municipal courts, which are not under the umbrella of the Oregon Judicial Department. New requirements would be minimal education for judges and court recordings in criminal cases. Currently half of local court judges have law



Left to Right: Norman Turrill, LWVOR Governance Specialist, Gov. Brown, Kappy Eaton, LWVOR Governance Coordinator and Rebecca Gladstone, LWVOR Voter Service

[Governor Brown's Remarks as Prepared](#)

[Photos of Motor Voter Signing](#)

**Ways & Means Hearings**  
*Around the state.*

[Click here to see Paula Krane's article in report #8 about attending.](#)

**Thursday, April 16**  
**Gresham**  
**7 - 8:30 p.m.**  
**Mt. Hood Community College**

**Tuesday, April 21**  
**Portland (PCC Rock Creek)**  
**7 - 8:30 p.m. - PCC Rock Creek**

**Thursday, April 23**  
**Springfield**  
**6:30-8 p.m.**  
**TBD**

**Friday, April 24**  
**Klamath Falls**

degrees and the others have attended 30 hours of training. Many of the courts will face additional costs for recording equipment.

**HB 3503** directs the DOC to establish a Family Sentencing Alternative Pilot Program with the circuit courts, community corrections, and the Department of Human Services. The intent of the bill is to develop a diversion program that allows low risk offenders to remain in the community and care for their children under close supervision. Amendments are expected and three counties are considering trial programs. The concept was supported by several agencies. Barbara Ross, Portland member, [wrote a letter in support](#), along with other Safety and Savings advocates.

**SB 939** -1 allows the Department of Corrections to contract with a nonprofit agency to provide services for parents and children of incarcerated parents. Within the past year, the Family Preservation Program at Coffee Creek Prison was discontinued due to budget cuts. This bill asks for funds to offer this program with special funding and contracts with non-profits. The League supported this request. [Link to letter](#). The bill is scheduled for a work session this week.

**HB 2907** proposed a new definition of recidivism for juvenile offenders so it would be consistent with the measurement for adult offenders. Oregon Youth Authority and Juvenile Departments are comparing recommendations although there are differences. The Criminal Justice Commission was neutral. Juvenile Directors and children's advocacy organizations were opposed.

The **Criminal Justice Commission** hosted a convention in Salem on April 6 for participants in County Justice Reinvestment Programs. District Attorneys, sheriffs, police, judges and probation and parole staff were invited. The funding for these projects started in the last biennium and may be expanded in this biennium. The Department of Corrections Community Corrections and local Sheriffs have responsibility for these programs.

**HB 3017** directs the Criminal Justice Commission to study the impact of Mental Health Courts. The CJC Director reported there were 13 MH Courts. CJC has done a 4 year trial study. The cost of the study would vary from \$400,000 for a randomized control study to \$150,000 for a quasi-control trial. The bill was moved to the House floor with a do pass recommendation and subsequent referral to Ways and Means.

**5:30-7 p.m. - Oregon  
Institute of  
Technology**

**Saturday, April 25  
Grants Pass  
12:30-2 p.m.  
Performing Arts  
Center**



***Common Cause  
is asking you to  
attend the  
April 21st hearing  
ON SJR 5 at the  
capital.***

**[Click Here for RSVP &  
event information.](#)**

**Read the bill:  
SJR 5  
*(constitutional  
amendment limiting  
campaign financing)***

**ACTION ALERT  
SB 680**

**National  
Popular   
Vote**

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## **Social Policy on Education, Early Intervention, and Family**

**SB 213** strengthens the contracting requirements for Hubs and strengthens the metrics utilized to evaluate Hub effectiveness. The bill clarifies cross-agency cooperation to enhance services available through county health departments and coordinated care organizations to provide better early intervention services for children. It strengthens the coordination efforts among education and human services, providing at-risk children and their families with high quality child care, nutrition and other essential human services. The bill was supported by LWVOR testimony ([read the testimony](#)). Last minute -3 amendment inserted this language, **"February 1, 2019, the council shall submit a report to the interim legislative committees on education and early learning."** This amendment allows an additional four years for this young agency, the Early Learning Division and Regional Hubs to form, solidify and show measurable impact for at risk children.

**HB 3380** regulates consistent quality standards for voluntary preschool programs and provides opportunities for screening, referrals and coordination with health care providers. The bill gives priority placement for those at or below 200 percent of the federal poverty guidelines. Substantial equity-lens research also supports underserved minority populations. At a 4/10/15 public hearing this bill received substantial support from many children's advocacy organizations including LWVOR. ([Click to read letter](#)) Members of the House Committee on Education were most appreciative of testimony from a six year old Head Start boy who spontaneously read from a poster about dreams and unicorns-pronouncing difficult words in sight reading! Work Session is scheduled for 4/15/2015.

**HB 2016**, sponsored by Speaker Kotek, is scheduled for a first public hearing in House Education on April 17. The Department of Education is directed to develop and implement a statewide education plan for educationally disadvantaged youth, defined as **minority youth who have been historically underserved and for whom there is a significant achievement gap compared with other youth.** The bill requests culturally

**Your involvement is needed. Senate Leadership is holding up a vote on this bill. [Read how you can help.](#)**

## Quick Links to OLIS

[OR State Legislature](#)

[Legislative Audio and Video](#)

[View the Bills](#)

[Find & Contact your State Senator and Representative](#)

***California looks to Oregon to adopt the Motor Voter Law. [Read the Statesman Journal article.](#)***

***Read the U.S. Department of Justice information about the [National Voters Registration Act \(NVRA\)](#) also known as the Motor Voter Act.***

***Bill Trackers***  
Track Oregon Legislature's bills, committees and activities using **[e-subscribe on OLIS](#)** (Oregon Legislature's Information System) Also, **[Oregonian Bill Tracker](#)**

***This Session***

***Measures introduced: 2,745***

***Passed by House: 243***

***Passed by Senate: 187***

appropriate educational materials to ensure that they enter kindergarten ready to learn. The bill contains further provisions to follow through to graduation and post- secondary school.

**[SB 890](#)** Establishes a Two Generational Approach to Success Task Force. It will be heard by the Senate Committee On Human Services and Early Childhood on 4/21/2015 and may be linked to **[SB 114](#)** supported by LWVOR testimony (**[Click here to read testimony.](#)**) that directs the Oregon Education Investment Board to evaluate methods for providing components of two-generation strategy to address poverty.

Human Services **[SB 632](#)** was scheduled for April 14 in the Senate Committee on Human Services and Early Childhood. The bill directs the Department of Human Services to develop and implement two pilot programs, and support for foster parents.

Reported by Chris Vogel.

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## Governance

### Election Law, Ethics, Campaign Finance . . . and Abigail Scott Duniway



*Kappy Eaton,  
Governance  
Coordinator*

### Election Law Improvements

A trio of bills that will improve Oregon's election processes and procedures were moved to the Senate floor April 6. Already passed with large majorities in the House, these measures are important to an informed and participating electorate and follow League principles.

- **[HB 2635](#)** deals with the reality of local government option tax levies that often do not produce the entire amount of funding estimated because of compression issues caused by the local property tax limit of \$10 per \$1,000 that must serve all local governments combined; that means the county, cities and special districts included in

**Signed by Governor: 26**

## Legislative Bill Work Session Deadlines:

04/21 - Deadline to hold 1st chamber work sessions

05/22 - Deadline to post 2nd chamber work sessions

06/05 Last day to hold work sessions for 2nd chamber.

### League Links

[LWVOR Action Team](#)

[LWV of Oregon](#)

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one area. This bill gives the local jurisdiction the ability to use the ballot title to inform the public about compression, payment discounts and the collection rate, all of which can lower the final amount available for the purpose of the levy. Voters often are both frustrated and angry when the dollars for an approved program or project are not at the full amount advertised.

- **[HB 2957A](#)** provides specific election dates for local measures referred by local governments or citizens. It will allow voting on local ordinances or authorized initiatives to be scheduled when there will be an election outside of the normal Primary or General elections dates. This gives certainty to both government entities and citizens.
- **[HB 2855A](#)** provides clarity to the situation when a write-in candidate has been nominated or elected to public office. Under the measure, the person involved will be notified of their nomination or election by regular mail and electronic means.

## Governor's Ethics Proposals

To state it lightly, Governor Brown is concerned about the public's trust in state government in light of the still unfolding report on former Governor Kitzhaber's various "activities". Her areas of concern, shared by both Democrats and Republicans, include cumbersome public records statutes, the role and expectations as a public official of the First Partner (spouse or significant other), and ethics laws that ensure transparency and accountability among public officials at all levels. The measures are intended to demonstrate the state government's commitment to credibility and trust.

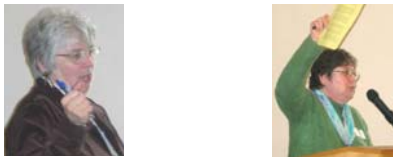
- **[SB 9](#)** requires the State Auditor (in the Secretary of State's office) to audit state agencies' processes for responding to requests for public records. This will look at consistency of agency responses, cost, turnaround time, and compliance with existing laws. The audit will allow policy makers to make informed, fact-based decisions.
- **[HB 2019](#)** and **[HB 2020](#)** are intended to strengthen the efficacy of the **Oregon Ethics Commission** and address structural changes, such as distributing the power to appoint members of the Oregon Government Ethics Commission across all statewide elected officials, and streamlining the investigative

## Support the Action Committee!



Please show your appreciation of the Action Committee and the Legislative Administrator by making a donation to [LWVOR](#)

It is your support that makes it possible to carry out this advocacy work at the Legislature



Volunteer to work on issues for the 2015 Legislative Session  
It's exciting!

Contact the [LWVOR Action Team](#)

### State Bonding Capacity

For the 2015-17 biennium, the maximum recommended General Fund capacity is \$974 million and lottery bonding capacity is \$161 million. Both are less than the requests. Although our bond rating is AA+, factors that affect our rating include the kicker law, the volatility of our personal income tax and our active initiative process.

Capital Construction informational hearing was held March 20th.

Information on bond financing: [State Bond Financing in Oregon](#)

from the Department of Administrative Services (DAS)

[Overview of the 2015 Debt Policy Advisory Commission Report](#)

process. The proposals will also clarify the role and expectations of the First Partner as a public official; increase penalties for knowingly using elective office for personal gain; and prohibit speaker's fees for all statewide office-holders or First Partner while in office.

### Ethics Measures from Republicans

The Republican members of the Legislature also are proposing several bills to address the state's ethics issues:

- [HB 3331](#), which authorizes the Legislative Assembly, by a joint resolution, to appoint an independent counsel for investigations;
- [HB 3505](#), which requires public bodies to establish public records retention schedules that require a minimum three-year retention of public records;
- [HB 2790](#), which requires that statements made by certain witnesses to a committee of the Legislative Assembly be made under oath and therefore are subject to the crime of false swearing;
- [HB 2791](#), which includes false statements made to legislative committees by certain persons in a crime of unsworn falsification;
- [HB 3043](#), which provides that upon being sworn into office, or for other stated reasons, the Governor shall file a declaration with the Oregon Government Ethics Commission declaring the identity of First Spouse and identifying to official policy-making or agenda-setting duties of the First Spouse, if any; and
- a bill filed, but yet unnumbered, that will, by statute, strengthen the rights of public employees who are whistleblowers.

### National Popular Vote Hearing

[HB 3475](#), the interstate Compact for the National Popular Vote (NPV) proposal, will be heard in the House Rules Committee April 15. The LWVUS has long supported direct election of the U.S. President, along with the abolishment of the Electoral College. Given the difficulty of getting a federal constitutional amendment to abolish it, the League adopted an addition to its position in 2012 that accepts the NPV as an alternative. It ensures that the "one person, one vote" statement will happen when the candidate receiving the majority in the

## From LWVUS: UPDATE

### Meeting Basic Human Needs

#### Position

#### Visit OLIS

Oregon Legislative Information System

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**The 2015 Legislative Guides are available in Room 59 for only \$3.00.**

**The Guides provide pictures and information about each legislators, as well as information about Committee Staff.**



**Read Kappy Eaton's Article on Honoring Abigail Scott Duniway and Chief Joseph in her Governance Report.**

counting of every vote in every state wins the Presidency.

### **NPV passed the Oregon House, 38-21 in 2013.**

Current bi-partisan support is shown by the legislative sponsors of both [HB 3475](#) and [SB 680](#). The League is joined as an advocate by several organizations including Common Cause Oregon, the Bus Project and the Oregon Students Association.

### Campaign Finance Amendment

The hearing on [SJR 5](#) is attracting significant interest. Scheduled for **April 21 in the Senate Rules Committee**, the proposed amendment to the Oregon Constitution would allow limits on campaign contributions that were adopted by the Legislature or by the initiative process.

Through several decades in the early 1900s, there were limits imposed by statute. In 1973, the Legislature passed a statute limiting spending, and removed the contributions limits. Then, through a successful law suit, the spending law was declared unconstitutional. The cost of running a legislative campaign rose sharply between the 1970s and the 1990s. With support of 72% of the Oregon voters, a contributions limits initiative was passed in 1994. It was declared unconstitutional by the Oregon Supreme Court in 1997 with the caveat that the constitution must be amended to allow such restrictions - money equates with free speech. Current polling shows that at least 72% of Oregonians want limits.

### Seeking \$500 Million and Minimum Wage Increase

The Oregon Revenue Coalition is working with several legislators to find up to \$500 million dollars to carve from various budgets that could be used to add at least \$200 million to the adopted K-12 budget (\$7.25 billion) and shore up several social services programs. The Women's Health and Wellness Coalition members also are looking for more dollars to assist working families, domestic violence protection programs and health initiatives. Repealing or revising additional tax breaks are one source for additional dollars. The efforts to increase the minimum wage to \$15 are meeting with resistance, and scaling back is probable.

### Honoring Abigail Scott Duniway and Chief Joseph





[Click here for the Oregon Historical Society's Statuary Hall Study Commission's Final Recommendation.](#)



**[Voter Registration Lookup available online through the SOS office.](#)**

**Address changes can also be made at the SOS link above.**

**It's your right . . . It's your responsibility to vote.**



**[LWVOR UPDATES HEALTH CARE PAYER STATEMENT \(click here\)](#)**

**HB 2037** and **SB 942** were addressed in the Senate Rules committee April 9. In 2014 the Statuary Hall Study Commission was created by Executive Order #14-11 and charged with reviewing and recommending to the 2015 Legislature whether to replace one or both of Oregon's two state statues (Jason Lee and Dr. John McLoughlin) that stand in the National Statuary Hall Collection of the U.S. Capitol. Each of the 50 states has two. The Commission has recommended that both statues be returned to Oregon and accorded places of state prominence and honor. In their place would be statues of Abigail Scott Duniway (Oregon women's rights and suffrage advocate) and Chief Joseph, leader of the Nez Perce tribe forced to leave Oregon. The Commission will be transformed into the Oregon State Capitol Foundation via **HB 2037**, already passed by the House, and now moved to the Senate floor by the Senate Rules committee. Under its new charter, **SB 942**, the Foundation could undertake fund raising efforts to create and pay for the two new statues, and cover the costs of delivering them to Washington, D.C., as well as bringing the other two statues back to Oregon and placed somewhere in the state. Supporting testimony was presented by the Commission and the Oregon Historical Society, while four citizens opposed the move on grounds of the historical role of McLoughlin and Lee. Stay tuned.

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## Natural Resources

### Deadlines: Bills Still Alive:

#### Monday, April 13: **[SB 246 with -2 amendments](#)**

authorizes the Environmental Quality Commission to develop a loan program for failing on-site septic systems of low-income homeowners. The League provided testimony on the original bill and supports the -2 amendments.



*Peggy Lynch, Natural Resources Coordinator*

**[SB 266 with -7 amendments](#)** allows the Water Resources Department to assist in place-based planning, including offering grants to local jurisdictions. The **[League provided testimony on](#)**

[the original bill](#) and supports the -7 amendments.

We will be watching a number of bills in Senate Environment and Natural Resources on April 13 that may have good or bad policy ideas: [SB 204](#): Establishes a Committee to consider programs for conservation of working forests and farms; [SB 952](#): Task Force on Funding Natural Resource Agencies; [SB 829](#): Directs Environmental Quality Commission to adopt rules related to certain water quality standards (only other state that does this is Florida). The League participated in a Work Group but are not convinced that the proposed amendments solve the deficiencies in the original bill.

**Tuesday, April 14:** [HB 3089](#) with [-1 amendments](#) requires the Department of Geology and Mineral Industries to conduct studies for the mining industry. The League provided testimony against the original bill and submitted a second letter in opposition to the -1 amendments. We continue to oppose in part because the agency needs to spend its limited funds on providing data related to groundwater studies in this drought-stricken part of Oregon.

[SB 94 \(may be amended\)](#) directs Land Conservation and Development Commission to do rulemaking on tsunami hazards. The League provided testimony in support as part of a series of bills to require broad natural hazards rulemaking. [HB 2633](#) with [-4 amendments](#) is another such bill for which the League provided testimony. (It will have a Work Session on April 16.) [HB 3412](#) required the Department of Geology and Mineral Industries to provide natural hazards data.

**Major Alert - [HB 3470 Climate Stability and Justice Act 2015](#):** The League is assisting with a major statewide advocacy effort to ensure passage this session for a price on carbon legislation. The League is providing [testimony in support of HB 3470](#). Joining with us is the Oregon Environmental Council and Oregon League of Conservation Voters, among others. ([Click here for Action Alert!](#)). The bill would require the Environmental Quality Commission to adopt by rule statewide greenhouse gas emissions limits, with a review every 5 years, an action plan and a timeline for adopting rules under provisions of the Act because the effects of global warming and ocean acidification caused by greenhouse gas emissions threaten to have significant detrimental impacts on public health and the economic vitality, natural resources and

environment of this state.

**Wednesday, April 15:** [SB 477](#) with [-1 amendments](#), Coal to Clean, will be heard in Senate Environment and Natural Resources. The bill would transition Oregon away from coal to healthy, clean energy over a ten year period. The League has provided testimony in support. [SB 478](#), **Toxics Free Kids**, will also be heard. Sadly, [SB 716](#), authorizing the 3 Metro counties to designate one 150 to 500-acre industrial reserve outside of the regular public involvement process is also getting a Work Session.

**Thursday, April 16:** House Agriculture and Natural Resources will hold Work Sessions on a series of bills related to aerial spraying and pesticides ([HB 3123](#), [3429](#) and [3434](#)). The League has been supporting [SB 613](#), which did not make the bill cutoff for a Work Session.

The League will be providing testimony on [HB 5019](#), the Department of Forestry budget bill. [HB 3315](#) with [-2 amendments](#) authorizes the Oregon Fish and Wildlife Department to begin gathering information on the cost to provide a variety of services to other agencies to provide future legislatures with information as to whether this should be a General Fund cost or billed to the permit applicants in other agencies. The League provided testimony on the original bill and supports the -2 amendments.

[HB 2666](#) is a "right to mine" bill and would increase mining on agricultural lands. The League opposes and will provide testimony indicating that mining interests have only had three permits refused in the last few years, so any additional loosening of regulations is unnecessary.

The League will provide testimony in support of [HB 3474](#), a bill that would create a Commission to help determine how to address the Elliott State Forest. We provided testimony in favor of [HB 3417](#) to increase public access to Regional Solutions Advisory Committees.

[SB 830](#) requires rulemaking on suction dredge mining. The League may provide testimony depending on the amendments provided.

**Friday, April 17:** [SB 359](#), which the League **supported**, limits the amount of appeals fees for certain land use actions. An amendment will be considered to narrow the requirement to counties.

**Tuesday, April 22:** Work Sessions will be held on two bills the League supported last week: [HB 3415](#) which imposes a 10-year moratorium on use of hydraulic fracturing for oil and gas exploration and production, and [HB 3225](#), a very comprehensive Rail Safety bill.

Peggy Lynch, Natural Resources Coordinator;  
Claudia Keith, Climate Change Portfolio; Jennifer Haynes, Forests and Pesticides Portfolios; Marge Easley, Land Use and Aggregate Portfolio

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