

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

11-3-15-18

I IN THE MATTER OF ADOPTING POSITIONS ON  
I LEGISLATIVE ISSUES DURING THE 76<sup>TH</sup>  
I LEGISLATIVE SESSION

**WHEREAS**, Lane County has a keen interest in state legislative activities, and;

**WHEREAS**, Lane County Government employs an Intergovernmental Relations Manager for the purpose of advocating on behalf of Lane County government at the Oregon Legislature, and;

**WHEREAS**, the Lane County Board of County Commissioners wishes to communicate their positions on legislative issues to the public and other elected officials, and;

**WHEREAS**, the Legislative Committee is the established standing committee which exists to fully inform the Lane County Board of Commissioners in a timely fashion on legislative issues, and;

**WHEREAS**, it has previously been resolved that the Legislative Committee will forward its recommendations to the Board of County Commissioners for final approval by the Board of County Commissioners on an as-necessary basis.

**NOW, THEREFORE**, be it resolved that the Lane County Board agrees to the positions illustrated in Attachment A and Attachment D, and;

**BE IT FURTHER RESOLVED**, that this Board Order will officially represent the will of the Board of County Commissioners and may be used by the Intergovernmental Relations Manager to communicate their position to Oregon legislators during the 76<sup>th</sup> Legislative session.

DATED this 15<sup>th</sup> day of March, 2011



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Faye Stewart, Chair  
Lane County Board of Commissioners

ATTACHMENT A

Lane County, Oregon

Board of County Commissioners

Spreadsheet for Legislative Review from Feb 25, 2011 Legislative Committee

76th Oregon Legislative Assembly

15-Mar-11

Shaded=See Addendum to Spreadsheet

Item	House Bill #	Department	Recommendation	Sponsor	Bill Summary	Staff Analysis
1)	SB 69	CAO and HHS	Monitor	Gov for OSP	CAO: Expands the ability of local governments to regulate fireworks  HHS: Section 8 (3) Unincorporated landowners may apply for the right to utilize fireworks to repel wild birds or other wild animals off their property	CAO: Allows local governments, if they wish, to add additional regulations to fireworks and fireworks displays in their communities, including the ability to require insurance. No requirement to do so in the current law.  HHS: Section 8 (3) identifies potential local animal protection duties in unincorporated areas not covered by Lane Co. Animal Codes. This bill, therefore, would have no impact to LCAS.
2)	SB 186	PW	Monitor	Sen Kruse	Requires appellant of land use decision own property within a certain (TBD) distance of the property subject to the land use decision.	Proposal is an attempt to limit those with "standing" for appeals of land use decisions. An effort to decrease frivolous and harassment appeals that are just to delay.
3)	SB 592	CC	Monitor	Sen Atkinson	Modifies law that requires that statutes authorizing or mandating award of attorney fees to parties in civil proceeding be construed as authorizing or mandating that award on appeal. Extends law to statutes that authorize or require award of attorney fees in administrative proceedings.	My recommendation would be to monitor this one and do some more investigation on what caused it to be dropped. It seems to fix a problem that the county has not faced and would only expand the potential for an award of attorney fees in appeals. I have not reviewed our litigation cases since January 1, 2009, to see whether it would benefit Lane County, but I would doubt that it does. Seems the effect on the county could be minimal, but it has potential to pair up with the LUBA attorney fees legislation to present some additional risk of an award against the county.
4)	SB 728	SO	Oppose	Comm on Judiciary	Requires counties to assume responsibility for criminal offenders sentenced to term of incarceration of 24 months or less.	This bill would extend former SB 1145 incarcerated inmates (those sentenced for felonies to a year or less) to two years or less. This would place a large burden on local systems. Inmates in Lane County are already only serving a small fraction of their sentences due to lack of jail capacity. This bill would only serve to intensify an already very bad situation. Strongly Oppose.

5)	HB	<u>2129</u>	PW	Monitor	Gov for Dept of Land Conservati on and Devt	<p>Modifies process for post-acknowledgment changes to comp plan and land use regs:</p> <ol style="list-style-type: none"> <li>1. Revises 45 day local gov't notice requirement to DLCD for PAPA to at least 20 days, but not more than 35 before 1st evidentiary hearing.</li> <li>2. Requires posting notice of proposed changes on Website.</li> <li>3. When statewide planning goals, statutes or rules do not apply to proposed Comp Plan change, notice to DLCD not required.</li> <li>4. If proposal changes significantly, must renote DLCD at least 10 days before final hearing.</li> <li>5. When DLCD determines proposal may not comply, DLCD shall notify local gov't w/ 15 days from when received notice.</li> <li>6. The DLCD may provide advisory recommendations DLCD considers desirable.</li> <li>7. Local gov't proposing PAPA solely to conform with Statute, Goal or Rule may do so without public hearing if notice DLCD.</li> </ol>	Generally conforms with E-gov't policies of Lane County. The provision to not have to have a public hearing if just conforming is attractive. However, other sections seem to be reducing local control.
6)	HB	<u>2132</u>	PW	Support	Gov for Dept of Land Conservati on and Devt	Modifies TDR Pilot Program	Lane County has applied to the TDR Pilot Program offered during the last session. These revisions are to make the pilot program more feasible. There was a problem after the bill from last session passed. This bill is the fix.
7)	HB	<u>2371</u>	HHS	Support	Reps Nathanson, Greenlick	Requires Oregon Health Authority to adopt rules requiring entity that administers vaccine and receives vaccines from authority to report to immunization registry and certify that employees have completed training session.	If passed, this bill will help with vaccine accountability as well as completeness and usefulness of the state immunization registry. We support the bill as does the Coalition of Local Health Officials and gives it a priority 2 rating.

8)	HB 2600	HHS	Monitor	Rep Geisler	Codifies Staley settlement agreement (a lawsuit against the state regarding Developmental Disability services) pertaining to provision of DD services to eligible adults. Updates terminology	The terms of the Staley settlement from years ago already govern how the state should fund services in the DD system, so this bill wouldn't likely change our services or the funding currently available to provide those.
9)	HB 2726	HHS	Support	Reps Tomel, Doherty, Frederick, Harker, Read, Sen Monnes Anderson	<p>Modifies definition of "smoke shop" for purposes of Oregon Indoor Clean Air Act. Modifications include:</p> <ol style="list-style-type: none"> <li>1. May not offer or allow on premises consumption of food or beverage, including alcoholic drinks</li> <li>2. Has a maximum seating capacity of four persons</li> <li>3. Sells tobacco products and smoking instruments intended for off premises consumption or use</li> <li>4. Allows smokings of tobacco products for the purpose of sampling prior to making retail purchase decision</li> </ol> <p>Directs Oregon Health Authority to establish registration system for smoke shops.</p>	<p>The Indoor Clean Air Act prohibits smoking in almost all indoor workplaces and public places with the exception of cigar bars and certified smoke shops. Under the smoke shop exemption, a new type of business, known as the "hookah smoking lounge" has emerged as a threat to the health of workers and the young people that frequent these establishments.</p> <p>Hookahs are tall, narrow, glass pipes with one or more flexible hoses through which flavored tobacco called "shisha" is smoked. Shisha is a moist mixture of tobacco, flavoring and honey or molasses syrup. Because shisha is moist, it doesn't burn in a self-sustaining manner, but must be continually heated by charcoal. The shisha smoke is cooled by water in the glass base of the pipe before it is inhaled. Shisha tobacco appeals to youth because it masks the harsher aspects of tobacco smoke and is available in dozens of flavors, including candy, fruit, coffee and cocktail. Though federal legislation prohibits similarly flavored cigarettes because of their appeal to youth, currently, there is no such ban on flavored alternative tobacco products like shisha.</p> <p>Oregon Healthy Teens survey data indicates an alarming upsurge in hookah tobacco use by 8th and 11th graders.</p>
10)	HB 2856	HHS	Support	Rep Nathanson, Dembrow	Requires DHS to collaborate with other state agencies and local governments to establish pilot program to streamline reporting and audit requirements for human services providers	This is aimed at simplifying the reporting and auditing requirements, eliminating duplication and reducing the administrative burden on providers such as the County.

11)	HB 2858	C&F	Support	Reps Nathanson Barker, Beyer, Dembrow, Gaiser, Hoyle, J Smith, Sens Edwards, Prozanski	Relief Nursery pilot program in Lane County.  Establishes relief nursery pilot program in Lane County. Requires Department of Human Services to refer children and parents to program following conclusion of child abuse investigation when abuse is not or cannot be substantiated. Provides for collaboration between department and State Commission on Children and Families to adopt rules and report to legislature.	The purpose of the bill is to reduce the number of 2nd and 3rd calls to DHS, relieving DHS workers of additional work, therefore allowing time to get to other urgent calls waiting assessment, and protecting children left in vulnerable situations when the criteria is not met for removal from the home.  The area of focus will be Eugene-Springfield metro area and South Lane. This will allow both Relief Nurseries in Lane County to participate.
12)	HB 2865	PW and CC	Support	Reps Garrett, Greenlick, Sen Burdick	Extends immunity to owner of land for allowing public entry upon land for using public trails. Clarifies language and conforms language to form and style requirements.  The ORS being modified (ORS 105.672 Public Use of Lands) provides public policy for public use of private lands for recreation, gardening, woodcutting, and for harvest of special forest products.	PW: On the surface this appears to be fairly benign and may make it easier for trusts and land banks to allow greater public access. i.e. The Nature Conservancy, McKenzie River Trust  Mostly it appears to provide some structure for private owners who want to open their land to public use and includes restrictions on fees charged in exchange for decreased liability/immunity.  I would appreciate a review by Andy to see how this might impact issues when certain citizens declare that their property is being used as a public park (i.e. Gillette) to avoid compliance with Land Use rules.  Recommendations would be Neutral/ignore. I do not think it has any impact on Lane County or our operations. It seems to limit insurance liability for recreational activities such as a public trail on private property. It does not grant any new land uses and does not exempt anyone from complying with land use law.  CC: The changes to the recreational immunity statute proposed by HB 2865 are fairly minor. It contains some general housekeeping and language clarification. The one substantive change is the addition of a definition for a "public trail" and the extension of recreational immunity to the public's use of public trails. I think this is a positive an

13)	HB	<u>2868</u>	HHS	Support	Rep Clem	Provides for licensing of intermittent temporary restaurants and seasonal temporary restaurants. Removes special license provision for temporary restaurant operating on intermittent basis. Removes limit on fee for multiple temporary restaurants operated by same person. Removes limit on number of temporary restaurants operated by benevolent organization. Extends license term for single-event temporary restaurant operated by benevolent organization.	This bill provides for food vendors providing temporary restaurants to be able to have a license covering 90 days rather than each time they set up for an event. The vendor must keep the same basic menu each event within the 90-day licensing period and our inspectors would only need to inspect the vendor one time as long as things remain the same. Under the old rule a vendor would need to get a new license and be reinspected each and every time they set up even though the set up and menu were the same for each event. This bill eliminates duplication of work and saves the vendor and the agency time and money. The bill has had input from the Oregon State Food Advisory Committee made up of industry representatives and agency representatives and CLEHS (Conference of Local Environmental Health Supervisors) who are in support of the bill.
14)	HB	<u>2997</u>	PW	Oppose	Reps Garrard, Richardson	Establishes five regional land use planning commissions. Prescribes duties and powers of regional commissions. Provides that chairs of regional commissions constitute Land Conservation and Development Commission. Modifies duties and powers of Land Conservation and Development Commission.	Creates another layer of state government that will affect land use planning. Will split Lane County into two regions. Will add complexity to an already complex system. Will increase costs and timelines for large planning applications and long range planning projects. Will further erode local control of land use issues.
15)	HB	<u>3040</u>	CAO	Monitor	Reps Olson, Clem, Freeman, Gelsler, Johnson, Schaulfer, Sprenger, Wand, Whisman, Sens Kruse, Morse, Thomssen	Expands authority of the court and violations bureau to reduce fines for violations.	Gives judges a little more leeway in certain situations. Probably would not experience much of a decline in revenue, but certainly would experience some. Pertains specifically to low level crime.

16)	HB	<u>3041</u>	HHS	Support	Reps Clem, Olson, Geiser, Johnson, Schaulter, Sprenger, Sen Morse	Authorizes DA to file petition in criminal case, on behalf of county or animal care agency, seeking forfeiture of animals alleged to have been abused.	This would provide another tool in significant animal abuse or neglect that would provide options for the animals that are held pending outcome of the trial. Currently, the county can file such a petition, this just allows the DA the option to file.
17)	HB	<u>3060</u>	MSD	Oppose	Reps Cannon, J Smith	Requires County Clerk to send replacement ballot to forwardable address of elector in certain circumstances.	Requiring this for all elections would be difficult during a Primary or General election where we receive 2-4,000 undeliverable ballots with forwarding addresses within Lane County for one countywide election. These would have to be processed along with the increased voter registration (initiated by the voter) that is inherent with all elections. We are often stretched already with limited staffing and increased costs associated with mailing out another ballot to the person.
18)	HB	<u>3061</u>	MSD	Oppose	Reps Cannon, J Smith	Provides for automatic voter registration of person who applies for issuance or renewal of driver license, state id card or change of address; unless person declines to register to vote. Allows county clerk to make official ballot available to persons automatically registered to vote by mail or at office of county clerk or other designated location.	No real issue with this, just want to keep an eye on it. This is similar to the dmrv address change form currently being used to comply with NVRA. New registrations at dmrv would have to include party affiliation. This is similar to HB3062 which does not include the part about sending a ballot.
19)	HB	<u>3062</u>	MSD	Oppose	Reps Cannon, J Smith	Provides for automatic voter registration of person who applies for issuance or renewal of driver license, state id card or change of address, unless person declines to register to vote.	No real issue. See notes on HB 3061.
20)	HB	<u>3110</u>	HHS	Support	Rep Tomei	Removes sunset on Alcohol and Drug Policy commission, adds and modifies duties; requires commission to establish or approve minimum standards for prevention and treatment programs	This Commission replaced the former Governor's Alcohol and Drug Council, so if this sunsets it would create a policy gap on this important topic. This group will help promote the use of best practices in alcohol and drug prevention and treatment, and help promote outcomes in this important area.

21)	HB	<u>3188</u>	CAO	Oppose	Reps Wand, Sheehan, Sen Monnes Anderson	Requires counties to deposit moneys received from State Lottery Fund for purpose of furthering economic development in dedicated fund to employ person to manage moneys in dedicated fund and to report to Oregon State Lottery Commission regarding use of moneys.	Lane County already does this, but this legislation adds layers of state regulations that will cost us money and diminish the effectiveness of our program. We will spend more time doing paperwork and reporting to the state, rather than running the program.
22)	SB	<u>101</u>	HHS	Monitor	Gov for Oregon Health Authority	Adds dental coverage to FHIAP. Allows Oregon Health Authority to reduce OHP service package to less than prioritized list.	We support the dental coverage portion. The cuts to OHP prioritized list is concerning. We don't have sufficient detail about those cuts to know the impact on our services at this time.
23)	SB	<u>192</u>	CAO	Support	Sens Nelson, Boquist, Courtney, Ferrioli, Girod, Hass, Johnson, Monnes Anderson, Monroe, Telfer, Verger, Whitsett, Winters	Expands green jobs growth initiatives to include green jobs in the timber industry	Green jobs in the forest industry should be recognized as the type of jobs the state should support
24)	SB	<u>211</u>	HHS	Support	Sen Bates	Requires Oregon Health Authority to give preference in contracting to prepaid managed care health services organizations that are community focused, have experience with medical assistance recipients and have established relationships with provider networks.	This will influence the contracting that OHA does with health plans that provide medical, mental health, chemical dependency, and oral health, hopefully making them more connected to the local communities in which they work. This will be even more important if the OHA opens up contracts to bids from national firms, and others who might not have established relationships.
25)	SB	<u>214</u>	HHS	Support	Sen Bates	Requires OHA to reconcile claims, and payments to prepaid managed care organizations within 90 days of the date the claim is submitted.	This bill will assure timely payments to County programs for services rendered. Carrying a debt incurred by providing services that have significant delays in payment can burden an organization. This bill will help solve this problem



26)	SB	<u>216</u>	HHS	Support	Sen Bates	Requires OHA to increase capitation rates to OHP managed care organizations if benefit costs increase by one percent or more.	LaneCare, operated by Lane County Health and Human Services, is an OHP managed care organization providing funding for mental health services. An increase in capitation payments that match an increase in costs will help the organization remain fiscally sound.
27)	SB	<u>229</u>	HR	Oppose	Senate Interim Comm on Health Care for OR Assoc of Naturopathic Physicians	Requires health benefit plan to cover services provided by naturopath if plan would cover same services provided by physician.	This will add additional cost to the health plans Lane County offers.
28)	SB	<u>241</u>	HHS	Support	Sen Verger	Requires state agencies to ask if customer or client is veteran and provide information from Department of Veterans' Affairs and reintegration team within Oregon Military Department to veterans. Repeals sunset on provisions requiring state agencies to provide information to veterans.	Continues outreach efforts to insure veterans who have some contact with a state agency are made aware of specific assistance in application for federal benefits. Only applies to state agencies. County Veteran Service Offices will likely end up with the referral and a request to contact the veteran which will have some impact on our demand for services, but overall, the positive impacts of assisting more veterans obtain VA benefits, both monetary and health care, are worth it.
29)	SB	<u>344</u>	PW	Oppose	Sens Monroe, Burdick	Authorizes road authority to designate speed on highway in its jurisdiction that is five miles per hour lower than statutory speed under specified circumstances.	<b>PW:</b> Unsure whether the language adds value to bike/ped safety, and it's confusing. For instance if a road has a 25 mph speed limit and 1500 ADT, does this mean that the authority can lower it to 20 mph if more than 85 percent are traveling at less than 30 mph?  Not knowing exacting what the intent is of the proposal is: I would tend to lean towards opposition. Generally the 85th percentile speed is what is used as the basis for establishing speed zones nationally. The statutory speeds are: 15 on an alley; 20 in a business district, 25 in a residence district or park. Why we would want 5 mph slower is the question.
30)	SB	<u>441</u>	CC	Support	Sen Morse	Modifies provisions related to written agreements by Department of Environmental Quality that provide certain parties with release from potential liability for releases of hazardous substances.	Bill does two things- 1) Increases liability protection for certain clean ups from just protecting as to State enforcement, to protect against any suit under State law. 2) Also requires public notice before State can enter into these agreements. This part will complicate these, and add time to the process. I'd be neutral on this part, but the advantages from the overall protection I think merits support. I do note that (4) of the bill would say "not be liable to any person," but if you look at (1) they still only say "release from potential liability to the state..." I'm thinking that (1) should be broadened to be consistent with (4).  Helpful for when Lane County takes over properties.

31)	SB	494	CAO	Support	Sens Bonamici, Bates, Boquist, Devlin, Dingfelder, Edwards, Hass, Johnson, Monnes Anderson, Monroe, Morse, Prozanski, Rosenbau m, Starr, Verger, Winter, Reps Doherty, Greenlick, Harker, Hunt, Nathanson	Eliminates sunset on provisions related to business development loans and entrepreneurial development loans.	This bill makes it easier for small businesses to access loan funds made available by OBDD. It also lets borrowers know that the rules will not change once they get their loan.
32)	SB	586	MSD	Support	Sen Whitsett	Changes definition from solar to green  Requires public agency to include amount in contract for construction, reconstruction or major renovation of public building-equivalent to 1.5 percent of total contract price for inclusion of appropriate green energy technology.	Broadens the definition so I support it; pls continue to monitor

33)	SB	<u>611</u>	HR	Oppose	Comm on Judic (at request of NW Workers Justice Project)	Standardizes definitions of "employ," "employee," "employer" and "wages" for purposes of statutes relating to hours, wages, wage claims, employment conditions, employment agencies, farm labor contractors and construction contractors.	Mostly just cleans up the definitions. It does significantly shorten how it refers to a state, county city or etc to a "public body" but what might concern me is the addition of the "or any other person acting directly or indirectly in the interest of an employer in relation to an employee." This part is too broad and I am not sure that we would have control if anyone acting directly or indirectly on our behalf can make us an employer rather us hiring specifically. Could someone working for a contractor acting on our behalf be considered our employee? I think it needs to be better clarified what that statement means before supporting this bill.
34)	SB	<u>709</u>	HR	Oppose	Sen Johnson	Imposes restrictions on health benefit plan that provides coverage for pharmacy services or prescription drugs.	Limiting insurance and companies' ability to determine "out of network" pharmacies and forcing them to pay the "in-network" rate will only increase insurance premium rates for everyone.
35)	HB	<u>2404</u>	HHS	Support	House Interim Comm on Vets and Emer Services	Provides credit against income taxes for providing mental health services to veterans. Applies to tax years beginning on or after January 1, 2011. Takes effect on 91st day following adjournment site die.	Not all veterans are eligible for VA health care. Also, there are very limited services available for families of veterans. This bill would encourage local providers to help bridge the gap between VA health care and the actual community need for mental health services. Would further support efforts such as "Give an Hour" and Returning Veterans Project (See, LC Resolution 10-4-27-1). Limited fiscal impact to County; may reduce State General Fund by some minimal amount which could impact pass-through funding and could impact future county income tax possibilities.
36)	HB	<u>2463</u>	JS	Support	Reps Gelser, Barker, Olson	Modifies crime of failure to report child pornography. Requires processors of photographic images and computer technicians to report child pornography. Exempts good faith reporters from civil or criminal liability. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both.	Amends ORS 163.693. This bill adds computer technicians to those who must report potential violations and holds harmless from prosecution in connection with making the report.
37)	HB	<u>2707</u>	SO and DYS	Oppose	House Interim Comm on Judiciary	Allows Sheriff and DYS director to determine where juveniles, age 16 and 17 are held when charged with a major crime. Requires agreement between county juvenile department and sheriff or other jailer before certain persons who are 16 or 17 years of age may be detained in jail or other place where adults are detained.	DYS: Pertains to Measure 11 youth. Requires communication about youth before lodging in county jail. Current practice is 16 and 17 year olds lodged in jail. Would increase juvenile detention lodging of measure 11 youth. With only 16 Lane County beds, there is no capacity for offenders with adult charges to be lodged in detention. As a large county with a detention facility of only 16 beds (which I hope we retain after budget cuts), I do not support the bill because of the potential impact on our limited bed space. We would be facing having almost no access, at times, to detention beds for youth in the juvenile system. I support the current default of youth going to jail.

38)	HB	<u>3100</u>	HHS	Support	Rep Clem	Modifies Jurisdiction of Psychiatric Security Review Board and authorizes court of commit persons not under board jurisdiction when they present a danger to others. Requires changes in rule about psychiatric and psychological evaluation requirements.	This bill has broad support as it will assure that appropriate periods of hospitalization or treatment alternatives be authorized that meet the needs of the individual. Parts of this bill seem to be clarifying points that were unclear in rule. Professional evaluations will be required by certified professionals.  The Lane County Mental Health Advisory Committee would like this to move forward.
39)	SB	<u>70</u>	SO	Oppose	Gov for OSP	Authorizes Department of State Police to establish fee schedules to cover costs of obtaining, maintaining and providing criminal identification records and information.	It appears this bill will establish fees for criminal history checks (CCH) performed via LEDS by law enforcement agencies, as well as raise the fee paid to OSP for each new concealed handgun license. The OSP ID Services Bureau was tasked last year with exploring a fee-based structure to move them out of the State's General Fund. Public meetings were held last Spring with concerned stakeholders (refer my email of 5/22/10). This bill would have a sizeable negative financial impact on the SO, as it has the potential to charge us per individual CCH transaction and raise the fee we pay OSP per new CHL. Just for CCHs, in the 07-09 Biennium, PSD ran approx 16,692 CCH inquiries. Even at \$1 an inquiry, this is a substantial unbudgeted expense and one that would be hard to predict. Additionally, the above figure does not include the number of CCH inquiries performed by Corrections or P&P.
40)	SB	<u>696</u>	CAO	Support	Sen Monroe	Allows Lane County to impose a liquor tax.  Allows counties to impose taxes on malt beverages and wine. Distributes tax revenues to counties imposing the tax, for specified purposes relating to alcohol or drug addiction.	Also would be a significant cost to Lane County DYS.  GAO: If Lane County imposed such a tax, all revenue would go to the OLCC who would disburse to us. This keeps our admin costs of such a program way down. The money must be used for specific purposes, all which appear doable and appropriate to me. The odd part of this bill is Section 5 (3) that an "independent audit" must be done annually. This means we would have to contract out such work to a CPA. County Finance is not deemed "independent" by professional standards and only CPAs can do official audits. This will cost us maybe \$2,000 to \$3,000 a year ballpark. I think this statement is a little overous but I would estimate the revenue generated would more than cover it. From a financial perspective, I am fine with the bill.
41)	HB	<u>2105</u>	HHS	Monitor	Gov for Oregon Health Authority	establishes one or more pilot projects aimed at managing the costs of psychiatric medication through a managed care entity.	OLCC collects the taxes, so it doesn't burden A&T. It doesn't require counties to impose the tax, but allows them, giving them yet another funding option. The uses of the funds are fairly broad - alcohol or drug addiction prevention and treatment, law enforcement programs that apply to persons with alcohol or drug addiction, and criminal justice programs used by the courts or corrections departments for alcohol or drug addiction prevention or  Psychiatric medications are currently unmanaged and frankly should be managed somewhat. The questions really are whether Lane County will be in one of the pilots, who will be the managing entity, and how onerous will be the process for getting approval for critically important psychiatric medications for clients we serve. Could add to costs of prescribing medication if prior authorization processes are cumbersome and time consuming. Could result in delays of getting needed medication to clients who could pose a community risk.

42)	HB	<u>2417</u>	MSD	Monitor	House Interim Comm on Rules	Exempts district from paying expenses for district election held on same date as date of primary or general election.	The County would be responsible for district election costs where we already have declining budgets. This would have resulted in a loss of \$1715 for the General 2010 election (4 measures) and \$430 for the Primary 2010 election (1 measure). Districts need to be responsible for their election costs.  <b>THIS BILL IS GOING TO BE GUT-AND-STUFFED!</b>  Proposed Amendment: <a href="http://www.leg.state.or.us/committees/exhib2web/2011reg/HRULES/02-21-2011meetingmaterials/hb2417-1amend02-21-2011.pdf">http://www.leg.state.or.us/committees/exhib2web/2011reg/HRULES/02-21-2011meetingmaterials/hb2417stembridge02-21-2011.pdf</a> Amendment Summary: <a href="http://www.leg.state.or.us/committees/exhib2web/2011reg/HRULES/02-21-2011meetingmaterials/hb2417stembridge02-21-2011.pdf">http://www.leg.state.or.us/committees/exhib2web/2011reg/HRULES/02-21-2011meetingmaterials/hb2417stembridge02-21-2011.pdf</a>
43)	HB	<u>2533</u>	HHS	Support	House Interim Comm on Revenue	<ul style="list-style-type: none"> <li>• Raises the Oregon cigarette tax by \$1.82 per pack (for a total tax of \$3 per pack); DOES NOT raise tax on other tobacco products like chew.</li> <li>• Taxes existing cigarette inventory (a floor tax) at \$1.8225 per pack.</li> <li>• Redistributes the allocation of cigarette tax revenues under ORS 323.455 as follows: <ul style="list-style-type: none"> <li>72.84% - Oregon Health Plan</li> <li>18.8% State General Fund</li> <li>2.57% - Tobacco Use Reduction Account (TURA)</li> </ul> </li> <li>1.93% each to cities, counties, and the Department of Transportation for distribution to the Elderly &amp; Disabled Special Transportation Fund</li> </ul>	<ul style="list-style-type: none"> <li>• This bill would increase cigarette tax revenue by \$357 million in the 2011-2013 biennium.</li> <li>• The Oregon Health Authority estimates for every \$1 tobacco excise tax increase, consumption would be driven down by 8% in the first biennium. For each percentage point decline in adult and youth smoking rates, Oregon will see 28,400 fewer adult smokers, 460 fewer pregnant smokers, 2,000 fewer high school smokers, a \$270 million reduction in health care costs from reduced adult smoking and a \$149 million reduction in future health costs from reduced youth smoking.</li> <li>• The extra tax revenue from the Tobacco Use Reduction Account would increase funding of Oregon's effective, comprehensive Tobacco Prevention and Education Program bringing it up to 57% of the Center for Disease Control and Prevention recommended funding levels.</li> <li>• Lane County government could expect to see an unspecified increase in cigarette tax revenue. LC currently receives approximately \$400,000 a year.</li> </ul>
44)	HB	<u>3089</u>	A&T	Monitor	Rep G Smith	Changes deadline for completion of Utility Roll (centrally assessed property) by DOR and creates new right of local jurisdictions to participate in DOR Director review of those values.	Currently counties receive the Utility Roll from the DOR in mid-August. This gives us a short timeframe to process the accounts in time to meet our statutory deadline to finish valuation by September 25. This bill would require that they submit that data earlier which would be nice for counties in terms of getting the tax roll completed, but may not be realistic for DOR to do given their hiring freeze and budget cuts to their property tax division which has limited their ability to do this work any faster. This bill would also give affected tax districts a "seat at the table" if the Director of DOR hears an appeal of those values.

45)	HB 3145	PW	Monitor	Reps Berger, Cannon	Allows beverage distributors or importers to establish distributor cooperative for certain purposes. Provides that dealer that uses distributor cooperative is not required to return beverage containers to distributor or importer that does not participate in distributor cooperative. Requires distributor cooperative and distributors and importers that do not participate in distributor cooperative to provide Oregon Liquor Control Commission with report on beverage container return rate each calendar year. Increases refund value for beverage containers. Requires local governments to allow siting of redemption center in certain cases.	Lane County Waste Management Supports the expansion of the bottle bill to include more beverage types and to increase the refund value. We are Neutral, yet see the value in establishing cooperatives and full accounting/reporting to the state. The requirements on local government to adopt or change Land Use plans or regulations and cite redemption centers is outside the scope of this Waste management staff to assess and comment on--I will inquire with potentially affected parties and hope that they would be supportive.  City of Eugene Ethan: This bill would implement some of the action items from the 2009 Bottle Bill Task Force that did not make it into the 2009 session. We are still waiting to hear from the Association of Oregon Recyclers as to the impacts to local jurisdictions. Unless we hear any negative impacts, we should support the bill if we have to make a determination. Otherwise, monitor. Babe: This bill potentially will expand the Bottle Bill in a positive way but has not yet had input from recycling advocates. I would suggest a neutral position until the Association of Oregon Recyclers has adopted a position.  We took a neutral position and will just watch to see how the bill fares throughout the session. As for the land use
46)	HB 3207	HR	Oppose	Reps Esquivel, Barker, Boone, Huffman, Mathews, Thatcher, Whisman, Witt, Sens Boquist, Devlin	Requires public employer to interview each veteran who applies for civil service position and meets minimum qualifications and special qualifications for position.	Lane County already offers veteran points/preference to employment applicants.  If we are required to grant employment interviews to veterans just because they meet the minimum qualifications, it could:  1. Slow down a process that is already slow. 2. We will need to address this in each of the union contracts. 3. I anticipate resistance from the Unions because it will impact employment opportunities for their members. 4. There will be resistance from managers and supervisors throughout Lane.

HB	3293	HR	Oppose	Comm on Health Care	<p>Creates Local Government Benefit Board. Requires Governor to appoint members of board for four-year terms. Directs board to contract for health benefit plans for officials, officers and employees of local governments. Requires board to adopt rules. Permits payroll officers to deduct amounts for benefit plans from eligible enrollee's wages.</p> <p>Creates Local Government Benefit Account and Local Government Benefit Board Revolving Fund.</p> <p>Requires amount not to exceed two percent of monthly employer and eligible enrollee contributions for benefit plans to be deposited in Local Government Benefit Account.</p> <p>Appropriates to board moneys from account and fund to cover administrative expenses.</p> <p>Prohibits local governments, on and after October 1, 2012, from offering health benefit plans other than health benefit plans provided by board.</p> <p>Provides exceptions. Requires board, before October 1, 2012, to enter into contracts for health benefit plans.</p> <p>Requires board to offer range of health benefit plan designs sufficient to ensure that, when health benefit</p>	<p>It appears this bill will cause the County to lose control of determining its own health insurance plan designs. Although the County currently has a contract with PacificSource, and pays the entire premium for employees, it appears the board will determine what the plan offers in terms of coverage. Strongly Oppose.</p>
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ATTACHMENT D

Lane County, Oregon  
 Board of County Commissioners  
 Spreadsheet for Legislative Review from *March 11, 2011 Legislative Committee*  
 76th Oregon Legislative Assembly  
 15-Mar-11  
 Shaded=See Addendum to Spreadsheet

Item	How Bill #	Depar	Recommendation	Sponsor	Bill Summary	Staff Analysis
1)	SB 83	PW	Support	Gov for DEQ	Department of Environmental Quality to establish grant and loan program for owners of subsurface disposal systems. Requires department to develop program to assist communities in addressing certain problems associated with subsurface sewage disposal systems. Requires department to conduct training programs related to subsurface sewage disposal systems. Establishes Subsurface Sewage Disposal System Improvement Fund. Continuously appropriates moneys in fund to department. Specifies uses of moneys.	Should have no negative fiscal impact on Lane County. Will establish a grant and loan program to help owners repair/replace failing septic systems. Should have a positive impact on water quality issues. Relates closely with issues that were raised during public hearings on water quality involving the McKenzie River. Should provide financial help for rural property owners.
2)	SB 107	HHS	Support	Gov for OHA	Outlines process for PH or PH agents to create an immunization registry with associated tracking and recall system for children and young adults. It also fosters appropriate use of that data. This is a State level initiative, not directly impacting Lane Co.	Two other issues are noteworthy: 1.) The bill allows persons age 18 or over to request and obtain withdrawal from the registry in a timely manner; 2.) The bill allows fees for entities using the registry and these monies go to the general fund earmarked for PH.
3)	SB 316	A&T	Monitor	Senate Interim Comm on Finance and Revenue	Extends sunset dates for Enterprise Zone programs (rural enterprise)	The bill currently has blanks for the proposed sunset dates. The county should monitor these bills. There is no impact to A&T operations if the Enterprise Zone programs continue as is. The concern would be if these are amended to include program design changes. At that point an analysis would be done regarding operational impact. The board could also have a policy discussion about Enterprise Zones as an economic development tool and whether they wish to support them or not. NOTE: Committee supported County Assessor presenting to BCC soon on Enterprise Zones.



4)	SB	317	A&T	Monitor	Senate Interim Comm on Finance and Revenue	Extends sunset dates for Enterprise Zone programs (electronic commerce)	The bill currently has blanks for the proposed sunset dates. The county should monitor these bills. There is no impact to A&T operations if the Enterprise Zone programs continue as is. The concern would be if these are amended to include program design changes. At that point an analysis would be done regarding operational impact. The board could also have a policy discussion about Enterprise Zones as an economic development tool and whether they wish to support them or not.
5)	SB	452	PW	Oppose	Sen Prozanski (at request of Central Oregon LandWatch)	Limits amount of appeal fee that city or county may charge for quasi-judicial review of city or county decisions on land use application. Requires city or county to refund appeals fee and transcript fee when appellate authority of city or county declines to hear review. Prohibits city or county from charging fee for appeal of final decision of county to Land UseBoard of Appeals.	This bill would have negative impact on LMD-Planning budget, due to the changed nature of fees related to land use decision appeals. This Planning Division has been directed to be self-supporting. This bill, if passed, would make that difficult.
6)	SB	707	PW	Monitor	Comm on Environment and Natural Resources	Requires seller of real property to obtain septic system inspection report and provide copies to Department of Environmental Quality and to each buyer that makes written offer to purchase. Allows buyer to withdraw buyer's offer within three days after receiving septic system inspection report or to revoke offer anytime before closing for failure or refusal of seller to provide septic system inspection report with seller's disclosure document.	It could trigger some sanitation applications for Lane County. Likely to be a great benefit to the buyer of rural property. Would likely require Lane County to administer, however as written it appears the document would go straight to a DEQ database, not to Lane County. I'm not clear if anyone at DEQ would actually read the document and forward problem cases to the appropriate county for their follow-up. It would be great if we could get the document into our parcel-information (permit history) database. It would be nice to have a requirement that if inspector finds a failed system then they must report it to the appropriate septic agency. The person doing the inspection would likely be a private business, but could possibly be a County EHS. If the inspector found that the system needed repairs then Minor or Major Repair permits would be generated. The proposed rule change is confusing on the window of time that buyer has to revoke the buyers offer. In one place it says three days after receiving septic report (line 15), in another place it says 5 business days (line 25).
7)	SB	729	SO	Monitor	Committee on Judiciary	Eliminates sunset re authorization to recommend reduction in period of active supervision	No real change to current practice. This bill is related to Measure 57 adjustments made by 2009 legislature. NOTE: OSSA is opposed.
8)	SB	730	SO	Monitor	Committee on Judiciary	Eliminates sunset of provision that limits length of incarceration that court may impose when certain probationary sentences are revoked.	No real change to current practice. This bill is related to Measure 57 adjustments made by 2009 legislature. NOTE: OSSA is opposed.

## ATTACHMENT B

### 9) HB 2726 Staff Analysis

The Indoor Clean Air Act prohibits smoking in almost all indoor workplaces and public places with the exception of cigar bars and certified smoke shops. Under the smoke shop exemption, a new type of business known as the "hookah smoking lounge" has emerged as a threat to the health of workers and the young people that frequent these establishments.

Hookahs are tall, narrow, glass pipes with one or more flexible hoses through which flavored tobacco called "shisha" is smoked. Shisha is a moist mixture of tobacco, flavoring and honey or molasses syrup. Because shisha is moist, it doesn't burn in a self-sustaining manner, but must be continually heated by charcoal. The shisha smoke is cooled by water in the glass base of the pipe before it is inhaled. Shisha tobacco appeals to youth because it masks the harsher aspects of tobacco smoke and is available in dozens of flavors including candy, fruit, coffee and cocktail. Though federal legislation prohibits similarly flavored cigarettes because of their appeal to youth, currently, there is no such ban on flavored alternative tobacco products like shisha.

Oregon Healthy Teens survey data indicates an alarming upsurge in hookah tobacco use by 8th and 11th graders.

### 12) HB 2865 Staff Analysis

**PW:** On the surface this appears to be fairly benign and may make it easier for trusts and land banks to allow greater public access, i.e. The Nature Conservancy, McKenzie River Trust.

Mostly it appears to provide some structure for private owners who want to open their land to public use and includes restrictions on fees charged in exchange for decreased liability/immunity.

I would appreciate a review by Andy to see how this might impact issues when certain citizens declare that their property is being used as a public park (i.e. Gillette) to avoid compliance with Land Use rules.

Recommendations would be Neutral/Ignore. I do not think it has any impact on Lane County or our operations. It seems to limit insurance liability for recreational activities such as a public trail on private property. It does not grant any new land uses and does not exempt anyone from complying with land use law.

**CC:** The changes to the recreational immunity statute proposed by HB 2865 are fairly minor. It contains some general housekeeping and language clarification. The one substantive change is the addition of a definition for a "public trail" and the extension of recreational immunity to the public's use of public trails. I think this is a positive

We took a neutral position and will just watch to see how the bill fares throughout the session. As for the land use issues, our Land Use Legislative Coordinator took a look at the bill and didn't have any concerns.

#### **48) HB 3293 Bill Summary**

Creates Local Government Benefit Board. Requires Governor to appoint members of board for four-year terms. Directs board to contract for health benefit plans for officials, officers and employees of local governments. Requires board to adopt rules. Permits payroll officers to deduct amounts for benefit plans from eligible enrollee's wages. Creates Local Government Benefit Account and Local Government Benefit Board Revolving Fund. Requires amount not to exceed two percent of monthly employer and eligible enrollee contributions for benefit plans to be deposited in Local Government Benefit Account. Appropriates to board moneys from account and fund to cover administrative expenses.

Prohibits local governments, on and after October 1, 2012, from offering health benefit plans other than health benefit plans provided by board. Provides exceptions. Requires board, before October 1, 2012, to enter into contracts for health benefit plans. Requires board to offer range of health benefit plan designs sufficient to ensure that, when health benefit plans are first provided to local government, local government and eligible enrollees can choose health benefit plans that are comparable in design to, and are no more expensive than, health benefit plans provided by local government immediately before purchase of health benefit plans provided by board.

## ATTACHMENT C

### Draft Minutes

### Lane County Legislative Committee Meeting

February 25, 2011

3:00 PM

BCC Conference Room

Present: Commissioner Jay Bozievich, Anette Spickard, Marsha Miller, Lynne Schroeder, Steve Manela, Ben Nussbaum, Alex Cuyler, Administrator Liane Richardson, Commissioner Faye Stewart (arrives 4:00)

The meeting began with a presentation by Steve Manela from the Department of Health and Human Services about Federal Human Services funding issues. Most specifically, he presented on the proposed cuts in HR 1 and the President's Budget to the Community Service and Community Development Block Grants. The Community Development Block program has been particularly useful in helping to support capital projects for small cities in the County. NaCo, national associations of mayors and cities have taken a position in support of the block grant programs, which are the main form of federal assistance that local governments receive for urban blight and rural poverty. He expects the proposal to change as it goes through the process in DC. Also noted: 80,000 people are on food stamps in Lane County.

Next there was a brief discussion of the procedure regarding testifying on certain bills in Salem when the Board has not yet taken a position on the bill. It was decided that in these cases, staff can provide factual testimony for information purposes only and that they should state that the Board has not yet taken a position on the bill.

Finally, discussion moved to the consideration of certain bills before the 2011 Oregon Legislature that were coming up for public hearings and work sessions, as well as a few bills that came back with strong staff opposition/support. The Committee discussed each bill and made recommendations to support, oppose, or monitor each bill.

Meeting adjourned at 5:00 PM.

9)	SB	<u>818</u>	A&T *see also letter subm itted 3/7 to BCC for revie w	OPPOSE	Sens Morse, Burdick Teller, Reps Barnhart, Berger	Requires assessor to classify property by its Highest and Best Use of its land. Requires retroactive reappraisal of all property for 2006-2010 tax years. Any property that is owed a refund due to the change shall be refunded. Any property owing taxes due to the change has the tax abated.	I have approximately 3500 accounts that have a use different than the zoning of the land. (commercial activity on industrial land; house on industrial land; mixed use property) They will have to be reappraised in each of the four years required by this bill - and if it takes about 4 hours total to reappraise, reestablish the Measure 50 value, do the roll correction, determine to tax or not tax, manually recalculate it forward for each of the four years and send notices to the taxpayer of the corrections, that is 14,000 hours of work minimum. That is 6.7FTE that I don't have in my budget. One commercial appraiser - mid salary range is \$83k. Will the legislature be giving Lane County's Board of Commissioners \$556k to pay for this project? Lane County has a \$6.5 million budget deficit next year and is looking at cuts to public safety, DA, DYS, health programs, etc. I have to cut \$250k out of the A&T budget. Lane County cannot afford to do this project. We spent three years getting these same accounts reappraised to comply with the new DOR rule from 2006 that this bill is rolling back. I had to hire back retired commercial appraisers to help. The counties, cities, schools and special districts should be very concerned that a law would require us to go back a
10)	HB	<u>2337</u>	CAO	Monitor	House Interim Comm on Ag, Natural Resources and Rural Communiti es	Creates a pilot program that allows persons to use dogs to hunt or pursue cougars. Allows counties to request inclusion in the pilot program	There have been incidents with cougars in Lane County. When the ban went into effect, it had a lot of support by Lane County residents, but there were also many who opposed it. Unsure if the Board wants to take any formal position, but this is one that may draw public discussion.
11)	HB	<u>2429</u>	MSD	Monitor	House Interim Comm on Rules	Changes date of primary election from third Tuesday in May to second Tuesday in June.	No real issues for a June Primary.
12)	HB	<u>2457</u>	PW	Monitor	House Interim Comm on Rules	Excludes "Forest Products" from definition of solid waste.	This bill is intended to address a renewable energy issue but the actions are incomplete and not well enough defined. More importantly, IF definition of "forest product" includes wood waste, which is currently unclear as written, it could lead to confusion and uncertainty on how to interpret rules related to solid waste and recycling, and could potentially negatively impact our recovery rate. Much more work must be done to refine definition, and then to identify how the environmental impact of the defined materials will be regulated.

13)	HB	2476	A&T	Support	House Interim Comm on Consumer Protection and Government Accountability for GETF	<p>Makes optional for the county to convene a Farm Review Board to review the assessors proposed farm values before they are placed on the tax roll.</p>	<p>This is a recommendation from the A&amp;T Subcommittee of the Govt Efficiency Task Force chaired by Rep Nathanson. I was a technical advisor to the committee. For that reason I recommend supporting the bill. However, this just makes a current practice optional for a county. It won't save much money by not holding the meeting as we only have one two hour meeting per year. We will still need to prepare all of the farm values for the tax roll whether the FRB is convened or not. If this bill passes, I will still recommend to the BCC that we hold the FRB meeting each Spring because it maintains an open dialogue with our farm community and helps explain how we calculate their values.</p>
14)	HB	2945	PV	Monitor	Rep Clem	<p>Prohibits city or district from requiring consent by landowner to eventual annexation in ex-change for providing extraterritorial service when city or district is providing service on behalf of another local government pursuant to intergovernmental agreement. Declares consent by landowner to annexation obtained by city or district prior to effective date of Act void if consent was demanded for service provided outside boundaries of city or district on behalf of another local government pursuant to intergovernmental agreement. Clarifies language authorizing city or district to require consent to eventual annexation in ex-change for providing extraterritorial service to landowner.</p>	<p>Will eliminate options available to facilitate development. An example of a barrier to urban growth. Annexation agreements are used to provide public facilities to non-contiguous parcels. Will void past agreements, and allow owners who have signed the agreement and now receive the public service (ie. water, sewer, emergency, parks, etc.) to not have to annex and pay for the actual cost of that service.</p>

15)	HB	2946	PV	Monitor	Rep Clem	<p>Requires that, in election proposing annexation, votes from city and territory to be annexed be counted separately to determine separate majorities if acreage to be annexed is 20 acres or more. Requires that votes from city and territory be combined to determine single majority if acreage to be annexed is less than 20 acres.</p>	<p>Will likely make it more difficult for cities to urbanize and grow through annexation. Changes existing practice which allows votes outside the city to combine with city votes to decide annexation. Creates potential conflict with concept of urbanizable lands and provision of urban services.</p>
16)	HB	3000	MSD	Oppose	Rep Clem	<p>Requires contracting agency to state in request for proposals that proposer must submit personnel deployment disclosure and that contracting agency will apply preferences in awarding contract in part on basis of information in personnel deployment disclosure.</p> <p>Note: "Locally" = within the County</p> <p>The personnel deployment disclosure shall state: (a) The number of workers the proposer and the proposer's first-tier subcontractors plan to deploy to perform work described in the request for proposals; (b) The minimum number of workers the proposer and the proposer's first-tier subcontractors will employ locally and within this state; and (c) Whether the proposer is headquartered locally or is locally owned. (3) The proposer shall certify by signature and oath that the proposer has prepared, read and verified the accuracy of the personnel deployment disclosure and that to the best of the proposer's knowledge the information in the personnel deployment disclosure is true.</p>	<p>Inhibits competition and acquiring potential best value for County.</p>

17)	HB	<u>3057</u>	DYS	<b>Monitor</b>	Reps Hunt, Doherty, Barker	Eliminates statute of limitations for crimes committed against minors.	Unlikely impact on Juvenile Justice because most cases would probably be adult cases. It is necessary to look at how many people and cases this would affect before passage without attending increase in funding. This would be a strong support of victim rights.
18)	HB	<u>3102</u>	C&F	<b>Monitor</b>	Reps Thompson, Hunt, Gilliam, Kotek, Krieger	Transfers authority over court appointed special advocates and CASA Volunteer Programs from State Commission on Children and Families to Judicial Department. Becomes operative July 1, 2011.	The OCCF's Blue Ribbon Report recommends and the Oregon CASA Network's strategic plan supports the goal of CASA becoming more self governing & sustaining. The ultimate goal was for CASA to transition from the Commission to another agency or entity. The Oregon CASA Network has been diligently working on that transition since March 2010. The process was to identify a transition strategy along with finding consensus among the 31 CASA programs that represent all 36 counties in Oregon. The initial strategy which was approved by the Network was to reconfigure their existing relationship with the Commission to a strictly fiscal one between the State Commission and the Oregon CASA Network for the 2011-2013 biennium as the Network explored other possible "housing" options meaning which state agency would it make the most sense for the CASA budget to reside in. With the Governor's budget dissolving the State Commission next year this is an attempt to find a place for CASA. There are many questions at to the ability of the Judicial Department to even take on CASA. That is why I'm suggesting monitoring.
19)	HB	<u>3151</u>	HHS and SO	<b>Support</b>	Reps Barker, Esquivel, Frederick, Krieger, Olson, J Smith, Whisnant, Sens Bonamici, Dingfelder, Monnes Anderson, Prozanski	Authorizes forfeiting agency to use forfeiture proceeds to fund drug treatment.	This bill adds drug treatment to the list of allowable use of funds secured through forfeiture actions. Funding of drug treatment is an important service logically connected as a cost to drug trafficking in our communities.



20)	HB	<u>3184</u>	CAO	<b>Monitor</b>	Reps Garrard, Huffman (at request of Oregon Association of Broadcasters)	Provides that public notices required by law to be published by public body may be published in newspaper, broadcast by radio or television station or posted on website maintained by statewide association of stations or broadcasters. Specifies requirements for notices that are broadcast or posted on website.	If approved, it would provide Lane County with more options for public notice. However, consideration would need to be given as to the best medium with the ability to reach the most people and at the best price point. If the Board had to make a selection for which broadcast and radio station to provide public notices (similar to what they do for newspapers) it would likely need thorough discussion as we have a fairly small, yet competitive, media market. This bill does limit the number of characters in broadcast notice which could be problematic.
21)	HB	<u>3186</u>	PW	<b>Monitor</b>	Reps Berger, Beyer, Boone, Buckley, Cannon, Conger, Cown, Esquivel, Komp, Matthews, Parris, Thompson, Tomei, Sens Prozanski, Boquist, Winters	Removes exception for person operating motor vehicle in scope of person's employment from offense of operating motor vehicle while using mobile communication device.	This bill is consistent with the Public Works current policy. The original intent of the exception appears to be around public safety and emergency professionals. Given new technology with hand free devices this exemption may no longer be needed.
22)	HB	<u>3251</u>	SO	<b>Support</b>	Rep Barker (at request of Oregon Council of Police Associations)	Prohibits disclosure of audio or video records of internal investigation interviews of public safety officers. Provides exceptions.	Protects privacy rights of employees.
23)	HB	<u>3253</u>	A&T	<b>Oppose</b>	Rep Wand	Creates new limitation on rate that a countywide local option levy can be certified for based on the prior years average effective tax rate.	Appears intended to prevent a county from realizing the full property tax revenue allowed under Measure 5 if a county successfully passes a local option levy for services. This seems to be contrary to the state's general direction to counties that they need to raise funds from their local tax base/local voters to replace lost state and federal revenues. This will place an additional rate limitation on just a county which seems unfair when schools, cities and special districts would not have the same limitation. Lane County does not currently have an LO and would not be immediately impacted, but it would make a policy choice by the board to refer an LO to the voters more complicated in the future.

24)	HB	<u>3261</u>	SO	Monitor	Committee on Revenue	Provides for issuance of tax warrants without Department of Revenue direction to county sheriff to seize and sell taxpayer's real and personal property. Provides separate authority for department to order county sheriff to seize and sell taxpayer's real and personal property. Requires that department notice and demand for payment be sent to taxpayer at least 30 days prior to issuance of warrant. Requires department to include in notice accounting of payments by taxpayer and information about consequences of noncompliance. Applies to warrants issues by department on or after January 1, 2012.	<p><b>SO 1:</b> This bill is opposed by the Oregon State Sheriffs Association and the Lane County Sheriffs Office (unless amended). While I cannot comment on the specific reasons why the OSSA may oppose this bill, it does not appear to give Sheriffs sufficient protections from claims made by persons who have their property attached and sold under this measure. There does not appear to be sufficient due process to insulate Sheriffs from such claims. Sheriffs would be left to defend their actions under this bill under only the thinnest of administrative rules, with no apparent provision for judicial review.</p> <p><b>SO 2:</b> Concern on the ability for the SO to collect fees in advance, historically they pay fees at a later date and sometimes it is after a protracted amount of time. Similar to the process that is currently in place.</p>
25)	HB	<u>3349</u>	MSD	Monitor	Rep Schaufier	Prohibits contracting agency from awarding contract for public improvement or public works unless iron, steel, wood products and manufactured goods, including equipment, used in public improvement or public works are produced within United States. Specifies exceptions. Becomes operative on January 1, 2012.	The cost of public works projects are higher than private construction products already more restrictions are going to raise the cost even more having the exemption be if the cost is 25% more can mean as much as \$1 million on a \$4 million project.
26)	HB	<u>3355</u>	HHS	Oppose	Rep Barker	Establishes procedures for testing of medical interpreters, qualification and certification of health care interpreters in English and the non-English language and medical terminology.	Will require a revision of our business and hiring processes that will be costly to the organization. Additionally, most of our patients do not understand medical terminology. Standards are now developed locally, and under the direction of supervisory staff.

27)	HB	3358	PW	Support	<p>Reps Huffman, Barker, Boone, Cowan, Esquivel, Jenson, McLane, G Smith, Thompson Whisman, Witt, Sens Atkinson, Thomson</p>	<p>Requires State Department of Agriculture to establish program for issuing grants to counties for noxious weed control.</p>	<p>As it exists right now, Lane County will not be directly impacted by the failure or passage of House Bill 3358. It only directly impacts Counties with established Weed Control Districts, Lane County currently does not have an establish weed control district. Without establishment of a weed district in Lane County, we would not be eligible for the grant monies provided with passage of this Bill.</p> <p>Lane County has previously floated the idea of establishing a weed control district, but this idea has not gained traction with County Commissioners. The primary reason for this has been from limited public concern with the potential use of herbicides to manage noxious weeds in Lane County. Noxious weeds provide direct and indirect impacts to Lane County's businesses, natural habitats, economy and other vital interests, and passage of this Bill might lay the ground work for future changes within Lane County. It would behoove the County to monitor the progress of this Bill, as it could provide future monies and assistance to the future of our noxious weed management efforts here in Lane County.</p> <p>With the passage of House Bill 3358 grant monies could become available for use if Lane County were to create a</p>
28)	HB	3380	A&T	Monitor	<p>Rep Barnhart (at request of Pete Sorenson)</p>	<p>Extends redemption period from 2 to 6 years after judgment issued for tax delinquent properties.</p> <p>Requires proceeds from sale of tax foreclosed property that exceed taxes that were owing, interest, penalties, sale costs, etc. to be paid to former owner. Current statute requires sale proceeds to be distributed in the same manner as property taxes AFTER county first retains costs for managing foreclosed property.</p>	<p>The County Assessor may have additional information available.</p> <p>Current foreclosure process takes close to 6 years to complete before a county finally takes possession of a property. Extending that time by an additional 4 years would:</p> <ul style="list-style-type: none"> <li>Extend time county/taxing districts are acting as a bank for delinquent property owner.</li> <li>Extend time property can be returned to the tax roll.</li> <li>Extend time property will be subject to waste and cleanup of that waste.</li> <li>Extend time properties with environmental issues are dealt with.</li> <li>Extend time excessive vegetation growth is dealt with.</li> <li>Increase costs for cities who mow property with excessive vegetation growth as they won't be able to recover those costs upon foreclosure.</li> </ul> <p>Requiring sale proceeds that exceed delinquent taxes, interest, penalties be distributed to the former owner would remove a non-general fund revenue source that is used for:</p> <ul style="list-style-type: none"> <li>Salaries for staff who deal with tax foreclosed property.</li> <li>Indirect costs. (\$1 16,000 this FY)</li> <li>Costs associated with management/maintenance of foreclosed properties which includes environmental cleanup, general cleanup, surveys, legal costs, appraisals, payment to other county depts. for services. I've already spent ab</li> </ul> <p>It is not uncommon that costs associated with low value properties exceed their sale value. Proceeds from the sale</p>

29)	HB	<u>3403</u>	MSD	Monitor	Rep Olson	Allows County Clerk to establish inspection boards to inspect and prepare ballots for counting and to count ballots. Specifies requirements relating to political party affiliation of inspection board members. Provides for observation of inspection boards. Directs SOS to adopt rules establishing system to allow challenge of inspection, preparation or counting of ballots by inspection board observers.	We already have opposite party affiliation requirements for the boards. It is already difficult in Lane County to find Reps to fill positions. This reduces the flexibility we have to utilize nonpartisan and minor party folks. We very likely would not be able to fill all board positions needed for countywide elections, which means it would take more time to process the ballots, which would delay the counting and timely releasing of results (less board utilized).  Placing observers close to each table is a complete disruption to the board process and would cause serious delays in the flow of the work. Questions about any process needs to be directed to a supervisor, not extra help. We also have serious space limitations in our building for accommodating observers - we simply could not do it.
30)	HB	<u>3404</u>	MSD	Oppose	Rep Olson	Provides procedures to store and account for unused ballots after election.	This would be very labor intensive for us to complete at a time when our main focus has to be the processing and counting of VOTED ballots. The recordkeeping alone to monitor unused ballots would be incredible and require additional staff to be hired for this process.
31)	HB	<u>3405</u>	MSD	Monitor	Rep Olson	Requires each counting board conducting recount to allow certain individuals to watch recount.	We do not have the space to allow for multiple observers at each counting board table.
32)	HB	<u>3406</u>	MSD	Monitor	Rep Olson	Requires county clerk to ensure that authorized persons can clearly observe signature verification process for ballots. Directs SOS to adopt system whereby person may challenge verification of signature.	We do not have the space to allow for multiple observers in the signature verification area in our building. This would be very disruptive to the process and flow of ballots.
33)	HB	<u>3412</u>	MSD and PW	Oppose	Comm on General Governme nt and Consumer Protection	Prohibits contracting agency from using alternative contracting method to award public improvement contract in which single contractor provides services as construction manager and general contractor unless value of contract is \$5 million or more. Requires that findings be specific to contract or class of contract and that contracting agency or state agency publish or make findings available before hearing. Prohibits contracting agency or state agency from making findings unless certain conditions are met.	<b>MSD 1:</b> I don't see limitations or barriers as helpful to our process, nor do I see this bill as necessarily an agent of equity in the interest of the public good. We have used CMGC's for less than \$5 million ourselves and it gave us better overall value.  <b>MSD 2:</b> Dollar amount should not be the sole criteria for CM/GC/ Issues such as long lead items and complexity of work should still be criteria.  <b>PW:</b> I agree. The complexity of the project should be the driver. There is already a process that County Counsel recommends we use to review the project with the board when we want to use a CMGC.

34)	HB	<u>3413</u>	A&T and CAO	Support w/ possible amendments	Comm on General Governme nt and Consumer Protection	Imposes new audit and reporting requirements for Urban Renewal Agencies. Grants new powers to Secretary of State Audit Division to conduct audits of same.	A&T: No impact to A&T operation. This is a policy issue for the board to decide whether to comment on expanded accountability measures for Urban Renewal Agencies. CAO: This bill was at least partially generated as a result of the 11/23/10 Lane BCC correspondence with the delegation over URD, specifically with regard to Assessor notification.
35)	HB	<u>3415</u>	MSD	Oppose	Comm on General Governme nt and Consumer Protection	Requires contracting agency to pay fee to Secretary of State in amount of one-tenth of one percent of contract price for public improvement contract. Requires Secretary of State to use proceeds of fee to conduct random financial, performance and compliance audits of public contracts in accordance with certain standards. Establishes Public Contracting Audit Account in General Fund of State Treasury. Continuously appropriates moneys in account to Secretary of State for purpose of conducting audits of public contracts. Declares emergency, effective on passage.	I can see a potential benefit to the public although it could become cumbersome for the contracting agencies, which is a concern. Regardless, this is probably not the year that agencies can afford to tack on any extra cost that isn't absolutely necessary.
36)	HB	<u>3450</u>	HR	Monitor	Reps Cameron, Gilliam, Huffman, Thatcher	Shortens the amount of time that an employer has to inform employee that a non-compete or arbitration agreement applies to the employment offer. It was two weeks previously	Although non-compete agreements apply primarily to private entities, tighter timelines are probably not a good idea. More concerned about this bill being amended to include items related to labor agreements. We should monitor amendments.
37)	HB	<u>3508</u>	SO	Oppose	Rep Schaufier, Barker, Krieger	Repeals provisions authorizing local governments to regulate certain activities related to firearms.	Regulation of certain activities related to firearms should remain with local governments. For example, the policy regarding carrying weapons in Lane County buildings. OSSA does not like this bill.

38)	HB	3510	HR	<b>Oppose</b>	<p>Reps Dem Brow, Bailey, Frederick, Greenlick, Nolan, Tomei, Sens Dingfelder, Shields</p>	<p>Establishes Affordable Health Care for All Oregon Plan, operated by Oregon Health Authority according to policies established by Affordable Health Care for All Oregon Board. Provides comprehensive health care coverage to all individuals residing or working in Oregon. Supplants coverage by private insurers for health services covered by plan. Requires public employees to be covered by plan. Creates Affordable Health Care for All Oregon Fund. Continuously appropriates moneys in fund to authority. Provides for implementation of plan on January 2, 2014.</p>	<p>This bill will do nothing to contain costs while limiting choice for LC employees. It puts all choice regarding plan design etc... in the hands of 9 board members. (Same as SB 888).  Additional note: There is a 2% administrative fee we would pay.</p>
39)	HB	3511	CAO	<b>Support</b>	<p>Reps Thompson Kennemer, Schaufler</p>	<p>Requires State Fish and Wildlife Commission to consult with cities and counties on impact to local economies from additions to lists of threatened or endangered species. Requires commission to work with cities and counties to mitigate adverse economic impact on local economies after species listed as threatened or endangered.</p>	<p>Allows cities and counties to address economic concerns raised by the proposed listing of threatened or endangered animals. Doesn't give them any veto power, but allows them a seat at the table, and requires mitigation if the species is listed by the state or the federal government.</p>

40)	HB	<u>3516</u>	PW	<b>Oppose</b>	Reps Cannon, Bailey, J Smith, Boone, Garrard, Garrett, Krieger, Matthews, McLane, Sens Boquist, Dingfelder, George	Authorizes installation of solar energy generation system on or adjacent to structures in residential or commercial zones as outright permitted use. Prevents local gov't from collecting land use permit application fee for site review, etc.	This bill goes too far. It prevents land use review for installation of solar generating facilities in residential and commercial zones. Facilities might not meet setback requirements, issues of riparian and wetland and floodplain impacts, and issues of glare in airport approach safety zones.
41)	HB	<u>3533</u>	C&F	<b>Monitor</b>	Rep Olson	Transfers authority over Juvenile Crime Prevention Advisory Committee, subcommittees and subgroups from State Commission on Children and Families to Oregon Criminal Justice Commission. Becomes operative June 30, 2012.	I'm suggesting monitoring this bill. The bill is attempting to move the JCPAC to the Criminal Justice Commission because of the proposed changes to the Oregon Commission on Children and Families system and given that at this time there is no clear direction from the Governor's proposed budget what will actually happen it is not possible to say with certainty where the best place is to house JCPAC. Depending on what happens with Early Learning Councils this move may be something we what to support.
42)	HB	<u>3536</u>	SO	<b>Oppose</b>	Reps Parrish, Tomei, Frederick, Gilliam, Greenlick, Harker, Thompson , Weidner	Cuts off medical benefits for incarcerated individuals.	This would pertain to inmates whether or not they were incarcerated in a jail or a work release center. Often times, as is the case in Lane County, work release "inmates" are responsible for their own medical expenses. They would have no sort of benefit under this bill. Secondly, inmates would be without services once released from custody until such time as the system reauthorized them for benefits. This could make a life threatening difference for some. It could also make the difference of a mentally ill person to become unstable because of lack of medication while they awaited their benefits to be reactivated. In the Lane County adult system, inmates are spending on average, less than 10 days in custody. About the time their benefits are stopped, it would be time to reactivate them. The language needs to be changed to pertain to only actual 24 hour jail facilities and for only inmates once they are sentenced to greater than a certain period of time, like 60 days or more.
43)	SB	<u>ZZ</u>	SO	<b>Support</b>	Gov for DOC	Says inmates must exhaust administrative remedies before filing small claims and limits amounts to actual value of property loss	The exhausting of administrative remedies portion mirrors federal law. Limiting amounts discourages frivolous claims by those hoping to profit through dubious methods.

44)	SB	<u>178</u>	MSD	Oppose	Senate Interim Comm on Commerce and Workforce Devt	Removes requirement for Commissioner of Bureau of Labor and Industries to compare state and federal prevailing rates of wage and make results of comparison available when commissioner determines state prevailing rate of wage. Requires public agency to require in specifications and contracts for public works requirement that contractor and subcontractor pay higher of applicable state or federal prevailing rate of wage.	Could increase the cost of public works projects. BOLI wages in many cases already increase the cost but at least these are Oregon prevailing wages. Davis-Bacon is national.
45)	SB	<u>184</u>	HHS	Oppose	Sen Kruse	Establishes Health Access Fund to provide moneys to support health care safety net services for people with barriers to access; requires withholding of percentage of public employee wages based on amount of employer contributions to benefits where no employee contribution exists, and directs that money to Health Access Fund. Applies prospectively to bargaining agreements	Write access to health care is an important thing, the impact of this bill on our employees (particularly during this time of budget cuts) would have a negative impact. This would impact our ability to successfully negotiate future contracts, and build in a required fee only for public employees. And, it appears that federally qualified health centers are exempted from receiving revenue.
46)	SB	<u>217</u>	A&T	Oppose	Sen Monroe, Reps Schaulfer, J Smith	Permits Urban Renewal Plans to include school construction projects. Permits plan to add noncontiguous lands to UR area. The relating to clause is very broad and can open the door to other UR changes.	This is the David-Douglas School District issue where the city of Portland wants to spend their UR money to help the school district but can't because it is not in the plan area or contiguous to it and school construction is not currently an allowable use of UR funds. Given the BCC's recent experiences with the city of Eugene's UR plan amendment the BCC should monitor this bill as it would expand the powers of UR Agencies and they may wish to take a position. There is a policy argument on both sides of the UR debate - one that it is good economic sense to invest in schools and they help improve neighborhoods; the other is that UR \$ is supposed to be invested in projects that create private taxable investment that returns plaxes to the affected districts and a school by itself doesn't directly do that. From an administrative standpoint, it will create more work for me to set up a non-contiguous UR area in the tax roll and to do those calculations. At this time, the Assessors Association has not taken a position on this bill.



47)	SB	<u>219</u>	CAO	<b>Monitor</b>	Sens Devlin, Edwards, Hass, Monnes Anderson, Rep Read	Authorizes Oregon Business Development Department to administer Oregon Business Retention and Expansion Program to lend incremental Oregon Business Retention and Expansion Program tax revenues to certified employers. Specifies provisions of forgivable loan program.	This will benefit businesses that plan to hire more than 50 employees in a year. Unclear how the program will be administered and how much funding is available to a business. Money would come from the General fund to administer the program. Not sure of those costs and if that is the best use of general funds.
48)	SB	<u>293</u>	HA	<b>Support</b>	Senate Interim Comm on Consumer Protection and Public Affairs	Modifies provisions regulating negotiation of rental agreements and disclosure of rent and fees. Modifies provisions related to retaliatory actions of landlord.	Improves general landlord / tenant cooperation by providing additional specificity generally favoring tenants.
49)	SB	<u>337</u>	CAO	<b>Oppose</b>	Sen Hass, Rep Read	Makes bond money available for renewable energy projects.	In theory this is a good idea. It is unclear what the criteria would be for businesses to qualify for the funds. If those criteria are developed with businesses in mind, this could be a good program.
50)	SB	<u>563</u>	HHS	<b>Oppose</b>	Sen Johnson (at request of Emergency Volunteer Corps of Nehalem Bay)	Bill notes that in the case of a governor's declared emergency, retired, unlicensed medical providers can provide medical care.	The wording of the bill is rather vague and would allow any person who is retired and was once licensed in the State of Oregon as a medical care provider to serve as a health care provider, regardless of how long it has been since they were last licensed. It would also be potentially difficult to verify that a person was previously licensed in a timely fashion, especially in emergency circumstances. Previously licensed health care providers could serve as non health-care provider volunteers, but not provide health care without a license.
51)	SB	<u>766</u>	PW	<b>Support</b>	Sen Beyer	Authorizes designation of regionally significant industrial areas and allows for expedited permitting in them. Establishes Economic Recovery Review Council to perform expedited site reviews for industrial projects that have state significance. Provides funding for the Council review. Sunsets Council after Oregon unemployment less than 8%.	Seems to be same as SB 839. Establishes another level of govt (the Review Council) to expedite large industrial projects of statewide significance that don't require a Comp Plan amendment or Goal exception. Binds the local govt with the decision of the Review Council. The local govt should be able to do the site review without the Review Council. Would represent a loss of local control.

52)	SB	<u>771</u>	PW	<b>Monitor</b>	Committee on Business, Transportation and Econ Devt	Authorizes local governments to enter into cooperative agreements to plan for regional economic development and designate sites suitable for development of employment opportunities.	Requires two or more contiguous counties and a majority of the cities in the participating counties to adopt a qualifying regional economic development plan.
53)	SB	<u>792</u>	PW	<b>Monitor</b>	Sens Teller, Boquist, Ferrioli, George, Girod, Morse, Olsen, Starr, Thomssen, Whitselt, Reps Whismanant, Conger	Authorizes local gov't to enter into cooperative agreements to plan for regional economic development and designate sites suitable for development of employment opportunities.	This concept might work if the region could be a county and one or more cities within the county. It seems inappropriate for the region to have to involve two or more contiguous counties. Lane is a region unto itself as compared to Polk, Yamhill, Clackamas, Marion, Washington, etc.  Allows regional economic development plan for high value employment site that is planned and zoned for development of employment opportunities. However, requires two or more contiguous counties to comprise the region. Could support if amended to require two or more local jurisdictions. Could be valuable to facilitate the planning efforts for the employment opportunities in the Rural Unincorporated Community of Goshen.

54)	SB	852	HHS	Support	Comm on Health Care, Human Services and Rural Health (at request of United Seniors of OR, OR State Council for Retired Citizens, OR Alliance for Retired Americans Parkinson's Resources of Oregon	Creates a task force to address mental health and addiction services for underserved populations to recommend coordinated system wide interventions.	This committee, if convened, might be able to pull together influential stakeholders and make recommendations that improve service delivery.
55)	SB	877	PW	Support	Committee on Judiciary	Modifies the requirements for the use of Oregon Coordinate Systems for surveying. Makes reference to the Oregon Coordinate Reference System developed by ODOT. Does not prohibit the use of other coordinate systems.	ODOT has developed a new coordinate system with zones based on geographical areas within the state. This system is an alternative to others, which will be helpful when working on ODOT contracts or right of ways.

56)	HB	<u>2036</u>	HR	<b>Oppose</b>	Commissioner of BOLI Avakian	Lowers standard for determining whether individual is substantially limited in major life activity. Clarifies application of statutes related to unlawful discrimination against persons with disabilities. Gives Bureau of Labor and Industries authority to enforce provisions that allow employee to take leave to attend criminal proceeding. Removes conflicting provisions related to authority of Bureau of Labor and Industries to enforce laws related to discriminatory practices. Allows employer to make specified employment decisions based on credit history of certain applicants for public safety officer employment.	659.104 - Adds socializing or socialization to the list of major life activities and lowers the standard from substantially limits to materially limits a major life activity. Clarifies the changes apply after the effective date, applies to employers with 6 or more employees and not the Oregon National Guard. The standard should remain in line with the ADAAA which uses "substantially limits." 659.194 - says we can not take any adverse employment action or refuse to allow someone to attend a criminal proceeding - or they can file a civil action. No more lawsuits! 659.303 addresses the genetic information - we can not ask for it or use it - or they can bring civil action. More attorney involvement anticipate higher costs to resolve. same with credit history except under certain circumstance for public safety officers. Credit history should be considered also for people with fiduciary responsibility or oversight or access.
57)	HB	<u>2075</u>	SO	<b>Support</b>	Gov for Oregon Military Dept	Provides for 911 telecommunications tax collections from pre-paid telecommunications services customers.	Supported by Oregon APCO – those individuals who buy pre-paid cell service do not currently pay a 911 tax, yet have access to 911 services. This bill will provide tax collections from those with pre-paid cell service.

58)	HB	2081	PW	Oppose	Gov for DEQ	Requires Environmental Quality Commission to adopt rules establishing requirements for certain heavy-duty trucks and box-type trailers. Specifies timetable for compliance with rules. Requires commission to adopt rules establishing requirements for fleet compliance plans for certain heavy-duty trucks and box-type trailers. Requires commission to adopt rules relating to prohibition on idling of commercial motor vehicles. Provides exceptions:	Appears to change the definition of commercial motor vehicle from 26,000 lbs+ to 10,000 lbs +. This would be somewhat in conflict with DMV rules. May or may not have significant impact.
59)	HB	2111	HHS	Monitor	Gov for OHA	Modifies provisions relating to isolation and quarantine of persons with communicable disease and isolation of property contaminated with toxic substance.	The Coalition of Local Health Officials has reviewed and commented on this one as a "watch" an a priority 2. It appears that the bill is sponsored by the Governor. Oregon Health Division staff have stated this is more of a housekeeping bill. Betsy and I wonder about the 72 hour first rule and the need to do another court process if there is additional need for isolation and quarantine. All we know for now.
							<p>Appears to exempt most County vehicles and equipment. May require some County trucks to retrofit with emission-lowering technologies such as particle traps. In some cases this could require the County to retrofit equipment nearing the end of use-life; forcing the County to either spend an excessive amount on an old piece of equipment (we would never recover our costs for the retrofit) OR replacing the equipment prior to the end of its economic use-life.</p> <p>May force the County, in a some cases, to use low rolling resistance tires when traction-related tire designs would be safer.</p> <p>Section 10 refers to idling restrictions which may or may not be reasonable. The problem is that the new rules/restrictions will be developed at some date in the future. Ref: "The Environmental Quality Commission shall adopt rules that prohibit owners and operators of commercial motor vehicles from idling the vehicles. . . ." This commission appears to have great discretion and there are currently no decision criteria in this bill. The exceptions would prohibit the County from adopting or enforcing idling restrictions, unless those restrictions would be identical</p> <p>The Commission could create requirements for the County to provide external power sources for those applications</p> <p>This bill appears to give the Environmental Quality Commission a great deal of authority over trucking-related intere</p> <p>For the BCC – this bill is an environmental bill/emission reduction bill creating restrictions for mostly commercial truck</p> <p>For impact on commercial trucking – BCC should discuss. In particular, idling and use of auxiliary power for refrige</p>

60)	HB	<u>2166</u>	PW	Support	Gov for ODOT	Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund. Specifies allocation of lottery bond proceeds.	I believe this bill and HB 2626 are to enable a 4th renewal of the highly successful ConnectOregon (CO) program. The only difference between the two bills is the repeal of Section 15, Chapter 30, Oregon Laws 2010. The rural airport language was added for the third year of the CO program, in 2009. The program provides grants and loans for non-highway transportation projects that connect people to jobs and promote freight connections.
61)	HB	<u>2475</u>	CAO	Support	House Interim Comm on Consumer Protection and Gov Accountability for GETF	The law already exists where counties can declare a fiscal public safety emergency. However, that law doesn't say anything about what happens if a public safety emergency is found to exist. This law would provide for the ability of the county to receive a gap funding package from the State to raise their public safety funding to what is determined to be minimally required, if the body refers an ordinance adopting a law enforcement or other taxes to the voters.	For purposes of ConnectOregon, a rural airport serves 500,000 people or fewer (so it includes all Lane County airports). HB 2001 allotted 5% of CO III funds to rural airports. So the third year of ConnectOregon (in 2009) was different than the previous 2 bienniums of the program in this one regard. It appears HB 2166 would revert back to the first two biennium program models by deleting a guaranteed amount for "rural" airports. I think we can be neutral on this section that would be repealed.
62)	HB	<u>2792</u>	SO	Oppose	Rep Thatcher	Provides nonresidents who are authorized to carry concealed handgun in another state with protections provided to persons with Oregon concealed handgun license.	The largest complaint about the prior law was that it didn't do anything for counties. This bill tries to fix that problem.
63)	HB	<u>2880</u>	MSD	Monitor	Reps J Smith, Buckley, Matthews	Requires each designated voter registration agency to evaluate agency's compliance with NVRA and provide plan to achieve full compliance in certain circumstances.	This grants identical permissions to out-of-state CHL holders as those that are currently possessed by Oregon CHL holders. The difference is that we know what qualifies someone to obtain a CHL in Oregon and nationwide, the standard varies greatly. For states whose application standards are less stringent than Oregon, this could effectively afford their residents with more protections while in Oregon than a resident might have if they did not qualify for an Oregon CHL. This appears on its face to be bad public safety policy.
							The only impact to our office will be if the compliance of the agency includes the required date to update or register the voter and the timeliness of delivery of that card. Our recommendation is for esig to be in the agency and all transmittals be electronic instead of a paper copy.

64)	HB	2950	CC	Support	Reps Frederick, Bailey, Barker, Dembrow, Kotek, Read;	Allows DEQ to covenant not to sue where person or entity "has performed all necessary removal or remedial action related to the release of a hazardous substance from a facility."	We have some fuel tanks, and also perform work, including on roads, that might (and have occasionally in the past) cause a release. This would allow for a cleanup agreement to include "a covenant not to sue concerning any future liability under State law where clean up occurs as required by DEQ. Contra argument is that we might want DEQ to go after some bad actor, and DEQ could "settle" for an agreement rather than punishing them.
65)	HB	3079	MSD and PW	Oppose	Rep Hunt	Requires contracting agency to give preference to bidder or proposer that releases smaller total amount of atmospheric carbon dioxide, methane and ozone during or as result of manufacturing, transporting and disposing of goods or while providing services that are subject of procurement. Requires Oregon Department of Administrative Services, in consultation with Attorney General and Department of Transportation, to evaluate and select system that contracting agency may use to estimate or calculate and to compare bidders and proposers on the basis of total output of atmospheric carbon dioxide, methane and ozone. Requires Oregon Department of Administrative Services and Attorney General to adopt model rules.	1. The contracting agency isn't going to know how to judge the impact these companies will have on the atmosphere. That really should be up to the governmental departments that specialize in this type of analysis. These departments should act as the watchdogs and ensure that companies meet state or federal standards so that customers, including contracting agencies, may feel assured they are dealing with companies that meet such minimum standards.
66)	HB	3386	PW	Monitor	Rep Kenemer (at request of OR Assoc of County Engineers and Surveyors)	Offers some clarifications to "non-buildable" unit of land and gives direction on how to show dedication and easements on Plat.	Current system is working, not sure the clarification will actually help in Planning.

67)	SB	<u>933</u>	PW	<b>Oppose</b>	Sen Dingfelder	Abolishes State Marine Board. Transfers duties, functions and powers of board to State Parks and Recreation Department.	I believe that Lane County should support OPA in opposing SB 933 (OPA is the Parks organization connected to AOC). The Oregon State Marine Board has a unique funding source and funds projects related to motorized boating throughout Oregon - and has a long history of being effective and supportive of their primary mission. State Parks does not have a reputation of or history of being an efficient administrative agency and has a history of being inconsistent in its support for local park agencies. Anything that could potentially reduce state support for boat ramps, transient boat docks, boat trailer parking, etc., would be a significant problem for Lane County.
68)	HB	<u>3262</u>	CAO and HHS	<b>Support</b>	Committee on Revenue	Imposes prevention, treatment and recovery tax on malt beverages. Creates funds for alcohol and drug abuse prevention, treatment and recovery. Also appropriates money to OSP to carry out patrol functions.	CAO: Would help fund H&HS programs because over 80 percent goes to treatment and recovery support, but raises cost of malt beverages at a time when any new taxes are difficult for the residents of our county. Allocates an unknown percent to counties. Would fund patrol functions and related administrative costs for OSP. Indirectly helps the county in that way. Policy issues here.  HHS: I would strongly recommend support on this one. Oregon has some of the very lowest beer and wine taxes in the US. In addition to the revenue being much needed at this time, there is solid research that an increase in price will lead to a decrease in consumption particularly among youth. So, even if none of the funds come to the County, the result will be successful prevention of alcohol-related problems. Data closely links alcohol abuse to significant health care costs, criminal justice system costs, and child welfare costs--among other impacts to social services.



## ATTACHMENT E

### 6) SB 707 Staff Analysis

It could trigger some sanitation applications for Lane County. Likely to be a great benefit to the buyer of rural property.

Would likely require Lane County to administer, however as written it appears the document would go straight to a DEQ database, not to Lane County. I'm not clear if anyone at DEQ would actually read the document and forward problem cases to the appropriate county for their follow-up. It would be great if we could get the document into our parcel-information (permit history) database. It would be nice to have a requirement that if inspector finds a failed system then they must report it to the appropriate septic agency.

The person doing the inspection would likely be a private business, but could possibly be a County EHS. If the inspector found that the system needed repairs then Minor or Major Repair permits would be generated.

The proposed rule change is confusing on the window of time that buyer has to revoke the buyers offer. In one place it says three days after receiving septic report (line 16), in another place it says 5 business days (line 25) from receiving the seller's disclosure document (of which the septic report is a part); on the sample form (line 10) it just say buyer has five days to revoke their offer (not five business days).

### 9) SB 818 Staff Analysis

I have approximately 3500 accounts that have a use different than the zoning of the land. (commercial activity on industrial land; house on industrial land; mixed use property) They will have to be reappraised in each of the four years required by this bill - and if it takes about 4 hours total to reappraise, reestablish the Measure 50 value, do the roll correction, determine to tax or not tax, manually recalculate it forward for each of the four years and send notices to the taxpayer of the corrections, that is 14,000 hours of work minimum. That is 6.7FTE that I don't have in my budget. One commercial appraiser - mid salary range is \$83k. Will the legislature be giving Lane County's Board of Commissioners \$556k to pay for this project? Lane County has a \$6.5 million budget deficit next year and is looking at cuts to public safety, DA, DYS, health programs, etc. I have to cut \$250k out of the A&T budget. Lane County cannot afford to do this project. We spent three years getting these same accounts reappraised to comply with the new DOR rule from 2006 that this bill is rolling back. I had to hire back retired commercial appraisers to help us get this done back then. The legislature should consider how much it's going to cost in taxpayer dollars (my operation is funded by property taxes) to do work that results in refunds for a just a few. Where is the bigger public policy analysis of cost/benefit? The proponents behind this bill are large Portland developers that are unhappy with their property taxes due to Measure 50. It's an end run around the state's constitution that is being spun as "taxes are inhibiting business development."

management efforts by providing funding and State assistance that equal or exceed Lane County efforts and contributions.

## **28) HB 3380 Staff analysis**

The County Assessor may have additional information available.

Current foreclosure process takes close to 6 years to complete before a county finally takes possession of a property. Extending that time by an additional 4 years would:

Extend time county/taxing districts are acting as a bank for delinquent property owner .

Extend time property can be returned to the tax roll.

Extend time property will be subject to waste and cleanup of that waste.

Extend time properties with environmental issues are dealt with.

Extend time excessive vegetation growth is dealt with.

Increase costs for cities who mow property with excessive vegetation growth as they won't be able to recover those costs upon foreclosure.

Requiring sale proceeds that exceed delinquent taxes, interest, penalties be distributed to the former owner would remove a non-general fund revenue source that is used for:

Salaries for staff who deal with tax foreclosed property.

Indirect costs.(\$116,000 this FY)

Costs associated with management/maintenance of foreclosed properties which includes environmental cleanup, general cleanup, surveys, legal costs, appraisals, payment to other county depts. for services. I've already spent about \$7,000 this FY just on cleanup of foreclosed property.

It is not uncommon that costs associated with low value properties exceed their sale value. Proceeds from the sale of high value properties are used for these costs.

## **38) HB 3510 Bill Summary**

Establishes Affordable Health Care for All Oregon Plan, operated by Oregon Health Authority according to policies established by Affordable Health Care for All Oregon Board. Provides comprehensive health care coverage to all individuals residing or working in Oregon. Supplants coverage by private insurers for health services covered by plan. Requires public employees to be covered by plan. Creates Affordable Health Care for All Oregon Fund. Continuously appropriates moneys in fund to authority. Provides for implementation of plan on January 2, 2014.

Requires board to establish policies and approve administrative rules for certificate of need process. Expands certificate of need to include both new and existing health care facilities. Repeals Oregon Health Care Insurance Exchange, Oregon Medical Insurance Pool Board, Oregon Medical Insurance Pool, Office of Private Health Partnerships, Family Health Insurance Assistance Program and private health option under Health Care

## ATTACHMENT F

Draft Minutes  
Lane County Legislative Committee Meeting  
March 11, 2011  
3:00 PM  
BCC Conference Room

The meeting was called to order at 3PM

Attending: Commissioner Faye Stewart (arrive 3:30PM), Commissioner Jay Bozievich, Alex Cuyler, Ben Nussbaum (leave 3:30), Administrator Liane Richardson, Sheriff Tom Turner, Captain Doug Hooley, Viriam Khalsa, Karen Gaffney, Madilyn Zike.

Alex began with several items under the heading of "Federal". These included an updated version of the letter to Congressman DeFazio regarding the Community Development Block Grant program, which the committee recommended be forwarded to the Board on Tuesday for Approval. Alex then went on to notify the committee that the National Association of Counties Resolution that was submitted for consideration during the recent NACO legislative conference, had been approved. It will become part of the suite of issues that NACO lobbies for as part of the transportation bill reauthorization, should that effort gain steam during the 112th Congress. Sheriff Turner indicated that his Department could make several recommendations for BLM roads where safety concerns were paramount. Karen Gaffney asked that the Committee consider a letter drafted by Jen Weeks, Division Manager for Community Health Services, also to Congressman DeFazio regarding budget issues affecting federally qualified health centers. The Committee agreed to recommend this letter as written to the BCC for consideration on Tuesday.

The Committee moved next to State issues. Alex and Karen shared information regarding the Governor's Health Transformation Team's proposed legislative concept, and discussed the very short comment period. Karen authored a letter in response to the proposed LC Draft which the Committee reviewed. The Committee also reviewed letters from the Association of Oregon Counties, the AOC Mental Health Professionals, and Washington County. At issue is that this group developed a concept that largely eliminates any role for counties in future systems designed to fund, administer, and provide a range of health care related services and oversight. The Committee recommends the Commissioner Bozievich be the point person with regards to a Lane County elected official that will be available to speak on this issue. Commissioner Bozievich expressed that he would need some additional information on this topic, and Alex and Karen agreed to continue to work with him to bring him up to speed on this issue.

The Committee turned to the work of reviewing bills. It had a brief discussion about the work load with regard to the number of bills that needed to be reviewed. The discussion concluded that better safe than sorry should be the approach, such that staff and the Board have the most flexibility possible in the coming weeks of hearings in Salem. The committee reviewed 65 bills.

The meeting concluded at 5:30.



March 7, 2011

Chair Burdick  
Vice-Chair Morse  
Senator Hass  
Senator Telfer

RE: Senate Bill 818 – Public Hearing March 7, 2011

Dear Honorable Members of the Senate Finance & Revenue committee;

Thank you for considering the following information regarding the potential impacts of Senate Bill 818 in Lane County. While the Lane County Board of Commissioners has not yet taken a position on this bill, I do expect there will be a formal position on this bill by the end of this week. This letter is written solely on my behalf as the County Assessor.

**Property Owner impacts**

In Lane County we have over 1,200 commercial accounts located on industrial land. These properties are currently classified as commercial property under Department of Revenue rules and therefore have received the benefit of the lower commercial "changed property ratio" under Measure 50 for any new construction that has occurred since 2006. If I were to go back in time and reclassify these properties to industrial based on the land use only, I will have to reset their Measure 50 values using the higher industrial changed property ratio for any new construction. This will increase their taxes. It is unclear to me from how the bill is currently written as to whether I will be required to bill for back taxes owing as a result of these changes – or if the increased values will be point forward only. With the passage of HB3612 in the 2010 special session, prior year tax roll corrections are now more complicated to process and the billing of back taxes is extended over multiple future tax years. The property owners will also receive additional tax court appeal rights when a roll correction is made to their account. For Lane County many of these accounts have already been adjudicated.

Conversely, there are 100 accounts in Lane County with industrial uses on commercial or other non-industrially zoned lands that would see potentially lower values and taxes from this law if they had any Measure 50 value changes during that four year period. If their taxes are lowered, then the bill requires a refund for those four years.

**County Budget impacts**

The bill as written will require my office to reappraise 3,500 properties at an average of four hours staff time per account. (This includes over 1600 residential properties on non-residential land.) This will create approximately 14,000 staff hours of work, or the