



LEGISLATIVE REPORT

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Welcome

Welcome to issue 11 of the *Legislative Report*. This report covers recent successes as well as efforts to protect groundwater, limit tax giveaways, keep kids healthy and more.

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Sincerely,
 Norman Turrill, Action Chair
 Marge Easley, Action Vice Chair

How Much Well Water Is Enough?

[HB 2566](#) would eliminate the exemption from regulation now given to domestic wells. After the first public hearing, a work group was formed consisting of almost every interest group known to water. In the short time available, each group kept to its original stance - either eliminating the exemption is a good idea or a horrible one. Few were willing to seek compromise. It is unclear as to the next steps. One issue is that although these domestic exempt wells are assumed to consume 15,000 gallons of water per day under the law for home use and watering up to one-half acre of surrounding land, estimates are that real consumption is closer to 3,000 to 6,000 gallons per day.

Even before Measure 37's claims put a spotlight on this exemption, more and more areas around Oregon were being declared "limited"

or "critical" groundwater areas. These designations, often occurring AFTER a crisis, allow the [Water Resources Department](#) to regulate new and existing wells in order to protect long time water rights and to help restore groundwater and even nearby surface water sources.

The League continues to be concerned that there is no real regulatory link between land use and water availability. House Energy and Environment Chair [Jackie Dingfelder](#) sees the very real need to gather information to inform legislative decision-making. One possible outcome could be that, when new exempt wells are drilled, more information is filed with Water Resources (with a fee to pay for processing). However, the department needs staff to enter the new data and handle the paperwork. This issue is not about attempting to regulate new rural homes; it's a serious issue for our agricultural industry (nurseries,

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vineyards, wheat, grass seed, etc.).

HB 2566 will be heard on April 27th. Amendments have been submitted which continue domestic well exemptions, but limit water usage to an amount most commonly really used. A fee will be charged for recording the use of groundwater. The fee will help pay for responding to complaints regarding groundwater. The bill also gives the [Water Resources Commission](#) further authority to address critical groundwater areas. The League will support these amendments as a good compromise among the parties which may help protect the public's water sources.

At least all this talk about water has helped increase the Water Resources budget, which includes money for research, measurement and beginning groundwater studies.

Peggy Lynch, Water Portfolio Member

Legislature in Action Near You!

This coming week there are still hearings away from the Capitol. If you are near the area, take the time to go and observe our Legislature in action. Or even testify if you feel strongly about an area of the budget, although sign up early if you want a chance to be heard. To make sure the schedule hasn't changed, check out the [legislative agendas online](#).

The following is the current schedule as of this report:

Ways and Means Subcommittee on Public Safety

Date: Tuesday, May 1

Time: 5:30 P.M.

Place and Topic:

Aumsville Elementary School
572 N 11th St, Aumsville

Informational Meeting with Public Testimony on Headstart Program and Impact on Public Safety

Paula Krane, Citizen Access Coordinator

Committees Approach Deadline

Time is drawing down on the opportunity for committees to hold first hearings on bills with an approaching deadline of April 30. The agendas now show an increasing number of proposals, some of which will get "tap, taps" which are mere gavel pounds serving as place holders. These will allow committees to hear bills more extensively in the next two or three weeks so there is time for floor votes and moving measures to the other house. This is the time when many bills "fall through the cracks" and will not move on. This is also amendment time. Whole proposals will be "guttled and stuffed" with the contents of an-

other bill that has the same relating clause but is not moving on. Previously heard bills can receive changes at a work session. A good relationship with committee administrators is crucial in order to get a "heads up" on revisions.

The League has been rewarded this session for its many years of patience and frustration over the non-passing of bills on initiative reform, election laws, ethics, and discrimination, which, in 2007, are being heard and approved. Fiscal policy remains an enigma, and the Revenue Forecast of May 15 will determine the Legislative Adopted Budget for 2007-09.

Kappy Eaton, Governance Coordinator

Discrimination Prohibited

Sexual preference discrimination in housing, public accommodation and employment is now prohibited in Oregon with the passage of [SB 2A](#) and the Governor's signature. Domestic partnerships will be recognized for a Certificate and a Declaration of Domestic Partnership. The license allows these couples to have many of the same privileges and responsibilities as married couples, but not all of them. The procedures are established in [HB 2700A](#) passed by the House and expected to pass the Senate.

Kappy Eaton, Governance Coordinator

League Uses New Redistricting Position

The League had hoped for discussion this session about planning for the redistricting of legislative and congressional districts after the 2010 census. We testified on the two bills which were heard in House Elections, Ethics, and Rules Committee, asking a series of questions based upon our new position.

One bill proposed delaying implementation of any new redistricting plan until the 2013 legislative session. Obviously, this raises the question of what district do candidates run for in 2012 - the old one or the one which won't be in place until after the election. The other bill proposes that the redistricting plan be developed by a three-member panel of Special Masters, retired judges picked from an original panel of 24, evenly divided by political party. There are a number of problems with this proposal, particularly with the access by the public to critique the plan and what happens if it is not approved in the allotted time.

There also is no involvement by the Supreme Court. It appears these bills were given a courtesy hearing only and will not move out of the committee. The League will need to work on this issue during the interim.

Kappy Eaton, Governance Coordinator

Initiative Reform on the Horizon

The League participated early in the session at an informational hearing on recommendations for revisions to the Oregon initiative process. Out of that discussion came [HB 2082A](#) which has passed the House and is expected to pass the Senate. Included in the measure are the requirement for 1000 signatures on the initial petition in order to get a ballot title; the requirement for paid petition passers to receive training and get an ID picture and number from the Secretary of State; the requirement that the Secretary of State, Attorney General and Director of the Bureau of Labor and Industry review payroll records of the companies hiring signature gatherers; and the ability for single-signature petitions to be sent electronically for signature by an individual. Other bills would require that any chief petitioner be an Oregon citizen and provide for a citizen initiative review panel. The latter may appear as an initiative for 2008.

Kappy Eaton, Governance Coordinator

State Ethics Watchdog - GSPC

Both House and Senate Rules committees have passed out funding proposals for the [Government Standards and Practices Commission](#) (GSPC), the state's ethics watchdog. Along with these bills are recommendations for legislative gift limits, the use of campaign funds for public office expenses, and more stringent regulations for lobbyists and the entities that hire them. These bills are in Ways and Means by reference, and that is not the most logical environment for the important decisions needing to be made.

The [Oregon Law Commission](#) proposal (House version) calls for continued GSPC funding from the General Fund; the Senate version would charge a fee to be paid by the hundreds of state and local government bodies which are overseen for ethics violations by GSPC. Ways and Means also has bills from the Senate Operations and Legislative Reform committee that increase judicial salaries and create an eleven member Public Officials Compensation Commission. The original version of [SB 700](#) had linked increases in salaries with restrictions on use of campaign funds for public office expenses, but the committee deleted this from the bill.

Kappy Eaton, Governance Coordinator

Healthy Kids - Alive and Well

After the Healthy Kids proposal survived through six public hearings and six work sessions in the House Health Care and Revenue Committees plus three Joint Ways and Means works sessions, HB 2201B was derailed on the House floor on April 26. In a show of partisan opposition to additional taxes, even on cigarettes, the bill was defeated.

Healthy Kids Plan, [HB 2201A](#), passed the Human Services Subcommittee on April 19 and was sent to the full Ways and Means Committee for the April 20 hearing. The Human Services Subcommittee reported an adjusted budget of \$97.8 million for the next biennium. The Governor had estimated \$78.6 million and the Co-Chairs set aside \$62 million.

The last amendments adopted were a verification of legal residency requirement, training for health care workers, a safety net fund, a rural health revolving account, and a Tobacco Use Reduction Account, as part of Healthy Kids. The

projected income from tobacco tax was estimated at \$232 million, a much lower amount than originally projected due to an expected decrease in tobacco purchases. The Joint Ways and Means Committee passed the bill on April 20 after objections regarding the need for a revised health care system and sustainability of the present health care system.

HB 2201B was sent to be enrolled and was scheduled for a House floor vote on April 26. The LWVOR submitted a "floor letter" urging passage. [Rep. Greenlick](#) and [Rep. Kotek](#) brought the bill to the floor. [Rep. Richardson](#) was the main speaker against the bill. A motion to re-refer to Ways and Means failed and a motion to end debate was drawn out with Republicans leaving the floor. [Rep. Lim](#) refused to vote on the bill. The official vote was 32 yes and 24 no, with 3 excused. The bill failed because a 3/5 majority is needed to pass a revenue raising bill. It is expected that the Healthy Kids plan will be reconsidered in some form.

Karen Nibler, Social Policy Coordinator

Tax Giveaways

Tax credits continue to be considered even though Oregon "gives" away about \$27 billion every biennium. The tax expenditures volume rivals the size of the Governor's Proposed Budget, listing more than 350 credits, deferrals, deductions or exemptions. The League continues to work for a review of all credits and a plan for reduction or repeal of those which no longer serve a social or economic purpose. The Revenue committees have held hearings on proposals to deal with credits, but time is a factor in getting a realistic solution. We are meeting with the Senate Finance Committee chair to urge action.

The Ways and Means Co-chairs' proposed 2007 Budget and the Governor's Budget are meeting head-on in Ways and Means discussions. While both have a spending goal of about \$15 billion for the General Fund, there are critical differences between them. The Governor's plan would fund Healthy Kids, 100 more state troopers, and additional funds for community colleges and four-year higher ed institutions from increased tobacco taxes, an auto insurance surcharge, and an increase in the beer and

wine tax. The Ways and Means plan would decrease the higher ed dollars and some social services and fund the others from the General Fund. The problem is the requirement of a three-fifths vote for passage of any tax measure. There is only a two-vote margin in the House between the majority and minority parties, and the leadership has flatly stated the minority will not provide the five votes needed for the 36-24 necessary count to pass the proposed taxes. Community colleges are extremely vulnerable to a decrease in dollars because of the lack of support in the current biennium and the inability to raise option tax dollars. Programs for juveniles, seniors, and the mentally ill are also decreased in the Ways and Means budget. The minority has some bargaining chips for exchange in possible tax increase support: lower the capital gains taxes, increase the inheritance tax level from \$1 million to \$2 million, and don't increase the minimum corporate tax of \$10.

While the December 2006 revenue forecast was a rosy one, with increases in individual and corporate incomes and higher employment rates, the March 2007 forecast showed a slight

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decline on the individual side and flat employment, with only corporate income increasing. Unless the May forecast shows a solid increase, there will not be much more available for the budget than predicted in March. The expected corporate "kicker" has been suspended for the current biennium and will be placed in the newly created Rainy Day Fund. About \$800 million is anticipated in the individual "kicker" surplus (over 2% of projected revenue) and will be distributed around December of this year. A bill is being considered to give that kicker back in the form of a tax credit instead of checks that cost more than a \$1 million to distribute. Corporations already receive the kicker as a credit.

Tensions will increase, tempers may flare, and the debate on the budget will be heated as the planned June 29 adjournment (or recess until February 2008) approaches. Stay tuned.

Kappy Eaton, Governance Coordinator

Women's Issues

Good news: contraception drug insurance coverage and access to emergency contraception after sexual assault have been passed.

A bill to provide a fund for workers needing to extend family leave without pay is receiving favorable hearings. Each worker would contribute one cent per hour worked through their payroll, approximately \$20 per year for a 40 hour a week employee. The fund would be collected and managed by the Department of Revenue and the Bureau of Labor and Industry. A worker would collect up to about \$250 per week for up to six weeks under the plan.

The Senate has passed a bill to provide space in the workplace for women needing to express breast milk for nursing their babies.

Hearings are scheduled to consider requiring insurance coverage for osteoporosis screening for both men and women as well as to increase the fund which supports victims of sexual assault and domestic violence.

Kappy Eaton, Women's Issues Portfolio Chair

Volunteer

Help is needed to monitor legislative committees and report back to the Action Committee. If you live close to Salem or have an Internet connection, you can learn to track bills and listen to hearings. It is a fascinating experience if you have time to dedicate to the legislative process. Contact LWVOR at 503-581-5722 or lwvor@lwvor.org to volunteer.

Elections Updates

We still don't know if the 2008 Presidential Primary will be held on February 5, along with a rash of other states, or stay in May. The Senate has passed the bill that is now in Ways and Means because of the \$2.8 million cost estimate for the special election date.

Allowing a voter registration card mailed by midnight on the 20th day before the election to be valid, has been heard and may move out of committee.

Fusion voting, which allows a candidate to be listed by more than one party on the nominating ballot, has passed out of committee. A problem with fusion voting, where the county ballot scanning machines are not able to handle an overvote for the same candidate on different party

lines, would be alleviated by hand counting the overvote ballots and only crediting the vote to the major party. The idea of instant runoff elections (IRV) had positive hearings in the House committee, but Oregon's ballot counting machines do not have the technology currently to handle these types of ballots. The bill would have allowed cities and counties to use IRV. After three tries since 2000, a bill has now passed removing all references to polling places in Oregon and formally recognizing Oregon as a vote-by-mail state.

Hopefully, the double majority (50/50 requirement) for property tax elections other than general elections in the even-numbered years is headed for a citizen vote. [HJR 14](#) has passed the House

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and is expected to pass the Senate. It would be referred to Oregon voters in November 2008. The measure would not repeal the law but would allow property tax elections to be held on any May or November ballot without the super majority requirement. Since its passage, the requirement of a majority voting for a measure plus a majority of registered voters voting has caused untold problems for school districts and local governments unable to raise needed funds to operate.

Kappy Eaton, Governance Coordinator

Follow Key Bills

The League's bill matrix, which lists key bills that we are following this session, is updated weekly. The matrix includes legislative action taken, League action taken, and links to our testimony. To see the matrix, link to www.lwvor.org/currentissues.htm.

Quick Links

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[Www.lwvor.org/legislative-reports.htm](http://www.lwvor.org/legislative-reports.htm)

Oregon State Legislature

[Www.leg.state.or.us](http://www.leg.state.or.us)

League of Women Voters of the US

[Www.lwv.org](http://www.lwv.org)

Legislator Quick Card (printable page of names, districts, phone numbers and addresses)

http://www.leg.state.or.us/citizenguide/legislator_quickcard.pdf

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<http://www.leg.state.or.us/senate/senateset.htm>

State Representatives

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Committee Information

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<http://www.leg.state.or.us/writelegsltr/writeset.htm>

Sample Letter to a Legislator

http://www.leg.state.or.us/citizenguide/letter_sample.htm

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