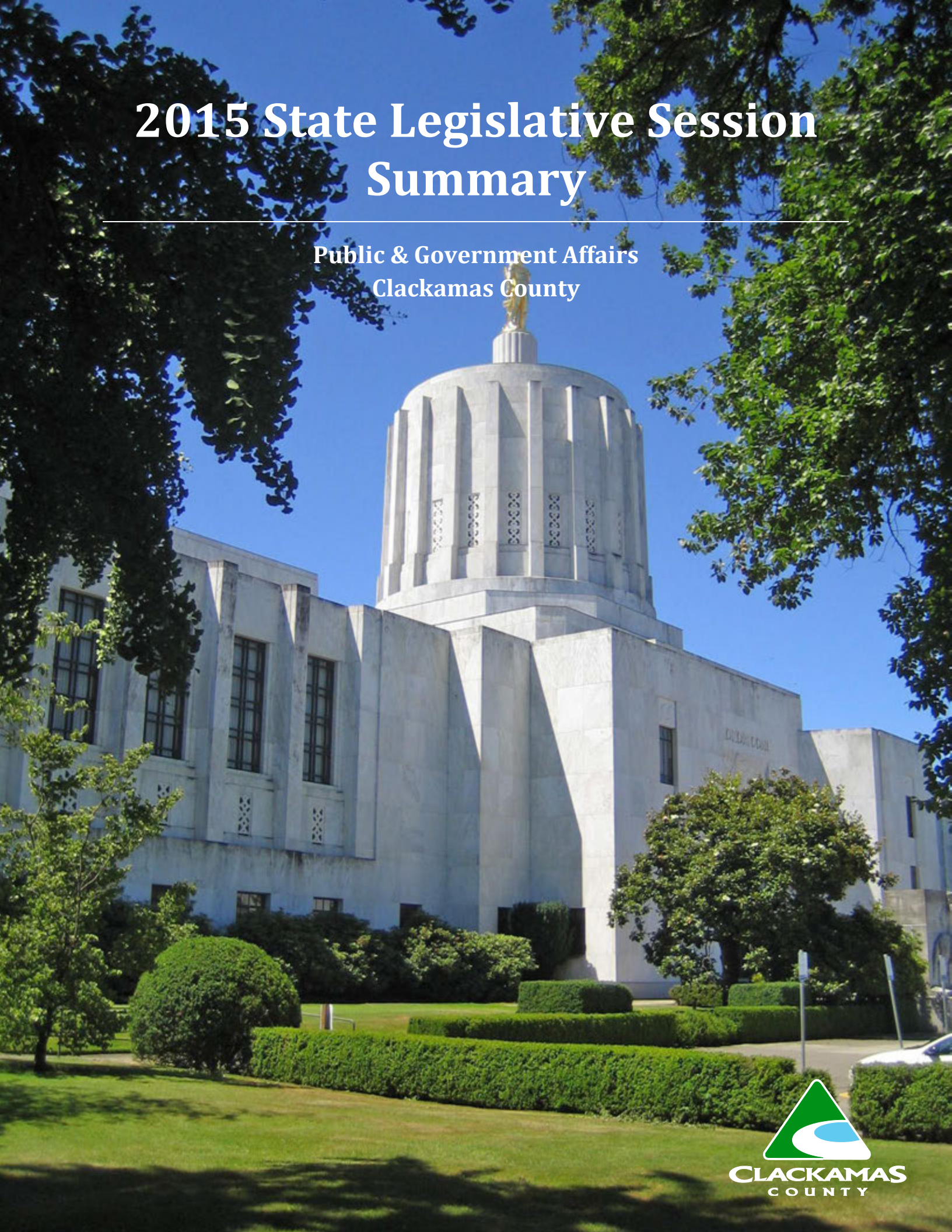


# 2015 State Legislative Session Summary

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Public & Government Affairs  
Clackamas County



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## EXECUTIVE SUMMARY

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The 79<sup>th</sup> Oregon Legislative Assembly began on February 2, 2015, and adjourned *sine die* on Monday, July 6, five days ahead of the maximum 160 days allowed in the state constitution for odd-numbered-year, or “regular,” sessions. The 2015 regular session was often referred to as the busiest session in memory, and perhaps contained some of the most memorable moments, including the resignation of Governor John Kitzhaber and swearing in of Secretary of State Kate Brown, as well as the Oregon Supreme Court decision to overturn reform work on the Public Employees Retirement System established by the Legislature in 2013. With the Democratic Party dominating seats in both the House and the Senate, the Legislature passed partisan-focused bills including a bill aimed at reducing carbon emissions in Oregon and a bill to increase background checks on the transfer of firearms. At the direction of Governor Brown, the Legislature also worked up until the last week of session to craft a package to address capital and maintenance transportation needs in Oregon, but party disagreements over the passage of the Clean Fuels bill ultimately prevented any transportation package from being successful. Lastly, all eyes patiently watched as Oregon lawmakers worked to create responsible policies on medical and recreational marijuana after voters agreed in November 2014 that Oregon would become the 3<sup>rd</sup> state allowing the possession and sale of recreational marijuana, in addition to medicinal needs.

Nearly 2,800 bills (excluding resolutions and memorials) were introduced in the 2015 session, of which over 1,500 were deemed to be of local government significance and actively tracked by the County’s Government Affairs staff. In addition to providing legislative support to the Board of County Commissioners (BCC) and internal county departments, PGA worked cooperatively with numerous external organizations during the session to advance the county’s legislative agenda. These groups included state legislators and their staff; legislative committee staff; state agency officials; various state lobby associations, including the Association of Oregon Counties (AOC) and League of Oregon Cities (LOC); and other regional and local government partners.




This report summarizes key legislative outcomes related to Clackamas County’s 2015 state legislative agenda. The original agenda was approved by the BCC on January 13, 2015 and was expanded throughout the session in order to respond to proposed legislation. A comprehensive end-of-session report will be produced by AOC in the coming months and will be distributed to commissioners and department managers at that time.

## 2015 STATE LEGISLATIVE AGENDA RESULTS

<b>FINANCE</b>	<i>Financial Sustainability</i>	
	<i>State/County Shared Revenue Agreements</i>	
	<i>Franchise Fees</i>	
	<i>Public Contracting (Qualified Rehabilitation Facilities)</i>	
	<i>Public Contracting (New Requirements)</i>	
	<i>Public Records</i>	
<b>ECONOMIC DEVELOPMENT</b>	<i>Industrial Lands</i>	
	<i>Enterprise Zones</i>	
	<i>Brownfields</i>	
	<i>Infrastructure Investment</i>	
	<i>Study of Federal Lands Transfer</i>	
	<i>Urban Lumber Program</i>	
	<i>Vertical Housing</i>	
	<i>Film &amp; Media Production</i>	
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<b>EMPLOYEE SERVICES</b>	<i>Employee Services Legislation</i>	
	<i>Collective Bargaining</i>	
	<i>Veterans' Preference</i>	
	<i>Authority of Bureau of Labor and Industries</i>	
<b>HEALTH, HOUSING &amp; HUMAN SERVICES</b>	<i>Funding for Health &amp; Social Services</i>	
	<i>Affordable Housing (EHA &amp; SHAP)</i>	
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	<i>Affordable Housing (Funding for Veterans' Housing)</i>	
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	<i>Electronic Cigarettes</i>	

## 2015 STATE LEGISLATIVE AGENDA RESULTS

	<i>Recreational Marijuana</i>	
	<i>Task Force on the Future of Public Health Services</i>	
	<i>Mental Illness</i>	
	<i>Payment for Multiple Services</i>	
<b>LAW LIBRARY</b>	<i>Law Library Services</i>	
<b>PUBLIC SAFETY</b>	<i>9-1-1 Operations &amp; Funding (9-1-1 Tax)</i>	
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<b>LEGEND</b>			
	<i>Goal Achieved</i>	<i>Mixed Results</i>	<i>Goal Not Achieved</i>

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## FINANCE

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### Financial Sustainability

Goal: *Monitor and influence proposed legislation to ensure adequate and stable funding of county programs and services. Counties partner with the state to provide vital public services and are on the front line of ensuring that services continue and reach those who need them.*



Result: PGA monitored and influenced the state's budget bills, which provide critical funding for various county programs, including Health, Housing and Human Service programs, community corrections, juvenile services, resolution services and county law libraries. In addition, the County successfully advocated for **HB 2459**, which increases the fees charged by the Oregon State Marine Board (OSMB) for titling and registration of certain watercraft. Clackamas County Parks receives approximately \$25,000 per year from funds derived through this fee, which support the County's boating facilities. The bill passed the Legislature in the final days of session. [Appendix 3]

### State/County Shared Revenue Agreements

Goal: *Preserve counties' share of tobacco, liquor, video lottery and recreational vehicle (RV) fee revenue. Monies received by counties fund economic development programs, county park and recreation areas and essential front line services, including sheriff's patrol, jails, and health services.*



Result: PGA monitored legislative activity to preserve counties' share of tobacco, liquor, video lottery and recreational vehicle fee revenue. In addition, as described in more detail below, legislation was passed relating to marijuana that will allow for potentially new revenues to counties. Meanwhile, no bills were passed that pose a negative impact to counties' share of other shared revenue agreements.

### Franchise Fees

Goal: *Advocate for prohibiting public agencies from subjecting other public agencies to franchise fees in public right-of-ways unless the fees are directly related to administering the right of way program. A proliferation of new franchise fees levied on public agencies has the potential to greatly increase costs to ratepayers.*



Result: On the first day of session, Rep. Brent Barton introduced **HB 2800** – legislation intended to allow a change to the governance structure of the Tri-City Service District. The County strongly opposed the bill, alongside the City of West Linn and, later, the City of Gladstone. The Tri-City Service District was formed in 1980 by a vote of the public, who agreed to the County Commission serving as the District's governing body. The County argued that any change to the governance structure of the District should be decided by a vote of the public in each of the cities, rather than be mandated by the State Legislature. The bill failed to get a public hearing and died in committee. [Appendix 3]



## Public Contracting

Goal #1: *Monitor and influence proposed changes to the requirement for public agencies to procure services using Qualified Rehabilitation Facilities (QRFs) as priority vendors.*



Result: Legislation proposing changes to the QRF procurement process did not emerge in the 2015 session.

Goal #2: *Oppose legislation that would add costly new requirements to the public contracting process without providing discernible benefits to the public.*



Result: The County opposed **SB 414**, which would allow an employee or representative of an employee's bargaining unit to seek judicial review of a county's decision to contract out for a service in an amount over \$250,000. The legislation had the potential to greatly delay the procurement process and drive up the county's operating costs. The bill died in committee.

## Public Records

Goal: *Oppose legislation mandating costly and unworkable requirements relating to public access to public records.*



Result: The County strongly opposed **HB 3505**, which proposed costly and unworkable requirements relating to public access to public records including: a mandatory three-week timeline, obligations on government to retain electronic records on non-government servers that are nearly impossible to meet, and new one-size-fits-all public record retention requirements. While the County agrees in government transparency, the proposed bill was overly broad and gave rise to many unintended consequences. Commissioner Bernard testified before the House Rules Committee in opposition to the bill. The bill died in committee. [Appendix 3]

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## ECONOMIC DEVELOPMENT

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### Industrial Lands

Goal: *Support legislation to increase the supply of available land ready for industrial development. Support state financing and incentives to assist local government in constructing infrastructure and preparing shovel-ready industrial sites.*



Result: The Legislature overwhelmingly passed **SB 32**, which directs the Public Utility Commission to form a work group to study methods for expanding natural gas service to stranded and rural communities. The County advocated strongly for the bill, which will assist Estacada in attracting industries to the city through the availability of natural gas. The County also helped to advance new language in the bill to include interested stakeholders on the work group, thereby ensuring that local interests are represented in discussion. [Appendix 4]

## Enterprise Zones

Goal: *Support the creation of additional Enterprise Zones in Oregon. Oppose measure that would mandate prevailing wage requirements on private industries within Enterprise Zones.*



Result: The Legislature overwhelming passed **HB 2643**, which removes the cap on the number of permitted enterprise zones in Oregon and streamlines the designation process. There are currently 66 enterprise zones in the state, and pending applications will exceed statutory caps. Under the bill, the existing application process would be eliminated, but its substantive requirements would be maintained. Counties, cities, ports, and tribes would still need to submit documentation to the Oregon Business Development Department for an enterprise zone designation. Meanwhile, the County worked with numerous partners to successfully oppose **HB 2540**, which would have required the payment of prevailing wages on certain private construction projects located within an enterprise zone. The prevailing wage mandate on private investment would offset much of the tax savings that would be realized by a new or expanding businesses. A public hearing on the bill in February was cancelled and the bill died in committee.

## Brownfields

Goal: *Support legislation that facilitates redevelopment of vacated industrial sites through measures such as recapitalizing the state Brownfields Redevelopment Fund, creating local land banks, offering property tax abatements, and creating state tax credits.*



Result: The County worked closely with many regional and state partners throughout session to successfully lobby the Legislature on **HB 2734**, which passed after months of consideration by numerous committees. The bill allows local governments to create land banks to facilitate brownfield cleanup and redevelopment. A land bank is a locally-created public authority that can acquire, hold, manage, and transfer property to new owners. Land banks aim to return brownfields neglected by the private market to productive use. By establishing a public land bank, a local government can protect itself from state environmental liability and financial exposure by creating an independent, community-based entity with the tools and long-term perspective to reposition brownfields for future development. Clackamas County has 309 properties currently listed on the DEQ Environmental Cleanup Site Information Database, and there may be additional undocumented brownfield properties within the County. [Appendix 3]

## Infrastructure Investment

Goal: *Support general fund appropriations and bonding authority dedicated to investing in improvements for the transportation of goods and services and improved infrastructure.*



Result: The Legislature approved **HB 5030** (the lottery bond bill), which provides \$45 million for *ConnectOregon IV*. *ConnectOregon* provides funding in the form of grants and loans for non-highway transportation projects, including aviation, marine, passenger and freight rail and public transportation projects. Notably, the bill increases the local match from 20% to 30% of project cost.

## Study of Federal Lands Transfer

Goal: *Support legislation that established a bi-cameral and bi-partisan committee, including two county governing body members, to study the legal, economic, social, and practical benefits and risks associated with the transfer of federal lands to the State.*



Result: The County worked with the Association of Oregon Counties to advance **HB 3240**, which proposed a bicameral and bipartisan State Task Force to study the legal, economic, social, and practical benefits and risks associated with the transfer of federal lands to Oregon. Commissioner Smith testified alongside Rep. Carl Wilson in support of the bill, and also urged the addition of two county governing body members on the Task Force to ensure that a local perspective is reflected in discussions. The bill failed to receive a work session and died in committee. In addition, there were a host of additional bills requiring or urging the U.S. Congress to transfer federal lands; the county did not take a position on these bills, including **HB 3444**, **HJM 7**, **HJM 13**, **SJM 5**, and **SJM 7**. [Appendix 3 & 4]

## Urban Lumber Program

Goal: *Support efforts to establish a pilot Urban Lumber program managed by Clackamas County for the purpose of utilizing urban forests to stimulate economic, carbon capture, and direct job creation.*



Result: The County worked closely with Rep. Julie Parrish throughout the legislative session to successfully advance her idea, contained in **HB 2984**, to establish a pilot Urban Lumber Program for forest products grown on non-forest lands to be commercially produced and marketed through a forestry product cooperative. After cities raised significant statewide preemption concerns, the concept was narrowed to being a 2-year pilot for Clackamas County to study and make preparations for the Clackamas Forestry Product Cooperative Project. Language was added to allow cities to opt in to the program, as well as to develop an MOU with the county specifying how the program is to be administered within the city. The bill was sponsored by 50 members of the Legislature and passed nearly unanimously at the end of session. Senator Devlin also helped to secure \$400,000 for the State Forestry Department to provide a grant to Clackamas County to administer the pilot. In two years, the County hopes to return to the Legislature with a successful coop model for potential use statewide. [Appendix 3]

## Vertical Housing

Goal: *Support legislation to extend the sunset on the state's Vertical Housing Development Zone program, which incentivizes mixed use development in downtown areas.*



Result: The County worked with numerous stakeholders to successfully advance **HB 2126**, which overwhelmingly passed the Legislature. The bill extends the sunset date of the Vertical Housing Development Zone Program to January 1, 2026. Clackamas County is home to multiple redevelopment opportunities, including the Clackamette Cove project area in Oregon City and the McLaughlin corridor – all of which could benefit from this program that provide a partial

property tax exemption to encourage investment in and rehabilitation of properties in targeted areas. [Appendix 3]

### Film & Media Production

Goal: *Support legislation that provides state incentives to help recruit film and media projects to Oregon and keep current projects in the state.*



Result: The County successfully supported numerous bills introduced this session to incentivize film and media production. **HB 2072** and **SB 872** proposed increases in the amount of maximum total tax credits for certified film production development contributions, while **HB 2898** would have increased the amount of reimbursement from the Oregon Production Investment Fund (OPIF) that is available to local filmmakers or media production service companies. Clackamas County has holds obvious appeal to filmmakers and production companies given its incredibly diverse landscape and would benefit economically from these incentives. In the final days of session, the Legislature passed an omnibus tax credit bill (**HB 2171**) that included language to extend the sunset of the Film & Video tax credit from January 1, 2018 to January 1, 2024. [Appendix 3 & 4]

### Transient Lodging Tax

Goal: *Prevent state “sweeps” of the transient lodging tax.*



Result: Legislation preventing state sweeps of the transient lodging tax did not emerge in the 2015 session.

### Farm Liability

Goal: *Support efforts to resolve the issue of liability threats stemming from visitors to farms for agritourism-related activities.*



Result: The County worked closely with a number of partners to successfully pass **SB 341** – a long-worked compromise to provide liability protection to agritourism businesses and promote Oregon agriculture. In particular, the bill provides liability protection for agritourism providers against certain claims when the agritourism provider posts clear notice at the property of risks inherent in engaging in the activity, enabling agritourism providers to more readily obtain liability insurance for their activities. This bill will greatly benefit Clackamas County’s agriculture sector, which is attracting greater numbers of tourists visiting pumpkin patches, corn mazes, farm festivals, u-picks, farm markets, and other educational activities. [Appendix 3]

### Willamette Falls Legacy Project

Goal: *Support efforts to aid in the public access component of the redevelopment of the 23-acre former Blue Heron paper mill site adjacent to Willamette Falls in Oregon City.*





Result: The County worked closely with Rep. Brent Barton, Metro, and Oregon City to successfully secure \$7.5 million in state funding for the Willamette Falls Riverwalk. The funding was included in **HB 5030** (the lottery bond bill) and **SB 5507** (the budget reconciliation “Christmas Tree” bill), with no triggers or other strings attached. In May, Commissioner Schrader testified in support of the funding before the Ways & Means Capital Construction Subcommittee, alongside Rep. Barton, Metro Councilor Carlotta Collette, and Tony Konkol from Oregon City.

### **Willamette Falls Locks**

Goal: *Support legislation that creates a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of Willamette Falls Locks.*



Result: The County successfully advocated for **SB 131**, which unanimously passed the Legislature establishing a State Task Force on the Willamette Falls Navigation Canal and Locks to work toward repair, reopening, and operation of the canal and locks. The bill was amended to name Oregon Solutions as the lead in staffing the Task Force, and **SB 5507** (the budget reconciliation “Christmas Tree” bill) allocated \$62,300 to Oregon Solutions for this purpose. [Appendix 3 & 4]

### **Willamette Falls Federal Heritage Area**

Goal: *Support legislation that urges Congress to designate Willamette Falls and surrounding communities as a National Heritage Area.*



Result: The County successfully advocated for **SJM 10**, which overwhelmingly passed the Legislature. The joint memorial urges Congress to 1) designate the Willamette Falls National Heritage Area and 2) appropriate funds necessary to restore and open the Willamette Falls Locks. Commissioners Schrader and Smith each testified for the bill in committee hearings. [Appendix 3]

### **Mt. Hood Tourism**

Goal: *Support legislation that establishes a Mt. Hood license plate program to benefit tourism promotion on Mt. Hood.*



Result: The County worked with Rep. Mark Johnson on his bill (**HB 3027**) to establish a new Mt. Hood license plate with proceeds used to fund promotion of bike and pedestrian tourism in the Mt. Hood area. The County also helped craft an amendment to the bill directing proceeds of the license plate program to the Oregon Tourism Commission, which would assist local/regional destination marketing organizations to attract visitors to the Mountain. The bill received a public hearing but later died in committee. [Appendix 3]

## Oregon Military Museum

Goal: *Advocate for state funding to support the Oregon Military Museum, located at Camp Withycombe.*



Result: The County advocated for legislation (**SB 408**) to appropriate \$1 million in general fund dollars to support The Brigadier General James B. Thayer Oregon Military Museum. The Museum serves as the official state repository for Oregon's military history, but was closed in 2009 during a base realignment project at Camp Withycombe. Although the bill was sponsored by more than 1/3 of the Legislature and unanimously passed the Senate Veterans and Emergency Preparedness Committee, it failed to gain traction in Ways & Means and died in committee. [Appendix 4]

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## EMPLOYEE SERVICES

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### Employee Services Legislation

Goal: *Monitor and influence proposed legislation that affects Public Employees Retirement System (PERS), workers' compensation, and the definition of supervisor under state law.*



Result: **HB 2764** passed with carefully crafted recommendations from the Management-Labor Advisory Committee (MLAC) to ensure claimant's attorneys receive equitable compensation on workers compensation claims. Claimant's attorney fees were expanded to include compensation for specific services in addition to the fees they have been awarded which came out of a claimant's compensation. The new fees must be awarded by an administrative law judge. Clackamas County monitored this bill closely to ensure the new fees would be awarded in a fair and equitable manner.

Separately, the Oregon Supreme Court overturned reform work on the Public Employees Retirement System established by the Legislature in 2013. This decision will have heavy financial implications on local governments, including Clackamas County. The decision is estimated to return nearly \$4 billion in benefits to nearly 120,000 retirees across Oregon.

### Collective Bargaining

Goal: *Oppose legislation that would require binding interest arbitration following mid-term bargaining in strike-permitted units.*



Result: The County successfully opposed **HB 2544**, which would have required binding interest arbitration following mid-term bargaining in strike-permitted units. Clackamas County employs more than 2,000 workers, and strives to ensure fairness and compliance with our employment practices. This legislation would lead to more contentious labor negotiations and result in a substantial increase in costs. While the bill passed the House in the early days of session, the legislation died in the Senate Rules Committee. Julia Getchell from the County's Employee

Services Department testified before the Senate Workforce Committee in opposition to the bill. [Appendix 3]

### Veterans' Preference

Goal: *Support legislation that clarifies language affecting veterans' preference in public employment.*



Result: The County worked closely with AOC, LOC, Multnomah County, and the City of Portland in support of **SB 87**, which passed the House but died in the Senate Veterans and Emergency Preparedness Committee. However, the Committee Chair indicated that there will be a workgroup focused on this issue in the interim to find a solution that the Legislature may consider next session. JJ Peters from the County's Employee Services Department testified before the Committee in support of the bill. The legislation would have clarified when public employers are required to apply the preference for veterans and disabled veterans and to whom an interview is to be provided. The bill also created provisions that allow for flexibility in the various types of selection processes that public employers use. [Appendix 4]

### Authority of the Bureau of Labor and Industries

Goal: *Oppose legislation that would require immediate compliance of a Bureau of Labor and Industries (BOLI) wage decision prior to a review of the decision on appeal.*



Result: The County joined numerous partners in opposing **HB 2386**, which would give the Labor Commissioner authority to issue a temporary cease and desist order, requiring an employer to refrain from an alleged unlawful practice related to the prevailing wage rate, wage and hour standards, employment conditions, and farm and construction labor contractors. The County agrees that employers should be required to pay fair and equitable wages to their employees and follow employment laws. However, the bill requires an employer to comply immediately upon a finding by BOLI that the employer has violated the law, which may place unnecessary burdens on small business. The bill failed to pass the House and died in Committee.

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## HEALTH, HOUSING & HUMAN SERVICES (H3S)

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### Funding for Health & Social Services

Goal: *Preserve state funding levels for health and social services programs – behavioral health, social services, public health, children, youth & families, community solutions, developmental disabilities – to enable Clackamas County programs to continue at current service levels and, in some cases, provide additional prevention, support and treatment services to vulnerable individuals and families.*



Result: **SB 5526** and **HB 5026** passed late in the session, and included funding important to Clackamas County, including:

- An increase of \$1.8 million for the Department of Human Services to restore a previously approved reduction in options counseling for seniors
- Another \$1.9 million General Fund is added to the Department's budget to pay for foster care pilot projects, fund a TANF community college pilot, and increase support for hunger programs
- \$1.1 million in additional General Fund was added to implement Phase III of the alternative payment methodology pilot, which includes funding for Clackamas Federally Qualified Health Centers
- \$10 million for grants to safety net providers for health care services for children
- \$20 million in lottery bonding for increased housing for people with mental illness

The Hospital Provider Tax (**HB 2395**) has been extended to 2019, avoiding significant cuts in the health care delivery system and encouraging billions of dollars in federal matching funds be brought into the Oregon Health Plan.

### **Affordable Housing and Support Services**

Goal #1: *Preserve state funding levels for the Emergency Housing Account (EHA) and State Homeless Assistance Program (SHAP).*



Result: Both SHAP and EHA had their base funding increased this legislative session. EHA increased by \$1.5 million and SHAP increased by \$500,000. Brenda Durbin (H3S) supported lobby efforts with key budget crafters to include these increases in the budget.

Goal #2: *Preserve state funding levels for senior programs, including Oregon Project Independence, Health Promotion activities, abuse prevention activities through the Gatekeeper program, and the Options Counseling program.*



Result: The budget includes a total of \$24 million in General Funds towards the Department of Human Services to continue funding investments made during the 2013 special session. Under this spending plan, the overall 2015-2017 funding for the base OPI program is at \$20.1 million; the current OPI pilot expansion project serving younger populations with disabilities is continued with an additional \$6 million in the General Fund.

Goal #3: *Increase funding for veterans' housing needs to meet the rise in the number of homeless veterans in Clackamas County.*



Result: While additional funding was not sought during the 2015 legislative session, the increase from the previous legislative sessions was preserved in the budget reconciliation process.



Goal #4: *Oppose legislation that would allow local governments to require affordable housing in large construction projects, also known as inclusionary zoning.*



Result: **HB 2564** was introduced as a priority bill for Speaker Tina Kotek. The bill would have lifted the preemption on mandatory inclusionary zoning. Clackamas County opposed the bill early in the session. HB 2564 passed out of the House in April, but died in the Senate due to lack of votes. [Appendix 3]

### **Electronic Cigarettes**

Goal: *Monitor and influence efforts to update the Oregon Indoor Clean Air Act to regulate e-cigarettes, including restricting access to minors.*



Result: **HB 2546** bans the smoking of electronic cigarettes indoors – whether on the job, or at a bar or restaurant – starting January 1, 2016. The legislation also bans the sale of vaporizers, nicotine liquid and other accessories to minors. The County advocated in strong support of the bill and Chair Ludlow testified before multiple committees as well. The bill passed the Legislature with strong majorities. [Appendix 3]

### **Recreational Marijuana**

Goal: *Monitor and influence efforts to regulate recreational marijuana, including requiring child-proof containers.*



Result: After months of contentious debate, the State Legislature passed 5 bills related to marijuana:

**HB 3400** amended Ballot Measure 91 and operatively incorporates regulations for both recreational and medical marijuana. The bill took effect on June 30, 2015. The bill allows for local opt out of any one or more of six categories of marijuana businesses – recreational (producer, processor, wholesaler, retailer) and medical (processor and dispensary). Specifically, a county or city governing body may impose a temporary moratorium until the next general election (November of 2016). If a county (or city) opts out of any category, a local option tax is prohibited, as well as disqualification for shared state tax revenue. A local option tax, not to exceed 3%, may be imposed on the sale of recreational marijuana items if approved by local voters at a general election. The bill also grandfathers existing medical processors and dispensaries that have successfully completed the local land use process. Importantly, the bill requires the OLCC to adopt rules requiring the packaging of marijuana in child-resistant containers.

**SB 460A** (“Early Start” bill) authorizes the sale of “limited marijuana retail products” (i.e. recreational marijuana seeds, leaves, flowers and non-flowering plants) in a medical marijuana dispensary beginning on October 1, 2015. The bill also authorizes counties to adopt ordinances to prohibit these early sales. Effectively this means that any retail sales of recreational marijuana

would not be authorized until a dispensary receives a license from the OLCC in 2016 and the facility is allowed under the County ZDO.

**HB 2041** imposes a 17% point of sale state tax on recreational marijuana products, with a net distribution formula of 40% to the Common School Fund, 25% to substance abuse treatment and prevention, 15% to the Oregon State Police, and 10% to cities & 10% to counties to assist with enforcing Measure 91. The bill also disqualifies a county (or city) from receiving any distributions if the county (or city) prohibits any one or more of the six categories of marijuana business licensees, which are recreational (producer, processor, wholesaler, retailer) and medical (processor and dispensary). In addition, the bill imposes a 25% “early start” point of sale tax, beginning January 4, 2016 and ending December 31, 2016, on all recreational marijuana sales taking place in medical marijuana dispensaries.

**SB 844** includes miscellaneous provisions to establish a research task force and other operative provisions for medical marijuana caregivers and cardholders.

**SJM 12** urges Congress to declassify marijuana so issues relating to research and banking can be addressed.

### **Task Force on the Future of Public Health Services**

Goal: *Support legislation that implements recommendations of the Task Force on the Future of Public Health Services, which was established under HB 2348 in 2013 to modernize Oregon’s public health system.*



Result: Clackamas County joined with other counties to ensure **HB 3100** reached the Governor’s desk after considerable improvements were added to the bill. At the direction of the Task Force on the Future of Public Health Services, HB 3100 restructures the framework for conducting public health activities and duties in the state and for how public health services are provided to Oregonians. Effects of HB 3100 should be seen as early as January 2016.

### **Mental Illness**

Goal: *Monitor and support legislation establishing community-based alternatives to incarceration for the purpose of diverting persons with serious mental illness from entering the criminal justice system, or linking people with serious mental illness to community-based services upon release to prevent further involvement in the criminal justice system.*



Result: **SB 465** updates policy for Community Care Organizations (CCOs) across the state to specify the duties and liabilities of community mental health programs with respect to commitment processes initiated for individuals with mental illness. Clackamas County worked hard to amend the bill to alleviate some initial concerns.

The Legislature included a significant General Fund increase for community mental health. Clackamas County, as well as other advocates, lobbied for an increase in a variety of areas to aid communities to increase access for those suffering from mental illness and to provide funding for

outcome based programs to divert people away from jail and into community services. The mental health package included:

- \$7 million for crisis services, including mobile crisis
- \$6.5 million for jail diversion
- \$7 million for supported housing (rental assistance) and peer delivered services
- \$1.5 million for Oregon Psychiatric Access Line
- \$6 million for addictions treatment and recovery support

The Legislature included a budget note for interim work to take a deep dive in examining the mental health delivery system. The plan is to conduct frequent community meetings to garner feedback on what works and what needs to be changed, and a higher level policy discussion, likely at the Oregon Health Policy Board level, to make recommendations to the 2017 Legislature for policy changes and a realignment of the mental health delivery system.

### Payment for Multiple Services

Goal: *Monitor and support legislation that allows payment through Medicaid for multiple services that were provided to a patient on the same day.*



Result: The Legislature passed **SB 832**, which allowed for bidirectional care to occur in a primary health care home setting. The effect will be a great focus on providing behavioral health in a coherent manner and work towards a more seamless transition between physical and behavioral health. Clackamas County lobbied extensively on SB 832 to ensure the focus was not weighted towards either physical health or behavioral health, but rather to encourage the systems approach and focus on integration.

**HB 3132** allows for conduit bonds to be used to develop behavioral health treatment facilities, as opposed to current which only allows dollars to be used for hospital facilities.

Clackamas County also supported **HB 2231**, which was passed by the Legislature. HB 2231 directs the OHA to adopt rule standards to prevent redundant information required to be submitted by an organizational provider.

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## LAW LIBRARY

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### Law Library Services

Goal: *Support funding at current levels for county law libraries, which help preserve county residents' access to justice by providing direct professional legal research assistance and legal materials, resources, and services.*



Result: The Legislature passed the Judicial Department budget bill (**SB 5514**), which provides level funding for county law libraries at \$7.4 million for the biennium.

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## PUBLIC SAFETY

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### 9-1-1 Operations and Funding

Goal #1: *Support an increase of \$0.50 to the current monthly 9-1-1 tax of \$0.75, which has remained unchanged since 1995, and index the tax for inflation.*



Result: The County worked closely with the Association of Oregon Counties on **HB 2351**, which would raise the 9-1-1 tax by \$0.50 and index it for inflation. The House Revenue Committee scheduled a public hearing on the bill, and Commissioner Bernard attended to testify as Co-Chair of the AOC Public Safety Committee. However, the Committee ran out of time to consider the bill during the hearing. The bill failed to be rescheduled for another hearing and it died in committee. [Appendix 3]

Goal #2: *Support new spending authority to allow for the installation of the Next Generation (NG9-1-1) network.*



Result: Public Safety Answering Points (PSAPs) field 1.6 million calls annually in Oregon. The current 9-1-1 answering system is over 40 years old and has an end-of-service date of June 30, 2017. Current law also limits 9-1-1 contact to voice calls only. In response, the Legislature unanimously passed **HB 2426**, which updates statutory authority for the 9-1-1 system to be consistent with modern communications technologies. In addition, the Legislature passed **HB 5032**, which appropriates \$500,000 to proceed with one portion of the Next Generation 9-1-1 conversion.

Goal #3: *Oppose state-mandated consolidation of 9-1-1 centers and preserve local control of consolidation decisions.*



Result: No legislation was introduced this session to mandate consolidation of 9-1-1 centers or prevent local control of consolidation decisions.

Goal #4: *Support legislation that eliminates the reporting requirement related to the disclosure of call location information of a cellular device used to call 9-1-1.*



Result: The County successfully advocated in support of **HB 2919**, which unanimously passed the Legislature to eliminate the reporting requirement related to the disclosure of call location information of a cellular device used to call 9-1-1. This requirement was established during the 2014 legislative session in response to a tragic incident in Kansas in which a wireless carrier took four days to respond to a location identification request related to a murder. Because of an excellent working relationship in Oregon between wireless carriers and Public Safety Answering Points (PSAPs), this legislation was unnecessary and diverted funds from needed technology upgrades and PSAP support. [Appendix 3]



## Juvenile Crime Prevention Funding

Goal: *Advocate for Juvenile Crime Prevention (JCP) funding from the Youth Development Council at the highest funding level possible, which provides approximately \$206,000 annually to the County Juvenile Department.*



Result: The County successfully advocated for **SB 5542**, which provides \$17.849 million for Juvenile Crime Prevention/Diversion in the 2015-2017 biennium. Rachel Pearl from the County's Juvenile Department testified in support of the bill, alongside a Clackamas County youth who has greatly benefitted from the funding through Green Corps. [Appendix 4]

## Oregon Juvenile Code

Goal: *Oppose any statutory change to the Oregon Juvenile Code until adequate exploration of best practices by juvenile justice experts.*



Result: At the beginning of session, the County went on record to oppose four bills seeking to change the Oregon Juvenile Code: **HB 2904** (expands circumstances under which a court may order youth held or placed in detention), **HB 2905** (requires court to specify date in dispositional order for youth offender before which the offender may not be released from legal custody of the Oregon Youth Authority or Department of Human Services), **HB 2906** (redefines "scientifically based research"), and **HB 2907** (establishing a definition of recidivism). HB 2907 received a public hearing in the House Judiciary Committee, but the bill failed to advance to a work session and died in committee. [Appendix 3]

## Community Corrections Funding

Goal: *Advocate for adequate and stable funding of the Department of Corrections' Grant-in-Aid Program to counties, which provides key funding for probation and parole services, drug/alcohol treatment, work release, community service, and victim service.*



Result: The Legislature passed **SB 5504**, which fully funds the Department of Corrections' Grant-in-Aid Program. Commissioner Bernard and Community Corrections Director Chris Hoy testified before the Joint Ways & Means Subcommittee on Public Safety in support of the bill and funding level. In addition, the County successfully advocated alongside numerous partners in support of Justice Reinvestment funding, which was established in 2013 to provide grants to counties for preventive measures and post-conviction supervision work meant to keep down the state's prison population. The Governor's Recommended Budget allocated \$58.5 million for the program, but the Ways & Means Co-Chair Budget mentioned a possible allocation of only \$20 million. After months of work, including a Lobby Day during which Chair Ludlow and Commissioner Bernard lobbied key legislators, the coalition achieved success in securing a total of \$40 million for the fund. **HB 5506** provided \$35 million and **SB 5507** provided the additional \$5 million.

## Prohibiting Weapons in Court Facilities

Goal: *Support legislation to allow the presiding judge of municipal, justice, juvenile, and probate courts to prohibit firearms and other weapons in the court facility – a restriction that already exists in circuit court buildings.*



Result: The County successfully advocated in support of **SB 385**, which passed the Legislature with significant majorities in both chambers. Judge Karen Brisbin testified before the Senate Judiciary Committee in support of the legislation. The bill bans weapons from justice, municipal, probate and juvenile courts. The bill also establishes that in a shared court facility, the order, policy or procedure of the presiding court judge takes precedence over that of the municipal court judge, probate court judge, juvenile court judge, or justice of the peace. The bill also clarifies that the court may only prohibit weapons in the area where the court conducts business and during hours of court operation. The penalties will be the same as the existing circuit court ban. [Appendix 4]

## Adjustment to Court Fees

Goal: *Support legislation that would increase various court fees, including filing fees, trial fees, motion fees, and miscellaneous fees (transcripts, copies of judgment, etc.). Most Justice Court fees have not be increased for years, while the volume of cases and the cost of providing services has increased.*



Result: The County successfully advocated in support of **HB 2316**, which increases certain filing and trial fees in Justice Courts and will bring counties approximately \$85,000 in additional revenue over the next biennium. The bill also included language to allow audio recording in justice and municipal courts. The legislation passed the Legislature in the final days of session. [Appendix 3]

## Justice Court Legislation

Goal: *Monitor and influence proposed legislation relating to Justice Courts becoming courts of record, new Justice Court reporting requirements to the State, and restrictions on the charging of fees.*



Result: The County successfully opposed **SB 363**, which would have prohibited the court from charging fees unless expressly authorized by law. While the bill ultimately passed, the language was replaced with an unrelated concept. The County also lobbied on **HB 3399**, which originally included language requiring justice courts and municipal courts to keep a transcript or audio recording of all misdemeanor or felony proceedings for at least 12 months. While the legislation passed, the final version removed the recording requirement. Instead, the bill allowed recording if all parties and the court agree, and the recording party pays the cost.

## Family Sentencing Alternatives

Goal: *Support legislation to establish a Family Sentencing Alternatives Pilot Program, to help address the growing prison population.*



Result: The County successfully advocated in support of **HB 3503**, which directs the Department of Corrections to establish a Family Sentencing Alternatives Pilot Program in partnership with circuit courts, county community corrections agencies, and the Department of Human Services. The bill would allow both women and men who receive downward departure sentences – those who could potentially be sentenced to prison, but are sentenced to community supervision instead – who are the legal guardians of a minor child, and who had physical custody of the child at the time of the offense, to enter a pilot program that would provide comprehensive supervision where accountability and the child’s well-being are of primary importance. The Legislature passed the bill nearly unanimously, but Clackamas County is no longer in consideration for the pilot. [Appendix 3]

## Background Checks on Private Transfer of Firearms

Goal: *Oppose legislation requiring background checks on private transfer of firearms.*



Result: The County advocated in opposition of **SB 941**, which passed the Legislature requiring criminal background checks for private gun transfers in the state of Oregon beginning August 9, 2015. Currently, Oregon mandates that all firearm transfers at both gun shows and gun dealers be completed with a criminal background check, whereas checks between private individuals are permissive. SB 941 requires all private transferors of firearms to appear at a gun dealer in person with both the transferee and firearm in order to request the criminal background check before the transfer. The bill includes exceptions for family members, law enforcement, inherited firearms and certain temporary transfers. [Appendix 4]

## Recording of Grand Jury Proceedings

Goal: *Oppose legislation imposing mandatory recording requirements on the grand jury process, that would undo safety measure meant to protect victims while burdening county governments with substantial new costs.*



Result: The County advocated in opposition of **SB 822**, which would direct the presiding judge of each judicial district to instruct the grand jury to record proceedings, except for deliberations and voting. While the bill passed the Senate Judiciary Committee, it failed to be heard in the Ways & Means Committee where it died upon adjournment. [Appendix 4]

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## RESOLUTION SERVICES

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### Mediation Services Funding

Goal: *Support an increase in funding for mediation services, which has seen a reduction in funds since passage of HB 2710 in 2011.*

Result: The County worked closely with Multnomah, Washington, and Lane Counties in pursuit of an increase in appropriations for conciliation and mediation services through the Judicial Department Budget bill (**SB 5514**). Resolution Services Director Lauren MacNeill also testified before the Ways & Means Joint Subcommittee on Public Safety in support of funding through the bill. While appropriations remained level in the bill at \$7.4 million for the biennium, Rep. Williamson did agree to accept the language from the previous biennium that counties have relied on to fill the hole in mediation funding that has resulted from an inadequate appropriation by the Legislature for the purposes of providing the service. The four counties are likely to jointly explore a more permanent fix during a future session. In addition, Lauren MacNeill has been named co-chair of a new Mediation Subcommittee formed by the State Family Law Advisory Committee, which will be focused on addressing mediation funding as one of its top priorities. [Appendix 4]

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## TRANSPORTATION & DEVELOPMENT

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### Roadway Policy and Funding

Goal: *Advocate for state transportation policy that adequately funds the maintenance and construction of roads in order to improve the reliability and safety of our transportation system and meet the needs of our interconnected economy.*

Result: As a member of the Oregon Transportation Forum (OTF), the County worked closely with numerous partners in support of a state transportation package that funds the maintenance and construction of roads. Almost from the beginning of session, until the last month, a transportation package appeared dead when the Legislature passed legislation along party lines to lift the sunset on the low carbon fuels program (“Clean Fuels”). However, a bipartisan “Gang of 8” worked in secret to reach agreement on a transportation that, among other things, repealed Clean Fuels, increased the gas tax \$0.04, and raised a host of other fees. As a result of opposition from environmental groups, and errors in the carbon reduction estimates of the proposed package, the bill died. However, the OTF spent countless hours educating legislators on the state’s transportation needs, and this issue will return in a future session. Meanwhile, the County also supported AOC’s bill (**SB 668**), which gives counties the ability to charge utilities for the right and privilege to construct, maintain, or operate water, gas, electric, or communication service, fixtures, or other facilities along county roads. Currently, Clackamas County spends approximately \$250,000 annually issuing permits and inspecting utility work within roadways. By allowing utilities to be charged, the bill would allow for better, strategic use of valuable gas



tax dollars for road maintenance. Commissioner Schrader testified before the Senate Business and Transportation Committee in support of the bill. Unfortunately, the bill failed to advance to a work session and died in committee. [Appendix 2: OTF Brochure and Appendix 4]

### Sunrise Phase II Funding

Goal: *Advocate for state funding to support extension of the Sunrise System from 122<sup>nd</sup> Ave. to 172<sup>nd</sup> Ave. or other operational enhancements that contribute to the entire Sunrise System. The Sunrise Phase II project is the County's top transportation priority and is listed as a Federal Highway Administration Project of National and Regional Significance.*



Result: Throughout the legislative session, the County lobbied and received support from numerous legislators for state funding of the Sunrise Phase II project, including Rep. John Davis – a member of the aforementioned “Gang of 8.” Ultimately, when the Senate’s version of the transportation package was released, Sunrise was not included. However, Chair Ludlow and Commissioner Savas testified jointly before the Senate Special Committee on Sustainable Transportation about the County’s transportation needs – including Sunrise Phase II. While the bill died in committee, the County’s efforts helped to raise awareness for the issue when a transportation package returns in a future session. [Appendix 2: Sunrise factsheet]

### I-205 Expansion Funding

Goal: *Advocate for state funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The I-205 expansion project is listed as a Federal Highway Administration Project of National and Regional Significance and is of vital importance to the Portland metropolitan region.*



Result: Throughout the session, the County lobbied and received support from numerous legislators for state funding of I-205 expansion, including Rep. John Davis – a member of the aforementioned “Gang of 8.” Ultimately, the Senate’s version of the transportation package, contained in the –B7 amendments to **HB 2281**, included \$3 million for I-205 – to help pay for NEPA as well as P3 (public-private partnership) solicitation. The bill also included language authorizing ODOT to consider using toll revenues to finance the I-205 project in whole or in part. Chair Ludlow and Commissioner Savas testified jointly before the Senate Special Committee on Sustainable Transportation about the County’s transportation needs – including I-205 expansion – raising significant concerns that the tolling discussion is premature and that the funding allocation of \$3 million is insufficient. While the bill died in committee, the County’s efforts helped to raise awareness for the issue when a transportation package returns in a future session. [Appendix 2: I-205 factsheet]

## Land Use

Goal #1: *Advocate to find solutions to Clackamas County's land use needs.*



Result: The County entered the legislative session with no land use ask, pending a final assessment of the County's land use needs. However, external parties began introducing legislation pertaining to Clackamas County land use issues and the County reacted to some of these bills as mentioned below:

**HB 3211**, as written, would have acknowledged the Stafford area (Areas 4A, 4B, 4C, and 4D) as urban reserve. The BCC supported the concept of the bill and Strategic Policy Administrator Dan Chandler testified in support of the bill before the House Committee on Rural Communities, Land Use, and Water. The County also advocated for a stakeholder meeting to further discuss the issue, which was convened by Rep. Brian Clem and Rep. John Davis. At the meeting, the consensus was to pursue a local fix for Stafford in the short-term. However, Rep. Clem noted an expectation that significant progress be made by the fall or a legislative fix would be pursued during the 2016 session. Rep. Clem indicated his willingness to help at that time. Following that meeting, many viewed HB 3211 as a possible vehicle to address other Clackamas County land use issues. The BCC went on record in support of the following four policies for inclusion in the bill, for which PGA lobbied: 1) add Advance Road area (Area 4H Urban) into the Urban Growth Boundary; 2) designate the Lanphere property as acknowledged rural industrial land with retail restrictions; 3) undesignate the Maletis property (Area 4J Rural); and 4) in the event that the Legislature acknowledges the County's urban and rural reserves, allow Clackamas County and Metro to revise the reserves to add additional land suitable for employment. Nonetheless, the bill died in committee after failing to meet the work session deadline. [Appendix 3]

**SB 716**, as written, would have authorized Clackamas, Multnomah, and Washington Counties each to designate one large-lot industrial reserve of 150 to 500 acres. The County advocated strongly for the bill and Commissioner Smith testified before the Senate Environment and Natural Resources Committee in support as well. While numerous amendments were proposed seeking to find a solution that could be agreed upon, the Committee ultimately failed to pass the bill in a 2-3 vote. [Appendix 4]

**HB 3543**, as proposed, would have allowed electors of areas within urban growth boundaries, urban reserve, rural reserve, or the metropolitan service district to petition the county board for withdrawal. Given its broad relating to land use clause, many viewed the bill as a potential vehicle for Clackamas County land use issues. The BCC went on record in support of the following seven principles for inclusion in the bill: 1) add Advance Road area (Area 4H Urban) into the Urban Growth Boundary; 2) designate the Lanphere property as acknowledged rural industrial land with retail restrictions; 3) undesignated the Maletis property (Area 4J Rural); 4) convene a Work Group to discuss the Boring CPOs land use needs; 5) acknowledge the Borland area between the Tualatin River and I-205 as urban reserve; 6) no broad acknowledgment of the County's reserves map; and 7) should the County's reserves map be acknowledged, allow the County and Metro to revise the reserves to add additional land suitable for employment. The

County worked with partners, including legislators, to lobby for and develop amendments on the aforementioned principles. However, ultimately the bill failed to gain traction and died at the end of session.

Goal #2: *Support the Boring Community Planning Organization's (CPO) efforts to withdraw from the Metropolitan Service District (Metro) boundary.*



Result: The County supported **HB 2640**, which would remove the territory of the Boring CPO that lies within the Metro boundary from that boundary. The House Committee on Rural Communities, Land Use, and Water held a public hearing on the bill, but the bill failed to advance and later died in the committee. [Appendix 3]

Goal #3: *Support legislation allowing local governments to rezone land developed or committed to residential use without requiring local governments to take a new exception to statewide planning goals related to agricultural and forest lands.*



Result: The County successfully supported **HB 3214**, which requires the Land Conservation and Development Commission (LCDC) to adopt or amend rules allowing local governments to rezone land developed or committed to residential use without requiring local governments to take a new exception to statewide planning goals related to agricultural and forest lands. Proponents argued that it does not make sense to require a county to justify an exception to farm and forest goals on land that had never been zoned as farm or forestland. The Legislature passed the bill unanimously.

Goal #4: *Monitor and influence legislation relating to land use issues in the City of Damascus.*



Result: Near the beginning of session, Rep. Shemia Fagan introduced the following trio of bills relating to the City of Damascus:

**HB 3084** alters the reason the Oregon Court of Appeals in 2014 ruled HB 4029 unconstitutional, thereby providing an avenue by which property owners can choose to de-annex from the City of Damascus. The County supported and advocated for this bill upon introduction, and the bill passed the Legislature nearly unanimously.

**HB 3085** refers the question of disincorporation to the voters of the City of Damascus at the next primary election in May, 2016. This bill was in response to Damascus' November, 2013 disincorporation vote in which 63% of residents that cast a ballot voted to disincorporate. However, Damascus officials interpreted state law to mean that a successful vote to disincorporate required a majority of all registered voters in Damascus, so the 2013 measure failed. The County, including Assessor Bob Vroman, worked with Rep. Fagan to change the date of the vote from the general election to the primary election to greatly simplify the administrative process of distributing property taxes back to residents. The County ultimately supported the bill, which passed the Legislature with strong majorities.

**HB 3086** takes effect only if HB 3085 is approved by a majority of people of the City of Damascus voting in the next primary election (May, 2016). While the original bill would have required the entirety of the City of Damascus' excess funds be distributed back to residents, the County worked with Rep. Fagan on an amendment to adequately protect the county for any costs associated with disincorporation as well as ensure that the County can effectively administer the distribution of funds back to city taxpayers. Specifically, the final bill transfers all moneys in the city road fund to Clackamas County for use within the boundaries of Damascus; provides up to \$3 million to Clackamas County for expenses related to the employment of former Damascus employees and contracted law enforcement services; and provides the County with Damascus' state-shared revenues for a period of 10 years in order to compensate the County for the distribution of excess moneys and for costs related to public safety and law enforcement, urban comprehensive planning, code enforcement, and waste water and surface water management. Chris Lyons from the Public & Government Affairs Department joined Rep. Fagan and Rep. Kennemer in testifying before the Senate Rules Committee in support of the bills and appreciation to Rep. Fagan for addressing the County's concerns. The bill passed the Legislature nearly unanimously. [Appendix 3]

# 2015 State Legislative Summary

## Appendix 1

### Clackamas County 2015 State Legislative Agenda



**Oregon Juvenile Code**  
Oppose any statutory change to the Oregon Juvenile Code until adequate exploration of best practices by juvenile justice experts.

**Community Corrections Funding**  
Advocate for adequate and stable funding of the Department of Corrections’ Grant-in-Aid Program to counties, which provides key funding for probation and parole services, drug/ alcohol treatment, work release, community service, and victim service.

**Prohibiting Weapons in Court Facilities**  
Support legislation to allow the presiding judge of municipal, justice, juvenile, and probate courts to prohibit firearms and other weapons in the court facility – a restriction that already exists in circuit court buildings.

**Adjustment to Court Fees**  
Support legislation that would increase various court fees, including filing fees, trial fees, motion fees, and miscellaneous fees (transcripts, copies of judgment, etc.). Most Justice Court fees have not been increased for years, while the volume of cases and the cost of providing services has increased.

**Justice Court Legislation**  
Monitor and influence proposed legislation relating to Justice Courts becoming courts of record, new Justice Court reporting requirements to the State, and restrictions on the charging of fees.

EMPLOYEE SERVICES

**Employee Services Legislation**  
Monitor and influence proposed legislation that affects Public Employees Retirement System (PERS), workers’ compensation, and the definition of supervisor under state law.



**Veterans’ Preference**  
Support legislation that clarifies language affecting veterans’ preference in public employment.

TRANSPORTATION & DEVELOPMENT

**Roadway Policy and Funding**  
Advocate for state transportation policy and funding that supports the maintenance and construction of roads in order to improve the reliability and safety of our transportation system and meet the needs of our interconnected economy.



**Sunrise Phase II Funding**  
Advocate for state funding to support extension of the Sunrise System from 122nd Ave. to 172nd Ave. or other operational enhancements that contribute to the entire Sunrise System. The Sunrise Phase II project is the County’s top transportation priority and is listed as a Federal Highway Administration Project of National and Regional Significance.

**I-205 Expansion Funding**  
Advocate for state funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The I-205 expansion project is listed as a Federal Highway Administration Project of National and Regional Significance and is of vital importance to the Portland metropolitan region.

**Land Use**  
Advocate to find solutions to Clackamas County’s land use needs.

LAW LIBRARY

**Law Library Services**  
Support funding at current levels for county law libraries, which help preserve county residents’ access to justice by providing direct professional legal research assistance and legal materials, resources, and services.

RESOLUTION SERVICES

**Mediation Services Funding**  
Support an increase in funding for mediation services, which has seen a reduction in funds since passage of HB 2710 in 2011.

I-205 photo courtesy ODOT



Clackamas County 2015  
State Legislative Agenda

CLACKAMAS COUNTY BOARD OF COMMISSIONERS  
JOHN LUDLOW - CHAIR   JIM BERNARD   PAUL SAVAS   MARTHA SCHRADER   TOOTIE SMITH

*Oregon counties and the state are partners in delivering vital public services.*

As governmental bodies close to local communities, counties are on the front line of coordinating and delivering many shared state-county services to the public. Counties work in close partnership with the state to ensure that services are delivered at the local level in a responsive, efficient, and effective manner.

*Oregon counties and the state are partners in policy making.*

Counties are participating in the transformation of large public service systems and bring expertise, experience, and resources to matters of statewide concern.

Clackamas County Public and Government Affairs

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FINANCE

Financial Sustainability

Monitor and influence proposed legislation to ensure adequate and stable funding of county programs and services. Counties partner with the state to provide vital public services and are on the front line of ensuring that services continue and reach those who need them.

State/County Shared Revenue Agreements

Preserve counties’ share of tobacco, liquor, video lottery and recreational vehicle fee revenue. Monies received by counties fund economic development programs, county park and recreation areas, and essential front line services, including sheriff’s patrol, jails, and health services.

Preemption and Local Control

Oppose preemption of local tax sources and other efforts to restrict local government authority. Local control allows counties to create and fund programs that foster innovation and address the unique needs of their communities.

Franchise Fees

Advocate for prohibiting public agencies from subjecting other public agencies to franchise fees in public right-of-ways unless the fees are directly related to administering the right of way program. A proliferation of new franchise fees levied on public agencies has the potential to greatly increase costs to ratepayers.

Public Contracting

Monitor and influence proposed changes to the requirement for public agencies to procure services using Qualified Rehabilitation Facilities (QRFs) as priority vendors.

HEALTH, HOUSING, & HUMAN SERVICES

Funding for Health and Human Services

Preserve state funding levels and maintain investments from FY13-15 for health and human services programs – behavioral health, social services, public health, children, youth & families, community solutions, and developmental disabilities – to enable Clackamas County programs to continue at current service levels and, in some cases, provide additional prevention, support and treatment services to vulnerable individuals and families.

Affordable Housing and Support Services

Support efforts to create and preserve affordable housing and support services for moderate, low, and very low income residents and those experiencing homelessness.

- Preserve state funding levels for the Emergency Housing Account (EHA) and State Homeless Assistance Program (SHAP);

- Preserve state funding levels for senior programs, including Oregon Project Independence, Health Promotion activities, abuse prevention activities through the Gatekeeper program, and the Options Counseling program; and
- Increase funding for veterans’ housing needs to meet the rise in the number of homeless veterans in Clackamas County.

Electronic Cigarettes

Monitor and influence efforts to update the Oregon Indoor Clean Air Act to regulate e-cigarettes, including restricting access to minors.

Recreational Marijuana

Monitor and influence efforts to regulate recreational marijuana, including requiring child-proof containers.



Task Force on the Future of Public Health Services

Support legislation that implements recommendations of the Task Force on the Future of Public Health Services, which was established under HB 2348 in 2013 to modernize Oregon’s public health system.

Mental Illness

Monitor and support legislation establishing community-based alternatives to incarceration for the purpose of diverting persons with serious mental illness from entering the criminal justice system, or linking people with serious mental illness to community-based services upon release to prevent further involvement in the criminal justice system.

Payment for Multiple Services

Monitor and support legislation that allows payment through Medicaid for multiple services that were provided to a patient on the same day.

ECONOMIC DEVELOPMENT

Industrial Lands

Support legislation to increase the supply of available land ready for industrial development. Support state financing and incentives to assist local governments in constructing infrastructure and preparing shovel-ready industrial sites.

Enterprise Zones

Support the creation of additional Enterprise Zones in Oregon. Oppose measures that would mandate prevailing wage requirements on private industries within Enterprise Zones.

Brownfields

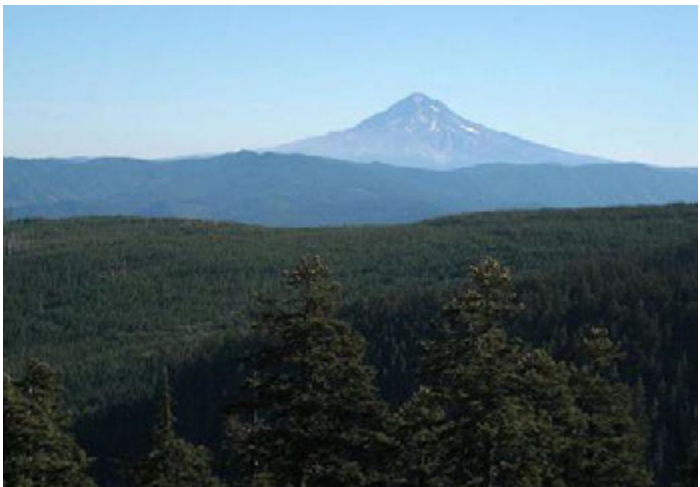
Support legislation that facilitates redevelopment of vacated industrial sites through measures such as recapitalizing the state Brownfields Redevelopment Fund, creating local land banks, offering property tax abatements, and creating state tax credits.

Infrastructure Investment

Support general fund appropriations and bonding authority dedicated to investing in improvements for the transportation of goods and services and improved infrastructure.

Study of Federal Lands Transfer

Support legislation that establishes a bi-cameral and bi-partisan committee, including two county governing body members, to study the legal, economic, social, and practical benefits and risks associated with the transfer of federal lands to the State.



Urban Lumber Program

Support efforts to establish a pilot Urban Lumber program managed by Clackamas County for the purpose of utilizing urban forests to stimulate economic, carbon capture, and direct job creation.

Vertical Housing

Support legislation to extend the sunset on the state’s Vertical Housing Development Zone program, which incentivizes mixed use development in downtown areas.

Transient Lodging Tax

Prevent state “sweeps” of the transient lodging tax.

Farm Liability

Support efforts to resolve the issue of liability threats stemming from visitors to farms for agritourism-related activities.

Willamette Falls Legacy Project

Support efforts to aid in the public access component of the redevelopment of the 23-acre former Blue Heron paper mill site adjacent to Willamette Falls in Oregon City.

Willamette Falls Locks

Support legislation that creates a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of Willamette Falls Locks.



PUBLIC SAFETY

9-1-1 Operations and Funding

Support legislation to improve operations and funding for 9-1-1 centers:

- Support an increase of \$0.50 to the current monthly 9-1-1 tax of \$0.75, which has remained unchanged since 1995, and index the tax for inflation.
- Support new spending authority to allow for the installation of the Next Generation 9-1-1 network.
- Oppose state-mandated consolidation of 9-1-1 centers and preserve local control of consolidation decisions.

Juvenile Crime Prevention Funding

Advocate for Juvenile Crime Prevention (JCP) funding from the Youth Development Council at the highest funding level possible, which provides approximately \$206,000 annually to the County Juvenile Department.

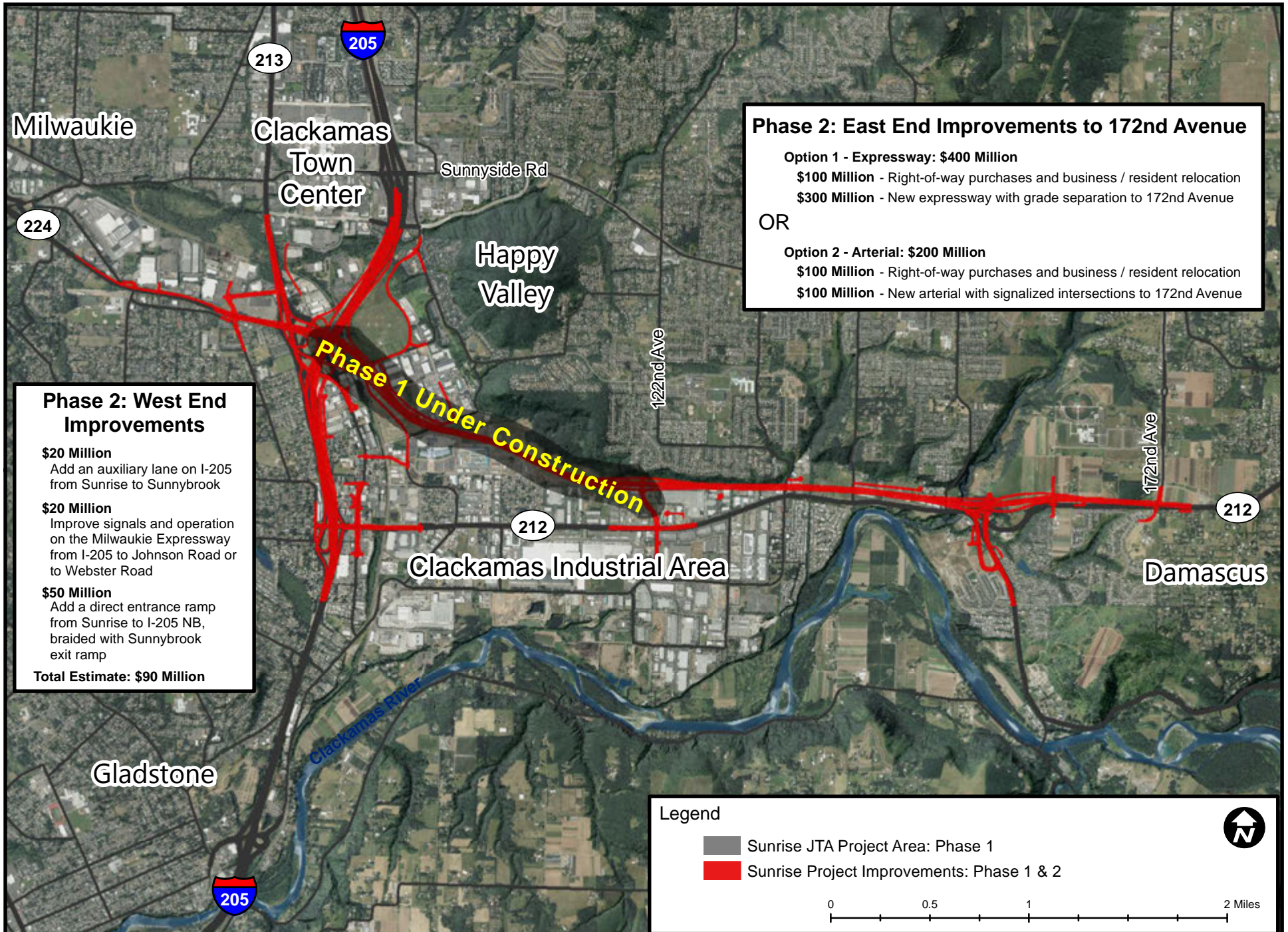
# 2015 State Legislative Summary

## Appendix 2

### Supporting Materials

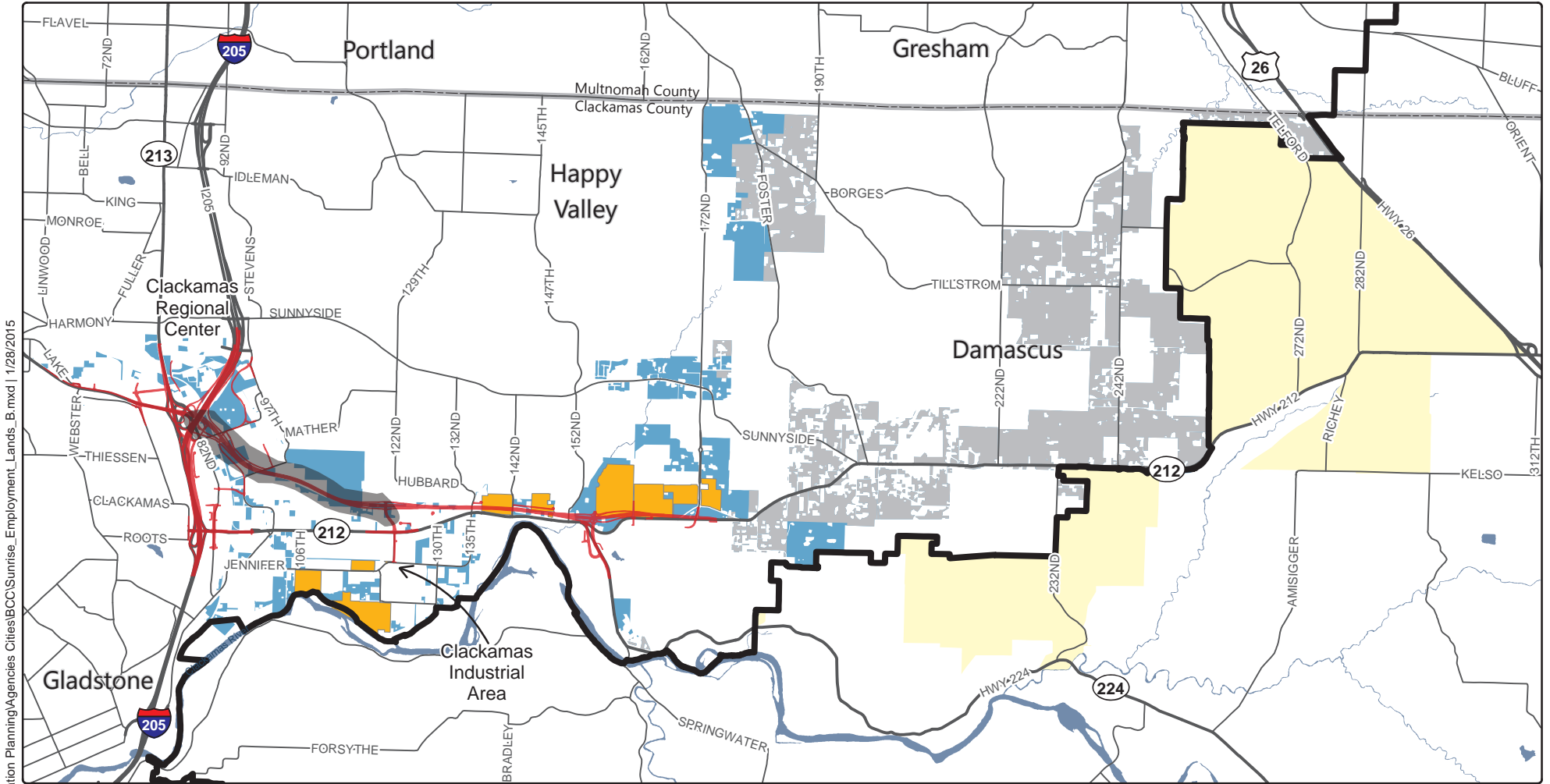


# Sunrise Project Improvements - Needed Projects





# Sunrise Project Area - Employment Lands



## LEGEND

- Development Ready Sites\* (325 Gross Acres, 240 Net Acres)
- Vacant Employment Lands\*\* (1,500 Gross Acres)
- Damascus Vacant Employment Lands\*\*\* (2,300 Gross Acres)
- Sunrise JTA Project Area: Phase 1
- Sunrise Project Improvements: Phase 1 & 2
- Urban Reserves
- County Boundary
- Urban growth boundary

0 1 2 4 Miles



\* "Development Ready" employment lands identified by a Clackamas County Land Development Feasibility Study.

\*\*Vacant Employment Lands data source: Metro RLIS Title 4 Land, Concept Centers and Vacant Land 2013.

\*\*\*Lands within the City of Damascus. Comprehensive Plan not yet adopted. Vacant employment lands are conceptual.

DISCLAIMER: The information provided was derived from digital databases from Clackamas County's GIS. Although we strive to provide the best data we can, we sometimes use data developed by jurisdictions outside Clackamas County. Therefore, Clackamas County cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Although information from Land Surveys may have been used in the creation of this product, in no way does this product represent or constitute a Land Survey. Users are strongly cautioned to verify all information before making any decisions.



# I-205 Operational Enhancements Project

## THE PROPOSAL

The I-205 Operational Enhancements Project would add a third lane in the northbound and southbound directions of I-205 from the Stafford Road interchange to the Abernethy Bridge, including adding an auxiliary lane to the bridge, consistent with Metro's Regional Transportation Plan.



## THE BACKGROUND

I-205 is a freight and commuter bypass to the I-5 corridor in the Portland/Vancouver metropolitan area.

Average daily traffic volume: 155,000-165,000 -- more traffic than I-5 [ODOT]

10-12% of traffic is freight -- more than 16,000 trucks per day [ODOT]

The identified 6-miles represent the last two-lane stretch of I-205 in Oregon

Bottleneck congestion entering this corridor can create three to four additional miles of gridlock

Project identified by the Federal Highway Administration as a Project of National and Regional Significance

## THE NEED

### *Support continued economic growth*

I-205 connects:

- Oregon businesses to the Portland International Airport
- Southern Washington businesses to Oregon and California
- Local agriculture to the Portland urban area

### *Reduce congestion/improve mobility*

The narrow, two-lane profile causes congestion, severely compromises speeds during peak periods, and leads to interchange queues that impact mainline lanes. This congestion creates additional delay and a lack of reliability through the corridor. As significant development continues to occur on buildable employment land in Tualatin and Wilsonville at the confluence of I-205 and I-5, traffic and congestion will worsen in coming years.

### *Improve Safety*

The crash rate on southbound I-205 at the Abernethy Bridge is 0.87 crashes per million vehicle miles traveled -- considerably higher than the statewide average of 0.67 for similar facilities. That puts this location on the state's top 5% of the Safety Priority Index System (SPIS) list. This high rate is significantly related to the short distance for weaving on the bridge in the southbound direction.

## THE COST

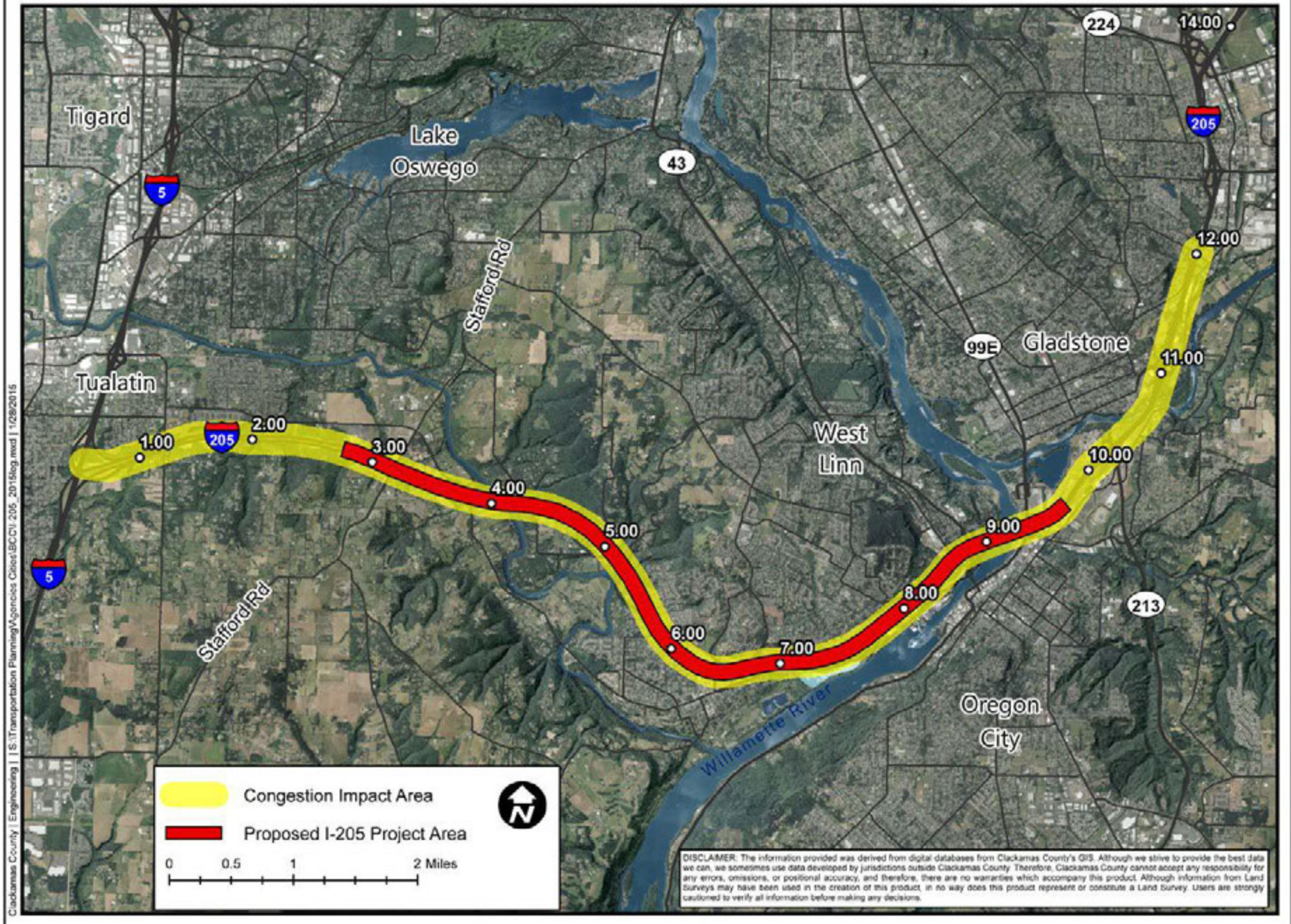
ODOT estimates the expansion to cost nearly \$260 million. The first few phases, including environmental and preliminary engineering work, can be completed for \$10 to \$20 million -- or roughly 10% of the estimated construction costs.

## THE BENEFITS

- Improved safety and enhanced mobility on I-205 between the Abernethy Bridge and Stafford Road, and reduced bottleneck congestion for approaching traffic
- Reduced severity and duration of congestion
- Improved reliability for travel times
- Improved seismic stability of the Abernethy Bridge



# I-205 Operational Enhancements Project





## OREGON TRANSPORTATION FORUM

1000 Friends of Oregon  
AAA of Oregon and Idaho  
American Council of Engineering  
Companies  
Associated General Contractors  
Associated Oregon Industries  
Association of Oregon Counties  
Bicycle Transportation Alliance  
BNSF Railway  
Business Oregon  
City of Beaverton  
City of Bend  
City of Gresham  
City of Portland  
City of Tigard  
City of Wilsonville  
Clackamas County  
Coos Siskiyou Shippers Coalition  
Lane Transit District  
League of Oregon Cities  
Metro  
Oregon Concrete & Aggregate  
Producers Association  
Oregon Dept. of Land  
Conservation & Development  
Oregon Dept. of Transportation  
Oregon Environmental Council  
Oregon Public Ports Association  
Oregon Rail Users' League  
Oregon Refuse & Recycling  
Association  
Oregon State Building &  
Construction Trades Council  
Oregon Transit Association  
Oregon Travel Experience  
Oregon Trucking Associations  
Oregon Vehicle Dealers  
Association  
Portland Cement Association  
Port of Coos Bay  
Port of Portland  
Ride Connection  
State Street Solutions  
Transportation for America  
TriMet  
Union Pacific Railroad  
Upstream Public Health  
Washington County  
Western States Petroleum  
Association



# Keeping Oregon Moving

## 2015 Transportation Funding and Policy Recommendations

**Oregon's transportation system is at a crossroads.** Our roads are crumbling. Freight movement faces serious bottlenecks. Many bridges need reinforcement to withstand earthquakes. Our public transit agencies are unable to keep up with demand for service. Some rural communities do not have access to essential services. Many Oregonians are unable to safely walk or bicycle in their neighborhoods. Past transportation decisions have failed to adequately consider impacts on public health and the environment. Federal funding is more and more tenuous, and instead of financing new projects, a large portion of current funds must pay off earlier investments.

While transportation is not an end in itself, a safe and reliable transportation system provides a critical foundation for our prosperity and quality of life.

**It is our responsibility to invest in a better transportation system, immediately and over the long run, to ensure the health and economic wellbeing of our state's residents and communities.**

For these reasons, the Oregon Transportation Forum has adopted a position on legislation for the first time in its history. We respectfully offer the following proposal to the 2015 Oregon Legislature.



## GOALS OF THE PROPOSAL

### **JOBS AND ECONOMIC PROSPERITY**

- Put Oregonians to work creating cutting-edge multimodal transportation networks to connect people to jobs, attract new talent, and compete on a global scale.
- Address costly and time-consuming bottlenecks and improve connections to ports and freight yards to better serve agriculture, forestry, manufacturing and other key Oregon industries.

### **SAFETY AND RESILIENCY**

- To keep goods and people moving safely and reliably, maintain the transportation system in a state of good repair and increase its resiliency to natural disasters.

### **LIVABLE COMMUNITIES**

- Improve public health, air quality and community vitality by making our neighborhoods walkable and bikeable and improving access to transit.
- Serve all Oregonians in every part of the state without regard to age, race, disability, or income.

### **HEALTHY ENVIRONMENT**

- Reduce transportation-related pollution, preserve our natural environment, and make our transportation system more resilient to the impacts of climate change.

## PRINCIPLES

**FUND ALL MODES:** There is an urgent need to provide adequate funding for all transportation modes that move passengers and freight in order to improve the safety and reliability of the system and support economic prosperity, community livability, and environmental quality.

**FIX IT FIRST:** The State of Oregon's first priority should be to maintain, rehabilitate and operate existing transportation facilities before building new ones.

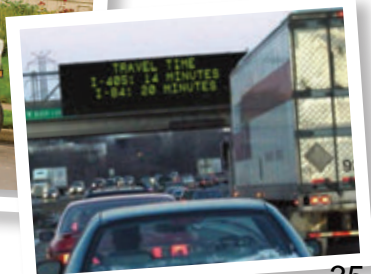
**PROVIDE RELIABLE FUNDING:** Stable and predictable revenues are critical to support ongoing road operations and maintenance as well as transit service enhancements.

**SHARE COSTS FAIRLY:** The State of Oregon should raise revenue from system users, as appropriate, based on the benefits they derive or the costs they impose on the system.

**PRESERVE LOCAL OPTIONS:** Addressing our transportation needs will require new funding at all levels of government. Accordingly, the Legislature should remove existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions.

# ELEMENTS OF THE PROPOSAL

	ROAD FUNDING	NON-ROAD FUNDING
<b>FIX-IT</b> Safely operate and maintain the existing transportation system with improved reliability and efficiency.	<ul style="list-style-type: none"> <li>• <b>Index the gas tax</b> for fuel efficiency to avoid continued loss of revenue.</li> <li>• <b>Increase revenues for road maintenance and operations.</b> <ul style="list-style-type: none"> <li>– Distribute to ODOT/Counties/Cities 50/30/20.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Provide \$22.6 million per biennium to continue operation of the <b>Amtrak Cascades service</b> between Eugene and Vancouver, BC.</li> <li>• Increase the state funding contribution to <b>transit services for the elderly and disabled</b> to \$75 million per year (currently approximately \$10 million per year).</li> <li>• Provide up to \$20 million per biennium of state general funds for a <b>youth access to transit program</b>.</li> </ul>
<b>ENHANCE</b> Upgrade the transportation system to meet goals for economic development and livability.	<ul style="list-style-type: none"> <li>• Increase the gas tax (with a corresponding increase in the weight-mile tax to maintain cost responsibility for trucks) for an <b>expanded multi-modal “Enhance” program</b>.</li> <li>• Increase the gas tax and weight-mile tax by 1 cent for a 10-year pilot <b>“Orphan Highway” program</b> to facilitate the transfer of road jurisdiction between ODOT and local governments.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Restore ConnectOregon funding</b> to the \$100 million per biennium level to support investment in air, rail, marine, bicycle, pedestrian and transit projects.</li> </ul>
<b>POLICY</b> Implement policy/programs to improve the efficiency and effectiveness of transportation service delivery and the safety and sustainability of the transportation system.	<ul style="list-style-type: none"> <li>• Direct the development of a <b>10-year multi-modal strategic transportation needs assessment</b> to serve as the basis for future funding proposals.</li> <li>• Recommend that state transportation planning efforts (a) include <b>findings regarding how each mode should best interconnect with other modes</b> to maximize use of system resources and (b) evaluate the impact of the plans’ findings on other transportation modes.</li> <li>• Direct ODOT to enter into agreements with local governments for the <b>co-location of ODOT and local government road maintenance facilities</b>, as appropriate.</li> </ul>	





## OTF BOARD

### President

Craig Campbell  
AAA Oregon/Idaho

### Vice President

Drew Hagedorn  
Oregon Transit Association

### Treasurer

Randy Tucker  
Metro

Tom Barrows  
BNSF Railway

Chris Hagerbaumer  
Oregon Environmental  
Council

Gerik Kransky  
Bicycle Transportation  
Alliance

Kristen Leonard  
Port of Portland

Mary Kyle McCurdy  
1000 Friends of Oregon

Bob Russell  
Oregon Trucking  
Associations



## MOVING FORWARD TOGETHER

### HOW THIS PROPOSAL WAS DEVELOPED

The mission of the Oregon Transportation Forum is to encourage full development, maintenance and integration of all transportation modes, including highway, pedestrian, bicycle, air, transit, marine and rail, for the safe and efficient movement of people and products. Membership includes a broad range of public and private interests who advocate before the Oregon Legislature on transportation matters.

Early in 2014, with the support of the chairs of the House and Senate transportation committees, the OTF convened a year-long process to develop an all-modes transportation funding and policy proposal for consideration by the 2015 Legislature. While the OTF is a membership organization, this process was open to all, not just OTF members. Key legislators remained involved throughout the process.

Over the course of 2014, the OTF hosted several large general meetings, and specific proposals were developed by three subgroups:

- **Fix-it** (maintenance, preservation, operations – parallel to the Oregon Transportation Commission's Fix-it funding category)
- **Enhance** (modernization/system expansion – parallel to the OTC's Enhance funding category)
- **Innovation/Efficiency/Policy/Integration** (miscellaneous funding and policy issues)

At its annual meeting on November 6, 2014, the full membership of the OTF voted unanimously to support the proposal described in this brochure. This is the first time since the creation of the OTF in 2009 that its members have adopted an organizational position on legislation.

### FOR MORE INFORMATION, contact:

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**oregontransportationforum.com**



Oregon Transportation Forum

# 2015 State Legislative Summary

## Appendix 3

### Supporting Materials for House Bills



March 12, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 2072: Relating to media production**

**Clackamas County supports HB 2072:** The Board of County Commissioners supports HB 2072, which increases the amount of maximum total tax credits for certified film production development contributions. Increasing state incentives, such as tax credits, would help to recruit nationally-known filming projects to Oregon while keeping current projects in the state.

As home to an incredibly diverse landscape of urban, agricultural, small towns, and mountain settings perfect for film locations, Clackamas County holds obvious appeal to filmmakers and production companies. Large production movies such as *Twilight* (2008), *Gone* (2011), and *Wild* (2014) have filmed in Clackamas County in recent years. In addition, we also frequently serve as the filming location for television series *Portlandia*, *Grimm*, and *The Librarians*, which has their sound stage located within the County. To cultivate this burgeoning industry, Clackamas County serves as a resource to production companies by providing technical assistance and securing filming locations. Most recently, the County unveiled a new one-stop online permitting application process for film and media production enterprises wishing to film anywhere in Clackamas County, which allows filmmakers to apply for filming with just a few computer keystrokes.

According to the Oregon Employment Department, Oregon's film and television industry grew by 69% from September 2009 to September 2014 – an increase of nearly 1,000 jobs. In 2013, the average annual salary for the industry was over \$43,000, and by the fall of 2014, at least 351 Oregon-based companies engaged in motion picture and video work. While Clackamas County has had a front row seat in witnessing this growth, we remain concerned over Oregon's ability to remain competitive in the industry in light of greater incentives provided by other states. We urge a "yes" vote for HB 2072.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 25, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 2126: Relating to the Vertical Housing Development Zone Program**

**Clackamas County supports HB 2126:** The Board of County Commissioners supports HB 2126, which extends the sunset date of the vertical housing development zone program to January 1, 2026.

The purpose of the Vertical Housing Program is to encourage investment in and rehabilitation of properties in targeted areas of a city or community, to augment the availability of appropriate housing, and to revitalize communities. Eligible projects receive a partial property tax exemption.

Clackamas County communities have the potential to benefit from the property tax exemption for developers who wish to include vertical housing in mixed use developments in our downtown areas. The County is home to multiple redevelopment opportunities, including the Clackamette Cove project area in Oregon City and the McLaughlin corridor, which stretches from the former Blue Heron paper mill site in Oregon City to the North Milwaukie Industrial Area. Rural cities like Canby and Estacada also would benefit, with both cities already working to revitalize their downtown economies through zoning changes and urban renewal plans.

Vertical housing has proven to be an effective use of land to create density and revitalize core business districts. We urge a “yes” vote on HB 2126.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



## Support HB 2126: Vertical Housing Development Zone (VHDZ) Program **Renewal**

### **Vertical Housing Development Zone (VHDZ) Program:**

The VHDZ program gives local communities the ability to promote greater housing density in mixed-use (residential and commercial) development in targeted areas. The residential portion may be for market rate or affordable housing. Eligible projects receive a partial property tax exemption based on the number of Equalized Floors, as determined by the total square footage divided by the number of actual floors of the project that are at least 500 square feet per floor.

The maximum property tax exemption for any project is 80 percent of *improvement* value over a 10-year term. A 20% property tax exemption on the project *land* may be given per floor of residential housing that is for low-income persons (80 percent of area median income or below) up to a total of 80 percent of land value.

Project sites frequently have been vacant, publicly held or challenging to re-develop, so even with the partial tax exemption, the increased value of the development brings *more tax revenue to the communities and schools from Day One*. For example:

#### **3rd Central (Gresham):**

- The underlying land was vacant for over 20 years and producing very little property tax revenue.
- With a 60% vertical housing tax exemption for ten years, the site was viable for development.
- This 34-unit property with 5,000 sq. ft. of retail is currently—*during exemption program*—producing approximately \$24,000 per year in property taxes and approximately \$7,500 per year in revenue for schools. Again, the land has no exemption and it was bare dirt before, so the 40% tax value is new money coming in.
- Without the VHDZ program, the development would not have penciled out for Tokola Properties and they are certain the land would be still be vacant today.
- This project has only five years remaining in the program, after which it will contribute approximately \$65,000-\$70,000 to the tax rolls per year and \$20,000-\$22,000 in revenue for schools per year.

#### **4th Main (Hillsboro):**

- The underlying land had been vacant and held in public ownership for nearly 13 years, producing no property tax revenue at all.
- Post development, the 71-unit property with 5,000 sq. ft. of retail is projected to produce approximately \$64,000 in annual property tax revenue, *even with a 60% vertical housing tax exemption in place*.
- Without the VHDZ program, Tokola Properties would not have proceeded with the 4th Main development and the parcel would likely still be vacant today and paying no property taxes.

#### **HB 2126 as introduced:**

- Extends sunset of existing local tax exemption program until 2026 (currently January 1, 2016,) when it will again be reviewed by the Legislature. This is the standard extension for an exemption program.
- Clarifies the definition of “nonresidential” to include anything that is not exclusively residential, allowing “live-work” space to qualify for the program.

**Support the Dash-3:** *This amendment clarifies that **all** local taxing districts, including a school district, may opt out of a Vertical Housing Development tax exemption program.*



June 5, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 2316: Relating to fees in Justice Courts**

**Clackamas County supports HB 2316:** The Board of County Commissioners supports HB 2316, which increases Small Claims and civil case fees in Justice Courts.

Justice Courts provide vital civil court services to our local citizens at a reasonable cost. The Clackamas County Justice Court hears small claims and civil cases. In addition, Justice Courts reduce the workload of and cost to the state's Circuit Courts by overseeing civil cases. However, with rising costs and fees that have not been raised in several years, the continued operation of courts is in jeopardy. In particular, additional fees are needed to offset overhead costs for the civil department.

By increasing Small Claims and civil case fees, HB 2316 would allow Justice Court services to continue. Even with the fee increases, Justice Court fees would remain lower than the fees of Circuit Courts for the same services.

Please help to ensure this low cost legal service remains available and effective for our citizens. We urge a "yes" vote on HB 2316.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





April 13, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 2351: Relating to emergency communication taxes**

**Clackamas County supports HB 2351:** The Board of County Commissioners supports HB 2351, which increases the rate of tax by \$0.50 per month for access to 9-1-1 emergency reporting systems, while addressing inflationary costs beginning in 2017.

This 9-1-1 emergency access tax has not increased since 1995. In those 20 years, Clackamas County has seen the population increase from 314,922 to 388,263 (2013). As you can imagine, more people means higher call volume into the emergency access lines in urban areas, but also for search and rescue calls as more and more people from the Portland Metro Area travel to Mount Hood for recreation.

Furthermore, state and federal mandates on equipment and infrastructure continue to increase. Clackamas County is an Oregon leader in collaborative communication responses, and currently works with other local and regional 9-1-1 providers to share costs and ensure Clackamas County has safe and reliable access to 9-1-1 services. Even with these cost sharing tools, the 9-1-1 tax only covers approximately 18% of our operations. The cost-of-living adjustments proposed by HB 2351 will also help to ensure 9-1-1 service providers have access to industry standard technology to meet state and federal requirements.

Clackamas County appreciates the legislature's leadership in the 2014 session to support an emergency access tax for prepaid wireless phones. We believe the proposed increase of \$0.50 per month is a reasonable approach to ensuring a high standard of emergency service communications. We urge a "yes" vote on HB 2351.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 31, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 2459: Relating to adjusting fees assessed by the Oregon Marine**  
**Board for boat titling and registration**

**Clackamas County supports HB 2459:** The Board of County Commissioners supports HB 2459, which will increase the fees charged by the Oregon State Marine Board (OSMB) for titling and registration of certain watercraft. OSMB fees, which have not been updated since 2003, are dedicated revenues and statutorily required to remain with the OSMB budget, directly benefitting boaters. Grant dollars and the Maintenance Assistance Program (MAP) come from the titling fee to fund maintenance and operations of boating facilities, as well as support marine law enforcement.

Clackamas County Parks receives approximately \$25,000 per year in MAP funds to support repairs, replacement, and improvements to its boating facilities at Hebb, Boones, Carver, and Barton boat ramps. Clackamas County Parks is currently applying to OSMB to replace the Hebb Park boat dock – a \$420,000 project that would see \$315,000 come from OSMB funding. In addition, North Clackamas Parks and Recreation District receives \$3,600 per year for boat ramp maintenance at the Milwaukie Riverfront Boat Ramp.

Clackamas County, with its many well used river access points, recognizes the importance of safe and well maintained facilities to benefit boaters along with the associated recreation economy. OSMB funding, through the increased OSMB fee schedule, is critical for continuing to leverage limited local resources to support the necessary investment in boating facilities and marine law enforcement. We urge a “yes” vote on HB 2459.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



April 23, 2015

**Clackamas County Board of Commissioners  
Policy Position**

**HB 2544: Relating to matters subject to collective bargaining during term of collective bargaining agreement**

**Clackamas County opposes HB 2544:** The Board of County Commissioners strongly opposes HB 2544, which requires binding interest arbitration following mid-term bargaining in strike-permitted units.

HB 2544 would result in an increase in the number of interest arbitrations, and a limitation on a public employer's ability to implement mid-term changes. This bill also forces public employers to choose between a constant state of bargaining or surrendering the ability to make necessary operational changes to a third-party arbitrator. While HB 2544 might shorten the actual bargaining time for interim bargaining, it would simultaneously lengthen the period before an employer can implement any changes to represented employees' terms and conditions of employment, including wages, hours, and working conditions. The combined time in selecting an arbitrator, scheduling a hearing, and then waiting for a decision will vastly exceed ninety days, as required by ORS 243.698.

Clackamas County employs 2,013 represented employees. We strive to ensure fairness and compliance with our employment practices while also engendering goodwill with the public through positive employment experiences and conservative budget management. HB 2544 will most assuredly lead to more contentious labor negotiations and result in a substantial increase in costs to provide the additional interest arbitrations. HB 2544 also would significantly reduce a county's ability to make necessary operational changes during the term of a labor contract.

We urge a "no" vote on HB 2544.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



**BOARD OF COUNTY COMMISSIONERS**

**PUBLIC SERVICES BUILDING**

**2051 KAEN ROAD | OREGON CITY, OR 97045**

February 5, 2015

Representative Mitch Greenlick, Chair  
House Committee on Health Care  
Salem, Oregon 97301

Dear Chair Greenlick and Members of the Committee:

On behalf of the Clackamas County Board of Commissioners, I would like to express our support for HB 2546, which seeks to regulate the use of inhalant delivery systems (e-cigarettes). As one of the few states that currently does not regulate the sale of e-cigarettes to minors, the time has come to treat them like other tobacco products.

While the risks posed by e-cigarettes are currently unknown, what is known is that they do contain nicotine which is addictive, they are not approved as smoking cessation devices, their use has increased significantly over the past few years, and children are attracted to them because of marketing, flavors, and low prices.

Sales of e-cigarettes – on-line and in kiosks – approached \$2 billion in 2013 and are estimated to surpass \$10 billion by 2017. Across the country, states and local jurisdictions have or are taking action that would prohibit the sale of e-cigarettes to minors and include e-cigarettes in their indoor air laws and smoking bans.

Clackamas County has expanded its tobacco restrictions to include e-cigarettes on all county property. However, we have delayed taking further steps in anticipation of action by the Legislature this session. We believe this legislation addresses two key issues that will put us on the right track:

- Prohibit sales to minors
- Apply the Oregon Indoor Clean Air Act to e-cigarettes

Thank you for the opportunity to comment on this bill. We urge your support of HB 2546.

Sincerely,

John Ludlow, Chair

On behalf of the Clackamas County Board of Commissioners



March 17, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 2546: Relating to regulation of inhalant delivery systems**

**Clackamas County supports HB 2546:** The Board of County Commissioners supports HB 2546, which seeks to regulate the use of inhalant delivery systems (e-cigarettes).

Sales of e-cigarettes approached \$2 billion in 2013, and are expected to surpass \$10 billion by 2017. While the risks posed by e-cigarettes are currently unknown, what is known is that they contain addictive levels of nicotine, they are not approved as smoking cessation devices, and children are attracted to them because of marketing, flavors, and low prices.

Across the country, states and local jurisdictions have or are taking action that would prohibit the sale of e-cigarettes to minors and include e-cigarettes in their indoor air laws and smoking bans. Clackamas County has already expanded its tobacco restrictions to include e-cigarettes on all county property. We believe this legislation will help promote the health and lifestyles of residents by adding e-cigarettes to the Oregon Indoor Clean Air Act and prohibiting the sale of these and similar inhalant delivery systems to minors. We urge a “yes” vote for HB 2546.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



May 4, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 2564: Relating to affordable housing**

**Clackamas County opposes HB 2564:** The Board of County Commissioners opposes HB 2564 in its current form, which repeals state law that prevents local governments from imposing conditions on approved permits that effectively establish sales price for residential development or limit purchase to class or group purchasers. This bill directly impacts ORS 197.309.

Clackamas County believes that HB 2564 enables a zoning method that would prevent land owners from realizing the equity intended with their property purchase. In addition, even though the bill grants permissive authority to enforce this type of zoning, Clackamas County experiences pressure from its neighboring, larger counties to adopt urbanizing methodologies that do not always coincide with the goals, needs, and public opinion of Clackamas County.

We urge a “no” vote on HB 2564.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





**BOARD OF COUNTY COMMISSIONERS**

**PUBLIC SERVICES BUILDING**  
2051 KAEN ROAD | OREGON CITY, OR 97045

February 17, 2015

Representative Brian Clem, Chair  
House Committee on Rural Communities, Land Use, and Water  
900 Court St. NE  
Salem, OR 97301

Dear Chair Clem and Members of the Committee:

On behalf of the Clackamas County Board of Commissioners (BCC), I am writing today to express our support of HB 2640, relating to the Boring Community Planning Organization (CPO) withdrawing from the Metropolitan Service District (Metro). As you may know, the Boring CPO is located due east of the City of Damascus in unincorporated Clackamas County.

We believe this bill addresses an issue that is strictly between a small community of residents in the Boring CPO and the Metro Regional Government. The Boring CPO advises the BCC on land use matters, and we therefore defer issues about their interest in growth and development to the residents in Boring and to their CPO, as is encouraged by Senate Bill 100.

Boring's inclusion in Metro appears to its residents as an anomaly because of its surrounding agricultural landscape and distance from urban centers. Because of this separation, and the issues in Damascus, we believe the request merits serious consideration.

Clackamas County believes Boring CPO's interest to withdraw from Metro is an exercise in self determination, and we support that community's efforts to work toward that end.

Thank you for your attention to this matter. Please do not hesitate to contact me or Chris Lyons, Government Affairs Manager at 971-202-3007, for additional information.

Sincerely,

John Ludlow, Chair  
On behalf of the Clackamas County Board of Commissioners

CC: Representative Bill Kennemer, Chief Sponsor HB 2640



April 8, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 2734: Relating to Brownfields Land Bank**

**Clackamas County supports HB 2734:** The Board of County Commissioners supports HB 2734, which allows local governments to create land banks and offer local property tax abatements to facilitate brownfield cleanup and redevelopment.

Thousands of properties across Oregon are vacant or underutilized because of known or perceived environmental contamination. These brownfield properties – which range from small dry cleaners and former gas stations to large industrial sites – can be found in virtually every city and county. Not only are these sites failing to contribute to Oregon’s economic recovery, they are also undermining the livability of communities across the state.

Clackamas County has 309 properties listed on the DEQ Environmental Cleanup Site Information (ECSI) Database, 169 of which require an environmental impact study and cleanup. The aforementioned properties are known sites, yet there may be additional undocumented properties containing brownfields within the County as well. Presently, however, there are no resources available to the communities or property owners to assist in assessing risks, analyzing, conducting clean-up, and redeveloping.

Enactment of HB 2734 would provide the resources and funding to encourage economic activity while improving environmental quality and making our communities more successful. We look forward to working with you to address Oregon’s brownfield challenge. We urge a “yes” vote for HB 2734.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



June 15, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 2734: Relating to Remediation of Brownfields**

**Clackamas County supports HB 2734:** The Board of County Commissioners supports HB 2734, which allows local governments to create land banks to facilitate brownfield cleanup and redevelopment.

Thousands of properties across Oregon are vacant or underutilized because of known or perceived environmental contamination. These brownfield properties – which range from small dry cleaners and former gas stations to large industrial sites – can be found in virtually every city and county. Not only are these sites failing to contribute to Oregon’s economic recovery, they are also undermining the livability of communities across the state.

Clackamas County has 309 properties listed on the DEQ Environmental Cleanup Site Information (ECSI) Database, 169 of which require an environmental impact study and cleanup. The aforementioned properties are known sites, yet there may be additional undocumented properties containing brownfields within the County as well. Presently, however, there are no resources available to the communities or property owners to assist in assessing risks, analyzing, conducting clean-up, and redeveloping.

HB 2734 creates a new tool for local governments that will aid in our efforts to redevelop brownfield properties. Ultimately, these land banks will help to bring about increased economic activity and improved environmental quality in our local communities. We urge a “yes” vote for HB 2734.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.

# VOTE YES on House Bill 2734

## Authorizes local governments to create land banks to facilitate brownfield cleanup and redevelopment

HB 2734 comes to you from the Brownfields Coalition, which includes more than 40 public, private and nonprofit organizations that joined together in 2014 to address the need for new tools to tackle the challenges associated with the 13,500 brownfield properties in Oregon.

Many brownfields have sat idle for years without the landowners investing in cleanup and redevelopment. These properties pose potential threats to human health and the environment and represent “dead zones” that undermine economic development, degrade community livability, and depress the value of neighboring properties. Cleanup of these sites can eliminate blight and health hazards, return these sites to productive use, create jobs and increase local and state tax revenues. However, local governments are reluctant to take responsibility for brownfields due to concerns about legal and financial liability.

One tool that can help to end the cycle of disinvestment in brownfields is the creation of a local land bank authority. As an independent public entity governed by a community-based board, a land bank authority could accept ownership of derelict brownfield properties without taking on the liabilities associated with pre-existing contamination that apply under state law. This would enable a land bank to take actions necessary to position these properties for redevelopment. (See reverse for more information.)

No single tool or approach, including this one, will work for all communities and all brownfields. HB 2734 is not a panacea. However, it offers local governments around the state a new, purely optional tool that can help in certain circumstances. We are unaware of any opposition in the lobby to this proposal and urge your support.



Oregon State Chamber of Commerce

## **LAND BANKS FOR BROWNFIELD CLEANUP AND REDEVELOPMENT (HB 2734)**

### **Community Created, Community Driven**

#### **Why is this tool needed?**

Certain brownfield properties have sat idle for years without the landowners investing in cleanup and redevelopment. These blighted properties are not active in the market and existing tools have not made them economically viable. Not only do they represent potential threats to human and environmental health and lost opportunity for a local community, but they often degrade the value of neighboring properties, depressing property tax revenues. In many cases, states and local governments have invested in public improvements and infrastructure to serve the prior uses on the brownfield site; without redevelopment, the value of those investments is also lost. While local governments would benefit in many ways from brownfield redevelopment, they are often reluctant to take title to these properties because of concerns about legal liability and substantial additional development costs.

#### **How would a land bank help to address this problem?**

By establishing a public land bank, a local government can protect itself from state environmental liability and financial exposure by creating an independent, community-based entity with the tools and long-term perspective to reposition brownfields for future development.

A land bank is a locally-created public authority that can acquire, hold, manage and transfer property to new owners. Land banks aim to return brownfields neglected by the private market to productive use. They do this by:

- acquiring title to contaminated, vacant, or blighted brownfields;
- facilitating cleanup and site improvements to eliminate barriers to redevelopment; and
- transferring properties to owners who will develop them in ways that support community priorities.

A land bank works in cooperation with local governments, other government agencies, non-profits, community organizations, lenders, and property developers to leverage available resources to clean up brownfields and to redevelop them in ways that reflect and reinforce community aspirations.

#### **Why would a land bank be able to leverage cleanup of properties that the market has ignored?**

A land bank would have protection from state environmental liability, authority to clear title, ability to issue bonds, and ability to pursue cleanup cost recovery from liable parties. While it would require initial capitalization and financial support to acquire and manage a portfolio of properties, it should be able to achieve financial self-sufficiency through the redevelopment process after a number of years. The land bank would offer a vehicle to attract a variety of funding sources for addressing brownfields without placing additional legal risk or financial burdens on local governments, and to reposition land so the private market can invest in redevelopment.

#### **How would land banks benefit Oregon communities?**

- Setting up a land bank to acquire brownfields shields a local government's general fund from potentially expensive, open-ended liabilities associated with ownership of contaminated property.
- The land bank's conditional exemption from state environmental liability reduces the transaction costs associated with acquisition of blighted properties.
- Diverse membership on the land bank's board assures broad community representation in cleanup and redevelopment decisions.
- Land banks can allow communities across Oregon to create a streamlined process to acquire, clean up and redevelop brownfields. Faster, easier and cheaper processes enable communities more easily to return brownfields to productive use in a way that reflects their local values.





February 5, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 2800: Relating to the governance of county service district**

**Clackamas County opposes House Bill 2800:** the Board of County Commissioners unanimously opposes HB 2800, which proposes a change in the governance of the Tri-City Service District. The Tri-City Service District was formed in 1980 by a vote of the public, who agreed to the County Commission serving as the District's governing body. Any change to the governance structure of the Tri-City Service District should be decided upon by a vote of the public in each of the cities, rather than be mandated by the State Legislature. The Board of County Commissioners recognizes that rate increases are one of the driving factors behind the bill's introduction and notes that these increases are necessary to help pay for capital improvements to the Tri-City plant, stemming in large part from growth within the District. A change to the District's governance will not change the fact that there is a need for capital improvements.

Clackamas County hopes to continue the positive, 35-year relationship and service with our partners Gladstone, Oregon City, and West Linn. We believe we can reach agreement on these issues without legislative intervention. We urge a "no" vote if HB 2800 is considered.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 12, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 2898: Relating to incentives for film production or media production**

**Clackamas County supports HB 2898:** The Board of County Commissioners supports HB 2898, which increases the amount of reimbursement from the Oregon Production Investment Fund (OPIF) that is available to local filmmakers or media production service companies. The OPIF serves as a vital economic development tool for the state by providing a critical financial incentive that has a proven track record of helping to recruit nationally-known filming projects to Oregon while keeping current projects in the state.

As home to an incredibly diverse landscape of urban, agricultural, small towns, and mountain settings perfect for film locations, Clackamas County holds obvious appeal to filmmakers and production companies. Large production movies such as *Twilight* (2008), *Gone* (2011), and *Wild* (2014) have filmed in Clackamas County in recent years. In addition, we also frequently serve as the filming location for television series *Portlandia*, *Grimm*, and *The Librarians*, which has their sound stage located within the County. To cultivate this burgeoning industry, Clackamas County serves as a resource to production companies by providing technical assistance and securing filming locations. Most recently, the County unveiled a new one-stop online permitting application process for film and media production enterprises wishing to film anywhere in Clackamas County, which allows filmmakers to apply for filming with just a few computer keystrokes.

According to the Oregon Employment Department, Oregon's film and television industry grew by 69% from September 2009 to September 2014 – an increase of nearly 1,000 jobs. In 2013, the average annual salary for the industry was over \$43,000, and by the fall of 2014, at least 351 Oregon-based companies engaged in motion picture and video work. While Clackamas County has had a front row seat in witnessing this growth, we remain concerned over Oregon's ability to remain competitive in the industry in light of greater incentives provided by other states. We urge a "yes" vote for HB 2898.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



April 8, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 2907: Relating to youth recidivism**

**Clackamas County opposes HB 2907:** The Board of County Commissioners opposes HB 2907, which aims to establish the definition of “recidivism” for the purpose of tracking and compiling data regarding recidivism of youth and youth offenders. While defining recidivism is an important component to understanding the efficiency within a criminal justice system, defining recidivism in the juvenile system to align with the adult criminal justice system is not in accordance with evidence based practices that have been proven effective across the nation.

HB 2907 proposes expanding the definition of recidivism to include “arrest data,” which focuses on police behavior, community priorities, and funding. The juvenile justice system operates with more attention given to the exit, rather than the entrance, of juvenile offenders. Consideration also is given to post-juvenile system education, employment, and positive youth development outcomes as equally important metrics for tracking juvenile recidivism.

The Oregon Youth Authority (OYA) and the Oregon Juvenile Department Directors’ Association (OJDDA) are currently collaborating to adopt definitions of recidivism and to establish a recidivism reporting system for youth offenders, as directed by ORS 420A.012. HB 2907 would preempt this state-mandated process by adopting a system that has not been approved by the OYA or OJDDA as being effective in evaluating the successful transition of youth offenders in our communities.

The Clackamas County Juvenile Department (CCJD), along with the 35 other county juvenile departments and OYA, utilize the Juvenile Justice Information System for comprehensive data collection and evaluation of juvenile services. This System, recognized as a national model, is a reliable and valid database that should be the primary source of information for any juvenile recidivism definition. Since 2008, CCJD has used this data system to track a reduction of chronic offenders from 34% to 17.2%, a reduction in recidivism from 22.8% to 17.4%, and an increase in restitution paid to victims from 81.6% to 100%.

We urge a “no” vote on HB 2907, and instead recommend continued support for the collaborative efforts of OYA and OJDDA in seeking to define a recidivism measure that aligns with best practices in juvenile justice.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



May 1, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 2919: Relating to emergency communication taxes**

**Clackamas County supports HB 2919:** The Board of County Commissioners supports HB 2919, which eliminates the reporting requirement related to the disclosure of call location information of a cellular device used to call 9-1-1.

This reporting requirement was established during the 2014 legislative session, as part of HB 4022. In addition to requiring cellular service providers to provide location information for wireless phones at the request of a law enforcement agency for emergency purposes, HB 4022 also directed the Oregon Office of Emergency Management (OEM) to maintain a central database of contact information for cellular service providers. OEM has contracted with a vendor to create this database, and the vendor is authorized to spend \$69,222 from 9-1-1 tax dollars for phase one of the project.

The use of 9-1-1 tax dollars for this purpose is concerning given that funding is needed for Public Safety Answering Point (PSAP) and Next Generation 9-1-1 upgrades, both of which should be a top priority for the State. HB 4022 passed in response to a terrible crime in 2007, in which a wireless carrier took four days to respond to a location identification request related to the murder of Kelsey Smith in Kansas. Oregon PSAPs have an excellent working relationship with wireless carriers and have always found them to be responsive to PSAP needs under emergency circumstances. Because of this climate of cooperation in Oregon, we feel this requirement is unnecessary and a poor use of public safety dollars.

While HB 4022 was certainly symbolic as a result of the tragic crime, it unfortunately created additional workload for Oregon PSAPs who are already struggling with increased demands. In addition, HB 4022 resulted in diverted funds from necessary technology and PSAP support in order to create an unneeded reporting layer.

By eliminating the reporting requirement, this legislation will allow 9-1-1 tax dollars to continue to fund PSAPs and related technology in the State of Oregon. We urge a “yes” vote on HB 2919.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 30, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 2984: Relating to forestry product cooperatives**

**Clackamas County supports HB 2984:** The Board of County Commissioners supports HB 2984, which requires Clackamas County to develop a pilot Urban Lumber Program for forest products grown on non-forest lands to be commercially produced and marketed through a forestry product cooperative.

All trees eventually come down, whether through age, disease, or storm. An urban lumber program has the potential to harness those trees to provide new economic opportunities to local mills, nurseries, landscapers, arborists, craftsmen, and municipal and private land owners.

Under HB 2984, Clackamas County will develop a model framework to demonstrate the value and benefit of an Urban Lumber Program that will provide economic benefit to local municipalities and specialty mills from the purposeful planting, managing, and harvesting of high value hardwoods that are enrolled in the program. This bill will also provide the necessary funding for Clackamas County to lead the development of the Urban Lumber Program to include the necessary policies, procedures, technical services and software system to implement, manage, market and administrate enrolled trees through a forest product cooperative. If successful, the program could be replicated in local municipalities throughout the state.

The establishment of the Urban Lumber pilot program reinforces the importance of our natural resource based economy, providing hardwoods to specialty mills while also creating new jobs and a new revenue stream for local municipalities. We urge a “yes” vote for HB 2984.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





March 18, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 3027: Relating to the Mt. Hood registration plate program**

**Clackamas County supports HB 3027 and the Dash-1 Amendments:** The Board of County Commissioners supports HB 3027 with the dash-1 amendments. Combined, they would establish a new Mt. Hood license plate program with proceeds going to the Oregon Tourism Commission to fund promotion of bike and pedestrian tourism in the Mt. Hood area.

Most of Mt. Hood and much of the Mt. Hood National Forest resides in Clackamas County. At 11,250 ft., Mt. Hood is Oregon's highest peak and one of the most recognized geological features. While it is sometimes referred to as Portland's Playground, Mt. Hood and the surrounding area draw visitors from around the world because of the broad array of recreational opportunities that are offered. These include year-round skiing, hiking, climbing, camping, fishing, mountain biking and road cycling, and golfing.

Tourism promotion dollars are generated by state and local transient lodging taxes. While the Mt. Hood/Gorge Region is lucky enough to attract visitors "naturally," it does not contain a great number of lodging properties. This translates into relatively little tourism promotion funding.

The additional promotional dollars generated by this new plate program will help local/regional destination marketing organizations change "I'd like to" visitors into "We're going" visitors. We urge a "yes" vote on HB 3027 with the dash-1 amendments.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 11, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 3084: Relating to the withdrawal of property  
from a newly incorporated city**

**Clackamas County supports HB 3084:** The Board of County Commissioners supports HB 3084, which modifies the authority for withdrawal of land from the City of Damascus if the city has not adopted a Comprehensive Plan and land use regulations within four years after incorporation as a city.

The City of Damascus' inability to pass a comprehensive zoning plan since its incorporation in 2004 has fostered tensions between local residents, resulted in unnecessary lawsuits, and led to stagnant development in and around the current city boundary. Clackamas County desires the success of each of its cities, but favors a property owner's right and need to make predictable investments with their land. Presently, residents in Damascus cannot achieve this goal.

HB 3084 provides an avenue by which property owners can choose to de-annex from the City of Damascus and once again have the ability to achieve development goals within adjacent cities or unincorporated Clackamas County. We urge a "yes" vote for HB 3084.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 12, 2015

**Clackamas County Board of Commissioners  
Policy Position**

**HB 3211: Relating to validating urban reserves adopted by Metro and Clackamas County**

**Clackamas County supports the concept of HB 3211:** The Board of County Commissioners supports the concept of HB 3211, which validates urban reserves adopted by Metro and Clackamas County. We would like to be involved in further discussions with all interested parties about this bill.

Clackamas County continues to seek assistance with reducing poverty and providing opportunities for job growth and development. We are seeking any and all avenues to do this, including this legislation and ongoing discussions with jurisdictional partners at the local and regional levels.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 26, 2015

**Clackamas County Board of Commissioners  
Policy Position**

**HB 3240: Establishing a Task Force on the Transfer of Federal Land Ownership in Oregon**

**Clackamas County supports HB 3240:** The Board of County Commissioners supports HB 3240, which establishes a Task Force on the Transfer of Federal Land Ownership in Oregon.

Like many counties in Oregon, Clackamas County was once primarily supported by its natural resource based timber economy. Approximately 52% of the County is forest land managed by either the U.S. Forest Service or the Bureau of Land Management. While much of that land is protected under the 1994 Northwest Forest Plan, key matrix lands are designated for responsible timber harvest for the purpose of economic sustainability and fire prevention.

Unfortunately, changes in forest management and natural resource policies, coupled with constricting litigation tied to the timber stands designated for harvest, have constrained federal agency efforts to meet legislated sale quantities to support Oregon counties. As a result of this current impasse in active federal forest management, timber harvests in Clackamas County and throughout Oregon have declined dramatically. Since 1990, Clackamas County has lost 12 mills, with seven of nine communities losing all mill infrastructure representing a loss of 798 full time mill jobs.

Clackamas County is a statewide leader in forest management practices and would welcome a discussion on the transfer of federal lands to the state. The proposed bicameral and bipartisan State Task Force would greatly aid this effort by studying the legal, economic, social, and practical benefits and risks associated with the transfer of federal lands to the State.

Clackamas County also urges that the bill be amended to add two county governing body members as representatives on the Task Force in order to ensure a local perspective on this important issue.

We urge a “yes” vote on HB 3240.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



June 16, 2015

**Clackamas County Board of Commissioners  
Policy Position  
HB 3503: Relating to Family Sentencing Alternatives**

**Clackamas County supports HB 3503:** The Board of County Commissioners supports HB 3503, which directs the Department of Corrections to establish a Family Sentencing Alternatives Pilot Program in partnership with circuit courts, county community corrections agencies, and Department of Human Services.

HB 3503 would allow both women and men who receive downward departure sentences – those who could potentially be sentenced to prison, but are sentenced to community supervision instead – who are the legal guardians of a minor child, and who had physical custody of the child at the time of the offense, to enter a pilot program that would provide comprehensive supervision where accountability and the child’s well-being are of primary importance. These caseloads, which would be kept intentionally low in numbers, would focus on drug and alcohol treatment, parenting skills, mental health treatment, and life skills classes. These cases would be managed in partnership between Community Corrections and the Oregon Department of Human Services.

In Clackamas County, the prison population at the Coffee Creek Correctional Facility is burgeoning. As the only Department of Corrections facility where women are housed, this growing population could create the need to open an additional prison to accommodate female prisoners. The opening and continued operation of a prison is an expensive proposition – upwards of \$90 per day per incarcerated person. Based on costs of a similar program in Washington, the Family Sentencing Alternative Pilot Program could cost roughly \$31 per day per supervised offender – a 66% cost saving per offender.

Clackamas County Corrections strives to ensure that offenders being reintroduced into society have the tools and support they need to thrive and contribute to their families and communities. Supportive services for parents in the criminal justice system are particularly important, as they have been shown to break inter-generational cycles of crime. We urge a “yes” vote on HB 3503, and request that Clackamas County be considered as a participant in the pilot project.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





April 24, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 3505: Relating to Public Records**

**Clackamas County opposes HB 3505:** The Board of County Commissioners opposes HB 3505, which requires, among other things, the waiver of fees for public records requests not fulfilled within 3 weeks, irrespective of their size or complexity. HB 3505 poses three very serious concerns for Clackamas County: fee caps, restrictive timelines, and a lack of consideration for the future of public records.

HB 3505 proposes that fees to retrieve public records be set by state statute. While Clackamas County understands that public records should remain accessible, and we include affordability as a means of accessibility, we also seek to be fiscally responsible with our staff time and resources to respond to all public services. Under the current law, counties set public records fees taking into account the balance between staff cost and materials necessary to respond to a public records request. If fees are set by state statute and at the rate proposed by HB 3505, counties will be forced to use constrained general fund dollars to supplement public records requests that should be borne by the requestor, and not at the expense of other county programs. We do not see this as an affordable solution to transparency; rather, we believe this is an unjustified infringement by the State government in the normal business of Counties.

HB 3505 proposes that fees for public record requests be waived if the requests are not met within three weeks. Clackamas County receives a high volume of public records requests, and commits to responding to each in a timely manner. Some requests, however, are so broad in scope, or implicate privileged or potentially exempt records, that they require extensive work including legal review to ensure no exempt, privileged, or private citizen information is disclosed in violation of existing public records law. The costs of these types of requests often reach into the thousands of dollars – dollars that would be paid through regular citizen tax funds instead of the requestor if public bodies are penalized for requests that naturally take longer than three weeks to finalize. Furthermore, Clackamas County is concerned that HB 3505 will inadvertently cause the number of these broad, high workload requests to rise because requesters will seek to avoid fees by creating more expansive requests.

Finally, as public safety continues to evolve and adapt to technological innovations, we are seeing more public interest favoring body-cameras to be worn by public safety officers. These videos will also be subject to records requests. These types of requests require the addition of video editing personnel to retrieve content and edit for privacy, in addition to the staff already required. We anticipate this will increase the time and costs it takes to comply with public records requests.

While Clackamas County agrees that the transparency of government action is an invaluable tool to ensure the responsible use of public tax dollars, we believe that HB 3505 is overly broad and gives rise to many unintended consequences, including excessive costs, confusion, and forcing public subsidy of complex requests. We urge a “no” vote on HB 3505.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.

# 2015 State Legislative Summary

## Appendix 4

### Supporting Materials for Senate Bills



April 27, 2015

**Clackamas County Board of Commissioners  
Policy Position  
SB 32: Relating to natural gas**

**Clackamas County supports SB 32:** The Board of County Commissioners supports SB 32, which directs the Public Utility Commission to form a work group to study methods by which a public utility that furnishes natural gas may expand service to areas that do not have access to natural gas.

Clackamas County was instrumental in assisting the City of Estacada in expanding its Urban Growth Boundary, expanding its City limits, and working with state agencies and private property owners to certify 107 acres of industrial land through Business Oregon's Industrial Site Certification Program. This land has a 180-day construction-ready guarantee and is considered by Clackamas County to be a Strategically Significant Employment Land site.

As Clackamas County and the City of Estacada work to attract new business, infrastructure is a critical component that will allow us to remain competitive. The availability of natural gas can be a decision point for businesses wanting to locate in Estacada, including such industries as food processing and general manufacturing. However, the cost of connecting to the closest main line is currently estimated at approximately \$13M. Forming a Public Utility Commission work group to study methods for expanding service to stranded communities is the first step toward serving Estacada and similar cities, and thus a strong step toward job creation for rural communities.

We urge a “yes” vote for SB 32. In addition, the County respectfully requests that the committee expand the membership of the work group to include a representative of a rural county and a representative of a rural city that do not currently have access to natural gas.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



June 16, 2015

**Clackamas County Board of Commissioners  
Policy Position  
SB 32: Relating to natural gas**

**Clackamas County supports SB 32:** The Board of County Commissioners supports SB 32, which directs the Public Utility Commission to form a work group to study methods by which a public utility that furnishes natural gas may expand service to areas that do not have access to natural gas.

Clackamas County was instrumental in assisting the City of Estacada in expanding its Urban Growth Boundary, expanding its City limits, and working with state agencies and private property owners to certify 107 acres of industrial land through Business Oregon's Industrial Site Certification Program. This land has a 180-day construction-ready guarantee and is considered by Clackamas County to be a Strategically Significant Employment Land site.

As Clackamas County and the City of Estacada work to attract new business, infrastructure is a critical component that will allow us to remain competitive. The availability of natural gas can be a decision point for businesses wanting to locate in Estacada, including such industries as food processing and general manufacturing. However, the cost of connecting to the closest main line is currently estimated at approximately \$13M. Forming a Public Utility Commission work group to study methods for expanding service to stranded communities is the first step toward serving Estacada and similar cities, and thus a strong step toward job creation for rural communities.

Clackamas County also appreciates that the bill has been amended to include interested stakeholders on the work group, ensuring that local interests are represented in discussions. We urge a “yes” vote for SB 32.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 12, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 87: Relating to preference for veterans in public employers'**  
**employment selection processes**

**Clackamas County supports SB 87:** The Board of County Commissioners supports SB 87, which clarifies the law regarding the requirement that public employers grant preference to veterans and disabled veterans.

This legislation clarifies when public employers are required to apply the preference for veterans and disabled veterans and to whom an interview is to be provided. The bill also creates provisions that allow for flexibility in the various types of selection processes that public employers use – namely, a tested and scored selection process and a sorted or ranked selection process. Clackamas County often uses a "banded" selection process, which we are interpreting as a "sorted" selection process per the language of the bill.

Clackamas County strives to ensure that our entire veteran's community receives the support and opportunity earned by their service and sacrifice – including those veterans in need of homes and jobs. Performance Clackamas, the County's strategic plan, sets a goal of reducing veteran homelessness by 50% by 2019. Further, the Board of Commissioners is adamant that veterans have earned an opportunity to ease their transition back into civilian life through employment opportunities. SB 87 recognizes the skills, education, and experience that veterans and disabled veterans have obtained through their service and allows public employers to take those skills into consideration in the recruitment process.

SB 87 provides public employers, such as Clackamas County, sufficient flexibility to use various selection processes and to consistently apply a preference for veterans and disabled veterans. Clackamas County urges a "yes" vote on SB 87.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 131: Relating to the Willamette Falls Navigation Canal and Locks**

**Clackamas County supports SB 131:** The Board of County Commissioners unanimously supports SB 131, which establishes a State Task Force on the Willamette Falls Navigation Canal and Locks and directs the Task Force to work toward repair, reopening, and operation of the canal and locks.

The Willamette Falls Locks opened in 1873, bridging the upper and lower Willamette River. It was the first multi-lift navigational locks in the United States, and remained the oldest continuously operating multi-locks system in the nation until its closure in 2011. The repair and reopening of the Willamette Falls Locks will ensure the upper and lower Willamette River remain united as a navigable waterway, bridge commercial and recreational watercraft past the 30 foot high Willamette Falls, increase in use as Oregon City's former Blue Heron paper mill site is redeveloped, and retain its value as a historical site for both the nation and the State of Oregon.

The establishment of a State Task Force reinforces the importance of this historical landmark and validates the resolutions passed by Clackamas County, Metro, and partnering cities in support of repairing and reopening the Willamette Falls Locks. A copy of Clackamas County's resolution is attached. We urge a "yes" vote for SB 131.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

A Resolution in the Matter  
of Reopening the Willamette Falls Locks



Resolution No. 2014 - 124  
Page 2 of 3

**WHEREAS**, closure has placed a severe hardship on commercial, recreational, and tribal river users, including businesses which have used the Willamette Falls Locks for 127 years for transporting aggregate, logs, and other goods and conducting dredging and towing operations; and

**WHEREAS**, in March 2012, the National Trust for Historic Preservation declared the Willamette Falls Locks as one of the most threatened National Treasures, thereby providing added technical assistance; and

**WHEREAS**, in 2012, the Historic Preservation League of Oregon (now Restore Oregon) named the Willamette Falls Locks as one of its 10 "Most Endangered Places"; and

**WHEREAS**, the Locks are a primary historic asset under applications being prepared for designation of the area at the Willamette Falls as State and National Heritage Areas; and

**WHEREAS**, on September 23, 2013, the Corps of Engineers gave notice of their intent to initiate a public consultation process under Section 106 of the National Historic Preservation Act to determine whether the closure action had adverse effects on the historic integrity of the Locks based upon the defining qualities and features that made the Locks eligible for listing on the National Register of Historic Places; and

**WHEREAS**, on May 15, 2014, the Corps of Engineers released their finding of historic adverse effects under Section 106 of the Historic Preservation Act and announced their intent to proceed with development of an agreement to establish how to best "avoid, minimize or mitigate" the identified adverse effect to the historic character of the Locks; and

**WHEREAS**, on September 30, 2014, the economics consulting firm ECONorthwest, under contract to the Willamette Falls Heritage Foundation, published the *Willamette Locks Potential Report*, providing information on potential operating costs and community benefits of reopening the Locks; and

**WHEREAS**, Clackamas County has supported funding for the Locks through its federal legislative agenda and has also contributed funding toward the *Willamette Locks Economic Potential Report* conducted by ECONorthwest.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

A Resolution in the Matter  
of Reopening the Willamette Falls Locks



Resolution No. 2014-124  
Page 1 of 3

**WHEREAS**, On January 1, 1873, the Willamette Falls Locks opened to allow passage around the waterfall at Oregon City thereby providing access to a one river system; and

**WHEREAS**, in 1915, the U.S. Army Corps of Engineers purchased the Locks from the private operator thereby ensuring free public passage through the Locks; and

**WHEREAS**, in 1974, the Willamette Falls Locks were listed on the National Register of Historic Places; it was the first significant facility built to improve navigation on the Columbia-Snake River Inland Waterway system, and the most important through 1939; and

**WHEREAS**, in 1991, the Willamette Falls Locks was designated as a State Historic Civil Engineering Landmark by the American Society of Civil Engineers; and

**WHEREAS**, in 2006, Governor Kulongoski designated the Willamette Falls Locks as an Oregon Solutions project and formed the Willamette Falls Locks Oregon Solutions Task Force, which continues today as the One Willamette River Coalition, coordinated by the Willamette Falls Heritage Foundation, to preserve the Locks and support its continued operation; and

**WHEREAS**, Clackamas County is an active member of the One Willamette River Coalition, which represents a partnership of businesses, local governments, and nonprofit organizations working to ensure the Locks remain functional as a connector for the otherwise separate waterways of the Upper and Lower Willamette River; and

**WHEREAS**, on October 23, 2008, the Center for Economic Development Education and Research released a report under contract to the Willamette Falls Heritage Foundation, entitled *The Willamette Falls Locks: A Case Study Analysis of Potential Transfer Issues*; and

**WHEREAS**, from 2006 through 2010, funding provided to the Corps from the Oregon Department of Transportation, Clackamas County, and the U.S. Congress allowed for seasonal operations and selected structural upgrades, including \$2.2 million in funds from the American Recovery and Reinvestment Act of 2009 (PL 111-5); and

**WHEREAS**, in November, 2011, the Willamette Falls Locks were placed into "non-operational" status and on short notice were closed to vessel passage based upon an engineering assessment that identified safety concerns of potential failure; and

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

A Resolution in the Matter  
of Reopening the Willamette Falls Locks

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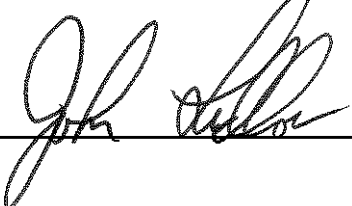
Resolution No. 2014- 124  
Page 3 of 3


**NOW THEREFORE, the Clackamas County Board of County Commissioners do hereby  
resolve as follows:**

1. Clackamas County urges the Corps of Engineers to reopen the Willamette Falls Locks to general public commercial, recreational, and cultural marine traffic.
2. Clackamas County thanks the Corps of Engineers for working with local stakeholders to assess and mitigate the adverse effects of the closure and urges the Corps of Engineers to expedite the needed repairs and craft a plan for sustainable operations of the Locks.
3. Clackamas County supports recognition of the Willamette Falls Locks in the Regional Transportation Plan and inclusion of the Willamette Falls Locks as a Metro Joint Policy Advisory Committee on Transportation (JPACT) federal priority.
4. Clackamas County supports creation of a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of the Willamette Falls Locks.
5. Clackamas County urges the Oregon Congressional delegation to support the expedited repair and reopening of the Willamette Falls Locks.

**DATED** this 18th<sup>th</sup> day of December, 2014

**CLACKAMAS COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Recording Secretary



April 16, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 341: Relating to agri-tourism**

**Clackamas County supports SB 341:** The Board of County Commissioners supports SB 341, which would provide a base-level of liability protection for agri-tourism operators pertaining to inherent risks connected with the general public visiting farms and ranches, and participating in agri-tourism activities.

Agri-tourism is an important component of Clackamas County's tourism sector. Our area is attracting more and more visitors as increasing numbers of people desire to know where their food comes from and meet the people who grow it. Consequently, Clackamas County has been working with farmers and ranchers to meet this demand by creating authentic and meaningful agri-tourism experiences for visitors. In addition to being an important and growing tourism sector, agri-tourism is also helping to bridge the culture gap between our region's urban and rural communities.

An undesired consequence of inviting greater numbers of people onto working farms has been increased liability risk and liability insurance costs for agri-tourism providers who already operate on narrow margins. SB 341 would provide reasonable protections for farms and ranches against lawsuits stemming from the inherent risks associated with engaging in agri-tourism activities.

We urge a "yes" vote on SB 341.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





## **Oregon's Agritourism Providers Request your SUPPORT of SB 341**

SB 341 is a long-worked compromise to provide liability protection to agritourism businesses and promote Oregon agriculture. Modeled after a similar law in Virginia, SB 341 would provide liability protection to agritourism providers who post certain notices on their property, enabling agritourism providers to more readily obtain liability insurance for their activities and ensuring that agritourism is supported and encouraged in Oregon.

The risk of liability is a significant concern for farmers and others who operate agritourism businesses in Oregon. Landowners who open their property to the public face the risk that they could be considered liable if a visitor is injured while engaged in agritourism activities. SB 341 would provide liability protection for agritourism providers against certain claims when the agritourism provider posts clear notice at the property of risks inherent in engaging in the activity. Potential risks include, but are not limited to, uneven ground, farm equipment, and domestic animals. Under SB 341, liability protection would be afforded only to those activities that are authorized under the land use system.

SB 341 is a critical step for Oregon farmers who open their farms to the public for pumpkin patches, corn mazes, farm festivals, farm stays, u-pick berries, farm markets or other educational activities. Agritourism has become a big attraction for many Oregon families and visitors. SB 341 encourages the growth of this industry in Oregon by providing a safety net to farmers who open their property up to tourism. With this bill, Oregon would join 23 other states with limited liability laws for agritourism providers.

Agritourism is one of a diverse set of products provided by Oregon farmers—one that helps a farm or ranch remain viable in both good and bad years. By providing coverage for value-added enterprises on the farm, SB 341 allows farmers and their partners to continue to run their agritourism operations and gives visitors the opportunity to enjoy Oregon agriculture and associated tourism opportunities.

**SUPPORT Oregon's growing agritourism industry  
by VOTING "YES" on SB 341**

For more information contact: Bill Cross, Ivan Maluski, Chris Lyons, or Jenny Dresler



February 24, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 385: Relating to the possession of weapons in courts**

**Clackamas County supports SB 385:** The Board of County Commissioners supports SB 385, relating to the possession of weapons in courts. Under current law, Justice and Municipal Courts operate in a “public building,” not a court facility, and therefore Justice and Municipal Judges are unable to issue court orders permitting or prohibiting possession of firearms and other weapons in these facilities.

This bill would expand the definition of a “court facility” to include Justice and Municipal Courts, and would expand the definition of “Judge” to include Justice and Municipal Court Judges. Judges would then be able to enter an Order restricting firearms and other weapons in a court facility, thus allowing local judges to have the same authority already existing for presiding Circuit Court Judges to permit or prohibit firearms in a court.

SB 385 is a direct response to a situation that occurred in the Clackamas County Justice Court in which a citizen, permitted to carry a concealed handgun, willfully brought a firearm into the court building after researching that current law allowed them access and because they were unhappy about receiving a traffic violation citation. We urge a “yes” vote on SB 385.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



**BOARD OF COUNTY COMMISSIONERS**

**PUBLIC SERVICES BUILDING**  
2051 KAEN ROAD | OREGON CITY, OR 97045

June 9, 2015

The Honorable Richard Devlin  
The Honorable Peter Buckley  
Joint Committee on Ways and Means  
900 Court St. NE, Room H-178  
Salem, OR 97301

Dear Co-Chairs Devlin and Buckley:

Clackamas County requests your support for SB 408, which provides funding for the Brigadier General James B. Thayer Oregon Military Museum.

Located within Clackamas County, the Oregon Military Museum is the only government recognized state military museum in Oregon, and the repository for federal and state military artifacts. These items include the largest publically viewable small arms collection west of the Mississippi River, the largest collection of restored Japanese field artillery in the world, and many other artifacts that tell the stories of Oregon's service men and women since the 1850's.

This facility helps the economic vitality of Clackamas County and the State of Oregon by attracting visitors and researchers. The Oregon Military Museum is expected to bring in 40,000 visitors its opening year and increased attendance in subsequent years. Opening the museum is important to bring customers to the Clackamas business community, and is one of the many reasons why we urge you to support the Oregon Military Museum.

In 2009, the Historical Outreach Foundation was founded to teach Oregon's history and support the Oregon Military Museum. They have worked hard to raise over \$9 million of their \$14 million goal, which includes support from federal, county and city governances. We are encouraging the State of Oregon to also support this important historical and economic resource.

With over one thousand soldiers coming home from combat in June, now is the perfect time to let Oregonians know that you are working hard to remember their sacrifice and service by providing a place to tell their story. We ask for your support for SB 408. Thank you.

Sincerely,

John Ludlow, Chair  
On Behalf of the Clackamas County Board of Commissioners



April 10, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 668: Relating to construction of facilities along public roads**

**Clackamas County supports SB 668:** The Board of County Commissioners supports SB 668, which provides counties the ability to charge utilities for the right and privilege to construct, maintain or operate water, gas, electric or communication service, fixture or other facility along county roads. Current state law requires this service to be provided free of charge.

Clackamas County spends approximately \$250,000 per year issuing permits and inspecting utility work within our roadways. This work is necessary to protect the public's investment in their roads by ensuring that utilities safely repair the damage they cause to roads. The process is similar when a private developer needs to work within county roads, yet state law allows counties to charge developers for permits and inspections. SB 668 extends this to utilities.

The county understands the importance of allowing utilities to operate within our road right of way – the County supports this service. Presently, these repairs are paid for using scarce gas tax funds. By allowing utilities to be charged for right of way services, SB 668 encourages utility ratepayers, who benefit from the utility, to pay the full bill to fix the roads as a result of utility use. Clackamas County believes this is a reasonable request of utility companies, and it will allow for better, strategic uses of valuable gas tax dollars for road maintenance.

We urge a “yes” vote on SB 668.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 12, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 716: Relating to reservation of land for industrial use**

**Clackamas County supports SB 716:** The Board of County Commissioners supports SB 716, which authorizes Clackamas, Multnomah, and Washington Counties each to designate one large-lot industrial reserve of 150 to 500 acres.

Clackamas County continues to seek assistance with reducing poverty and providing opportunities for job growth and development. Designating specific acreage to industrial use lands will help do that. We urge a “yes” vote on SB 716.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





**BOARD OF COUNTY COMMISSIONERS**

**PUBLIC SERVICES BUILDING**  
2051 KAEN ROAD | OREGON CITY, OR 97045

April 6, 2015

Chris Edwards, Chair  
Senate Environment & Natural Resources Committee  
900 Court St. NE  
Salem Oregon 97301

Dear Chair Edwards:

On behalf of the Clackamas County Board of Commissioners, we ask you to support SB 716, which aims to enhance economic development in Clackamas County and the Portland-Metro region.

SB 716 addresses a land supply need by allowing the Clackamas, Multnomah, and Washington counties the ability to designate one large-lot industrial reserve between 150 to 500 acres adjacent to the Urban Growth Boundary (UGB) that has unique site characteristics to the region and is suitable to support and develop traded-sector industries. Equally important, SB 716 ensures there is no net increase in urban reserves or net decrease in rural reserves.

Having an adequate supply of usable, large-lot industrial land is critical to creating living-wage jobs and bolstering Clackamas County's economy. Presently, Clackamas County lags in comparison to our neighbors with respect to job growth and overall development and investment.

SB 716 provides the County with a necessary tool to ensure usable, large-lot industrial lands are available to attract investments, create and retain jobs, and ensure the type of economic prosperity that we desire for the region and the entire state.

Clackamas County aims to achieve 10,000 new family wage jobs by 2019 and to maintain a supply of large lot industrial lands. It is imperative that Clackamas County and the Portland-Metro region have the tools to attract users of large-lot industrial lands, including traded-sector firms, who historically investment in the region and offer high employment and growth potential. SB 716 will help Clackamas County and the region to better market itself when a company looks to expand its operations or when recruiting employers evaluating Oregon as a possible location.

Thank you for your consideration of this this important legislation to Clackamas County. We urge a "yes" vote for SB 716.

Sincerely,

John Ludlow, Chair  
Clackamas County Board of County Commissioners



April 21, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 822: Relating to verbatim recordings of grand jury proceedings**

**Clackamas County opposes SB 822:** The Board of County Commissioners opposes SB 822, which directs the presiding judge of each judicial district to instruct the grand jury to record proceedings, except for deliberations and voting.

Under current law, recording grand jury proceedings is optional but not required. Oregon's current grand jury process has successfully operated without public controversy for decades absent mandatory recording requirements. SB 822 will impose new requirements on county governments at substantial cost, without any funding to pay for it.

Further, SB 822 fails to provide balanced protections for victims of crime. Under the bill, victims of child abuse, domestic violence, rape, murder, and all other felony crimes will be subjected to potential harassment and re-victimization through mandatory universal grand jury recordation. Clackamas County's multi-partner Family Justice Center, "A Safe Place," works hard to ensure women and children receive the support and protection required to remain safe from re-victimization. Unfortunately, this bill would undo these safety measures by creating judicial records without consideration of protection.

Clackamas County agrees with efforts to improve public access to grand jury recordings. However, we also believe that any requirement for mandatory universal grand jury recordings should include balanced protections for victims and adequate state funding to cover the assumed costs of universal recordation.

We urge a "no" vote on SB 822.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 31, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 872: Relating to certified film production development contributions**

**Clackamas County supports SB 872:** The Board of County Commissioners supports SB 872, which increases the amount of maximum total tax credits for certified film production development contributions. Increasing state incentives, such as tax credits, would help to recruit nationally-known filming projects to Oregon while keeping current projects in the state.

As home to an incredibly diverse landscape of urban, agricultural, small towns, and mountain settings perfect for film locations, Clackamas County holds obvious appeal to filmmakers and production companies. Large production movies such as *Twilight* (2008), *Gone* (2011), and *Wild* (2014) have filmed in Clackamas County in recent years. In addition, we also frequently serve as the filming location for television series *Portlandia*, *Grimm*, and *The Librarians*, which has their sound stage located within the County. To cultivate this burgeoning industry, Clackamas County serves as a resource to production companies by providing technical assistance and securing filming locations. Most recently, the County unveiled a new one-stop online permitting application process for film and media production enterprises wishing to film anywhere in Clackamas County, which allows filmmakers to apply for filming with just a few computer keystrokes.

According to the Oregon Employment Department, Oregon's film and television industry grew by 69% from September 2009 to September 2014 – an increase of nearly 1,000 jobs. In 2013, the average annual salary for the industry was over \$43,000, and by the fall of 2014, at least 351 Oregon-based companies engaged in motion picture and video work. While Clackamas County has had a front row seat in witnessing this growth, we remain concerned over Oregon's ability to remain competitive in the industry in light of greater incentives provided by other states. We urge a "yes" vote for SB 872.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 31, 2015

**Clackamas County Board of Commissioners  
Policy Position  
SB 941: Relating to background checks**

**Clackamas County opposes SB 941:** The Board of County Commissioners opposes SB 941, which requires private persons to complete a transfer of firearm by appearing with a transferee before a gun dealer to request criminal background check(s).

Clackamas County feels that background check laws in Oregon are not working. Rather than build upon a faulty foundation, the County requests the legislature work to remedy the state's background check laws rather than patch loopholes in current laws. For that reason, we urge a "no" vote on SB 941.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



**BOARD OF COUNTY COMMISSIONERS**

**PUBLIC SERVICES BUILDING**  
2051 KAEN ROAD | OREGON CITY, OR 97045

April 23, 2015

Joint Committee on Ways and Means  
Subcommittee on Public Safety  
Oregon State Capitol  
900 Court St. NE, Room H-178  
Salem, OR 97301

Co-Chairs Shields and Williamson, and Members of the Subcommittee:

On behalf of Clackamas County, thank you for your leadership and consideration of SB 5514. This letter outlines the need to increase one component of the Oregon Judicial Department's budget in order to reflect an unintended consequence of a past legislature.

In 2011, the Oregon Legislature passed HB 2710 which, among other things, changed the way counties receive funding for mediation and conciliation services, as well as the operation of law libraries. Prior to HB 2710 these programs were funded through locally added court fees with that revenue then being transferred to the local counties from each Circuit Court. Under the new bill, the funding for these programs changed to a General Fund appropriation that began July 1, 2011. The legislative intent was to provide counties with an appropriation that was equivalent to the historical funding received by these programs in the 2009-11 bienniums. This has proven to be problematic.

The passage of HB 2710 did not take into account the fact that several Oregon counties had increased the local add-on fee late in the biennium, and thus the new revenue was not adequately reflected in the historic review. Those counties are now subject to an appropriation under HB 2710 that reflects inadequate revenue, and worse, there is no local authority to rectify the funding shortfall.

In Clackamas County, the previously approved fee structure would have realized approximately \$300,000 in additional revenue for 2015-16. Instead, we have had to pass these costs on to users of the service, seek other revenue sources, and limit services. We call for a systemic statewide review of the impact of the funding on service provision, and an increase in the appropriation sufficient to maintain service levels.

In the current 2015 legislative session, HB 3418 has been introduced to give counties the ability to raise an add-on surcharge to marriage license fees to provide some relief for mediation



program shortfalls. Unfortunately, it requires a 3/5 majority as it is a revenue raiser, and it is doubtful the bill will ever reach the House floor.

We are asking that the appropriation in SB 5514 for conciliation and mediation services please be increased from \$7.4M to \$8.6M. We look forward to working with you towards a solution that will help bridge the ever-widening gap between the increasing demand for mediation services and the ability to fund them.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Lydlow", written over the word "Sincerely,".

John Lydlow, Chair

On behalf of the Clackamas County Board of Commissioners



February 24, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SB 5542: Relating to the financial administration of the Oregon Youth Authority**

**Clackamas County supports Senate Bill 5542:** the Board of County Commissioners strongly supports SB 5542, which strengthens the general fund of the Oregon Youth Authority (OYA) by limiting biennial expenditures from fees, moneys, and other revenues collected or received by OYA, and authorizes specified non-limited expenditures.

Clackamas County's Juvenile Department receives Basic and Diversion funds from OYA, which provide critical resources for successful intervention and prevention of delinquent behaviors. These prevention services also help to reduce intake numbers into the OYA system.

The Clackamas County Juvenile Department is set to receive \$1.8 million from OYA in the next biennium. These dollars fund personnel to teach skills curriculum, treatment for high risk youth offenders, and programs for youth to earn stipends to repay victims. Additionally, Clackamas County matches these OYA funds, and coordinates with community partners, to enhance and sustain a strong system of care for youth offenders. We urge a "yes" vote on SB 5542.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



March 26, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SJM 10: Urging Congress to designate Willamette Falls and surrounding communities as a National Heritage Area**

**Clackamas County supports SJM 10:** The Board of County Commissioners supports SJM 10, which urges the United States Congress to designate Willamette Falls and the surrounding communities as a National Heritage Area and to appropriate funding to repair and reopen the Willamette Falls Locks.

Willamette Falls has long been a treasure of Clackamas County. Groups like the Willamette Falls Heritage Area Coalition and Willamette Falls Heritage Foundation have worked for years to raise awareness of the importance of the Falls. Most recently, the Willamette Falls Legacy Project is working to redevelop the former Blue Heron paper mill site in downtown Oregon City that will include public access to Willamette Falls – the first time in more than 100 years that the public has had this opportunity. Federal designation as a historic area will strengthen the identity of the historic working communities of Oregon City and West Linn by preserving and promoting their distinctive natural, cultural, scenic, recreational, and industrial resources.

This potential heritage area is greatly enhanced by the presence of the Willamette Falls Locks. Completed in 1873, the Locks were the oldest multi-lift navigational locks system in the nation until their closure in 2011. Historically, they served as a gateway for the timber industry to access the mills and the port of Portland. Currently owned and operated by the U.S. Army Corps of Engineers (USACE), the Locks require repairs if they are going to be reopened for operation. However, the lack of tonnage that once utilized the Locks has made it difficult for the USACE to receive appropriations for this purpose. Repairing and reopening the Locks will help to ensure that the Willamette River remains a navigable waterway, and in so doing, restore an economic and transportation resource to the entire Willamette Valley.

Clackamas County is proud to be home to the Willamette Falls and Locks, and we look forward to continuing to partner in efforts to honor and restore these treasures. We urge a “yes” vote on SJM 10.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



April 27, 2015

**Clackamas County Board of Commissioners**  
**Policy Position**  
**SJM 10: Urging Congress to designate Willamette Falls and surrounding communities as a National Heritage Area**

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Clackamas County is proud to be home to the Willamette Falls and Locks, and we look forward to continuing to partner in efforts to honor and restore these treasures. We urge a “yes” vote on SJM 10.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.