

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: January 12, 2016 **Start Time:** 10:30 a.m. **Length:** 1 hour

Presentation Title: Approval of 2016 Federal and State Legislative Agendas

Department: Public & Government Affairs

Presenters: Gary Schmidt, Chris Lyons

Other Invitees: Department Directors and County Elected Officials

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Public & Government Affairs (PGA) is seeking final adoption from the Board of County Commissioners (BCC) of the County's federal and state legislative priorities for 2016. PGA will also review the County's legislative process, Special Operations Committee, and messaging for the 2016 legislative session.

EXECUTIVE SUMMARY:

In August 2015, PGA met individually with each Commissioner to solicit potential priorities for the 2016 federal and state agendas. In October 2015, each county department was asked to complete a questionnaire to highlight their 2016 federal and state policy and funding priorities.

On November 10, 2015, the BCC reviewed these priorities in a Legislative Agenda Planning Meeting. Recommendations coming from that meeting were incorporated into the list of priorities and are underlined on the current draft attached to this policy session worksheet.

The 2016 state legislative session will convene on February 1, 2016 and reach constitutional *sine die* on March 6, 2016. The 2nd Session of the 114th Congress convened on January 5, 2016.

FINANCIAL IMPLICATIONS (current year and ongoing):

The County's state legislative agenda supports continued State/County shared revenue agreements and other funding streams that support major County programs and services. Loss of these revenues would result in potential cuts to County programs and services.

Is this item in your current budget? N/A

What is the cost? N/A What is the funding source? N/A

STRATEGIC PLAN ALIGNMENT:

The County's state and federal legislative agendas reflect all of the County's strategic priorities:

- Build public trust through good government
- Grow a vibrant economy
- Build a strong infrastructure
- Ensure safe, healthy and secure communities
- Honor, utilize, promote and invest in our natural resources

LEGAL/POLICY REQUIREMENTS:

N/A

PUBLIC/GOVERNMENTAL PARTICIPATION:

Public & Government Affairs (PGA) continues to maintain close working relationships with the County's legislative delegation and staff at both the state and federal levels, who are instrumental in helping to advance the County's legislative priorities.

OPTIONS:

1. Accept the 2016 State and Federal Legislative Agendas as drafted
2. Amend the 2016 State and Federal Legislative Agendas as drafted

RECOMMENDATION:

1. Accept the 2016 State and Federal Legislative Agendas as drafted

ATTACHMENTS:

- Summary of State Legislative Priorities Page 03
- Clackamas County Legislative Process, Special Operations Committee, & Messaging for the 2016 Legislative Session Page 10
- 2016 State Legislative Session Calendar Page 12

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval s/Gary Schmidt

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Gary Schmidt @ 503-742-5908

Summary of State Legislative Priorities

Business and Community Services

- **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 property tax incentives, and creating state tax credits.
- **Parks:** Support legislation related to System Development Charges, land use and development policies promoting local parks, recreation, and natural areas.
- **Willamette Falls Locks:** Support legislation aligning with the County's resolution to see the Willamette Falls Locks repaired and reopened.

Community Corrections

- **Justice Reinvestment:** Preserve funding for the Justice Reinvestment grant program, which funds community-based programs that help people succeed outside of prison, such as community corrections, re-entry programs, addiction treatment, and mental health services. These programs have been shown to increase public safety and ultimately reduce the demand for costly prison resources.

C-COM

- **NextGen 9-1-1:** Support new spending authority to allow for the installation of the Next Generation 9-1-1 network; Support funding allocated to frame relay network upgrades.
- **9-1-1 Consolidation:** Oppose state-mandated consolidation of 9-1-1 centers and preserve local control of consolidation decisions.

Employee Services

- **Veterans' Preference:** Support legislation that clarifies veterans' preference requirements in the public hiring process while giving veterans meaningful preference in the process.
- **Public Employees Retirement System (PERS):** Support legislation reducing the volatility of employer contributions and maintaining an adequate retirement program for employees.
- **Collective Bargaining:** Oppose legislation affecting interim bargaining negotiations that reduce employer flexibility between contract periods and threaten scarce public resources.

- **Definition of a supervisor:** Oppose legislation permitting bargaining units of only supervisory personnel.

Finance

- **Financial Sustainability:** Monitor and influence proposed legislation to ensure adequate and stable funding of county programs and services.
- **State/County Shared Revenue Agreements:** Preserve counties' share of tobacco, liquor, video lottery, and recreational vehicle fee revenue.
- **Preemption and Local Control:** Oppose preemption of local tax sources and other efforts to restrict local government authority.
- **Public Contracting:** Support considerations to the Public Contracting Code (ORS 279) that promote responsible use of public resources for local agencies.

Health, Housing and Human Services (H3S)

- **Funding for Health and Human Services:** Preserve state funding levels for health and human 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.
- **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;
 - Increase funding for veterans' housing needs to meet the rise in the number of homeless veterans in Clackamas County; and
 - Support legislation requiring Oregon Housing and Community Services to distribute National Housing Trust Funds to local jurisdictions.
- **Recreational Marijuana:** Support efforts to regulate accessibility, marketing, and packaging of cannabis products targeting young consumers.
- **Future of Public Health Services Task Force:** Support legislation that implements recommendations of the Task Force on the Future of Public Health Services, which was established by the Legislature in 2013.
- **Mental Illness:** Support legislation pertaining to alternatives to incarceration for people with mental illness.
- **Veterans Tax Relief:** Support legislation that grants a higher property tax exemption for disabled veterans.

Juvenile

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

Tourism

- **Transient Lodging Tax (TLT):** Ensure fee and policy adjustments to the Transient Lodging Tax (TLT) are consistent with their original intention; Retain local capacity within the TLT to meet countywide needs; Maintain legislatively-established levels of funding for Regional Cooperative Marketing Programs (RCMPs) across the state; Support collaborative information sharing by the State to positively affect enforcement across jurisdictions.
- **Oregon Skiing Activities Statute:** Support efforts to update Oregon’s Ski Activities Statutes, which have remained unchanged since their creation in 1979. As currently written, the statutes do not address modern equipment, new activities and modes of conveyance, or attractive features such as terrain parks. The lack of references and definitions is causing ambiguity surrounding issues of liability.

Transportation and 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. This project is vital to improving access to thousands of acres of employment lands, many of which are ready for development.
- **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 Oregon portion of I-205 is federally designated as a High Priority Corridor and is of vital importance to the Portland metropolitan region. Without additional travel lanes, this section of I-205 will be overwhelmed by forecasted traffic volumes and will negatively impact regional freight mobility.
- **Marijuana:** Support legislation to merge recreational and medical marijuana regulation and enforcement; Support legislation that clarifies the ability of local governments to regulate time, place, and manner of marijuana; Monitor and influence changes to the marijuana tax and revenue distribution.
- **Land Use:** Support solutions to address Clackamas County’s shortage of long-term employment lands, including subregional analysis and voter-approved annexations.

Summary of Federal Legislative Priorities

Business and Community Services

- **Federal Forest Management and Oregon & California (O&C) Lands:** Support legislation for responsible management of federal forest lands, including O&C Lands, which will reduce wildfire risk and also improve the financial stability of counties by creating a predictable, long-term solution to county revenue needs.
- **Secure Rural Schools & Community Self-Determination Act:** Support permanent reauthorization or extension of the Secure Rural Schools and Community Self-Determination Act (County Payments) or similar legislation.
- **Stewardship Contracting:** Support reauthorization of Stewardship Contracting within the Healthy Forests Restoration Act that would include payments to counties as part of the retained receipts generated from stewardship contracts for the management of federal forests.
- **Cross Laminated Timber:** Support efforts to develop the Cross Laminated Timber industry in Clackamas County, in coordination with partners in the Pacific Northwest Manufacturing Partnership.
- **Land and Water Conservation Fund:** Support funding for the Land and Water Conservation Fund, which helps to fund critical outdoor recreation and conservation projects.
- **Wildfire Disaster Funding:** Support policy changes at the Department of the Interior and the U.S. Forest Service to prohibit “fire borrowing” and prescribe necessary funding for essential wildfire suppression.

C-COM

- **First Responder Network Authority (FirstNet):** Support FirstNet, which was created by Congress in 2012 and is working to build, operate, and maintain the first high-speed, nationwide wireless broadband network dedicated to public safety. This network will be an essential tool to first responders on life-saving missions.
- **NextGen 9-1-1:** Oppose federal mandates potentially stemming from the Federal Communications Commission study of NextGen 9-1-1 infrastructure needs, including an investigation of the necessity and feasibility of national PSAP consolidations.
- **Prepaid Wireless Taxing Mechanism:** Support the development of a monitoring and enforcement mechanism to prevent loss of prepaid wireless taxing revenue. This fix could help to address the estimated \$280 million in lost revenue nationally.
- **Urban Areas Security Initiative:** Support funding for the Urban Areas Security Initiative program, which provides grants to assist high-threat, high-density urban areas in efforts to build and sustain the capabilities necessary to prevent, protect against, mitigate, respond to, and recover from acts of terrorism.

Community Corrections

- **Federal Financial Participation:** Support statutory clarifications to allow insurance coverage for individuals housed within Community Corrections Centers but who are not inmates.

Emergency Management

- **Emergency Management Performance Grant:** Support continuation of grant funding for the Emergency Management Performance Grant (EMPG) Program as a stand-alone grant and process, which provides approximately \$208,000 annually to the County's emergency management program. EMPG is the backbone of the nation's emergency management system and provides key assistance in building and implementing the county's emergency management capabilities. The grant includes funding for staff and program materials for emergency management plan updates, relationship building, response, and recovery. It is important that funding continue in order to support local emergency management as the number and frequency of natural disasters in the United States continue to rise.

Health, Housing and Human Services (H3S)

- **Funding for Housing Programs:** Support increased funding for the housing choice voucher, public housing, Rental Assistance Demonstration, and capital fund programs, which is critical to maintaining a sustainable level of operations for the Clackamas County Housing Authority.
- **Public Housing and Housing Choice Voucher Program Regulatory Relief:** Support reform of the Public Housing and Housing Choice Voucher Programs to reduce administration, streamline process, and benefit clients.
- **National Housing Trust Fund (NHTF):** Support funding for the National Housing Trust Fund (NHTF) to support local production, preservation, rehabilitation, and operation of rental housing. Prevent efforts to combine the NHTF with the HOME Investment Partnerships Program.
- **Community Development Block Grant (CDBG) and HOME Funding:** Support funding for the Community Development Block Grant (CDBG) program and the HOME Investment Partnerships Program (HOME). CDBG funds are the only funds available to the County to construct infrastructure improvements in low income areas, while the HOME program is a keystone in the development of any affordable housing project in the County.
- **Older Americans Act (OAA):** Support reauthorization of the Older Americans Act, which is the major vehicle for the organization and delivery of social and nutrition services to seniors.
- **Weatherization and Energy Assistance Programs:** Oppose funding reductions to the Department of Health & Human Services' Low Income Home Energy Assistance Program (LIHEAP) and the Department of Energy's Low Income Weatherization Assistance Program.
- **Supplemental Nutrition Assistance Program (SNAP) Funding:** Oppose funding reductions to the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program.

- **Moving to Work (MTW) Program:** Support designation of Clackamas County within the Moving to Work (MTW) Program, which provides public housing authorities with the opportunity to test innovative, locally-designed strategies with the aim of using federal dollars more efficiently while helping residents find employment and increasing housing choices for low-income families.
- **Institutions for Mental Disease (IMD) Rule:** Support elimination of the Institutions for Mental Disease (IMD) Rule for addictions and mental health treatment facilities, which are currently prohibited from receiving Medicaid reimbursements for persons between the ages of 22 and 64 if the facility has more than 16 beds.
- **Privacy Protections for Addictions:** Support careful revision of federal regulations relating to privacy protections of alcohol and drug abuse patient records to enable improved information sharing for people with addictions.
- **Public Health Funding:** Support funding increases to the Centers for Disease Control and Prevention's Public Health Emergency Preparedness (PHEP) and the U.S. Department of Health & Human Services' Prevention and Public Health Fund. These programs are critical to assisting public health departments with prevention activities, as well as efforts to prepare for responding to a range of public health threats.

Juvenile

- **Juvenile Justice Grant Funding:** Support continued federal funding of juvenile justice programs, including the Juvenile Justice and Delinquency Prevention Act (JJDNA) Title II State Formula Grants Program, JJDNA Title V Local Delinquency Prevention Grants Program, and the Juvenile Accountability Incentive Block Grants. The latter provides approximately \$115,000 annually to the County Juvenile Department for youth services.
- **Juvenile Justice and Delinquency Prevention Act (JJDNA):** Support reauthorization of JJDNA, which established the Office for Juvenile Justice and Delinquency Prevention to support local efforts to prevent delinquency and improve the juvenile justice system.

Sheriff

- **Community Oriented Policing (COPS) Funding:** Support robust federal funding for Community Oriented Policing (COPS), which has provided grant funding to Clackamas County in the past to hire additional local police personnel in our communities and in our schools.

Transportation and Development

- **Sunrise Phase II Funding:** Advocate for federal 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. This project is vital to improving access to thousands of acres of employment lands, many of which are ready for development.
- **I-205 Expansion Funding:** Advocate for federal funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The Oregon portion of I-205 is federally designated as a High Priority Corridor and is of vital importance to the

Portland metropolitan region. Without additional travel lanes, this section of I-205 will be overwhelmed by forecasted traffic volumes and will negatively impact regional freight mobility.

- **Mt. Hood Cooper Spur Land Exchange:** Support efforts to finalize the Mt. Hood Cooper Spur land exchange at Government Camp, which was initially authorized by the Omnibus Public Land Management Act of 2009.
- **Waters of the United States:** Oppose the Waters of the U.S. rule that seeks to clarify federal jurisdiction under the Clean Water Act, which has the potential to greatly expand the scope of federal jurisdiction and subject Clackamas County to new rules, standards, and significant new costs.

WES

- **Great Lakes Blending:** Oppose “sweeping” rules on storm water blending, which has the potential to greatly expand the scope of federal regulation on stormwater treatment and subject wastewater service districts in Clackamas County to new rules, standards, and significant new costs.
- **Clean Water State Revolving Fund (CWSRF) program:** Support robust continued funding for the Clean Water State Revolving Fund (CWSRF) program, which is a federal-state partnership that provides communities a permanent, independent source of low-cost financing for a wide range of water quality infrastructure projects.

Willamette Falls Projects

- **Willamette Falls Legacy Project:** Support efforts to aid in the redevelopment of the 23-acre former Blue Heron paper mill site adjacent to Willamette Falls in Oregon City.
- **Willamette Falls Locks:** Support continued operation and restoration of the Willamette Falls Locks.
- **Willamette Falls Heritage Area:** Support federal designation of the Willamette Falls National Heritage Area.

Clackamas County Legislative Process, Special Operations Committee, & Messaging

Legislative Process

For Issues on the County's Legislative Agenda:

- PGA coordinates with departments and affiliates, and consults with the Special Operations Committee if needed.
- BCC updated weekly at a minimum, if not more frequently depending on legislative action.

For Issues **NOT** on the County's Legislative Agenda that require County action:

- PGA Director determines if issue is major or minor.
 - If major, PGA swiftly convenes Special Operations Committee to assess issue and craft County position. Special Operations Committee may defer decision to full BCC if desired. Special Operations Committee provides ongoing direction to staff on issue.
 - If minor, PGA Director approves County position.
- BCC informed of any new County positions and is updated weekly after that at a minimum.

Special Operations Committee

The Special Operations Committee will be comprised of two commissioners and representatives from Administration, County Counsel, PGA, and the appropriate department director. The purpose of this Committee is to provide swift action on policy matters so that PGA staff can carry out lobbying activities quickly and effectively.

PGA recommends the following specific individuals to serve on the Committee during the 2016 session:

1. Chair of the County Commission
2. Vice Chair of the County Commission
3. County Administrator
4. County Counsel
5. Strategic Policy Administrator
6. PGA Government Affairs Staff
7. Relevant Department Director (varies based on issue of focus)

Messaging

Policy Statements/Letters:

Per feedback from legislators, PGA is minimizing the use of formal County letters and will instead communicate official County positions using concise policy statements that will be emailed or hand delivered by the County lobbyist. These policy statements will be vetted and approved by PGA, in consultation with appropriate county department director or designee, and will adhere to the County's legislative agenda or other board approved positions. Should a letter be written, it will be signed by the Chair on behalf of the entire BCC without need for formal approval from all BCC.

Testimony:

- Testimony will adhere to the county's legislative agenda or other board approved positions
- Testimony will be vetted and approved by PGA, in consultation with appropriate county department director or designee
- Testimony may be given without need for approval from all BCC
- Testimony will be available for review by all BCC

Individual Commissioner Letters/Testimony

- Individual commissioners may sign letters and/or provide testimony in support or opposition to non-county legislative agenda issues
- Individual commissioners will not write a dissenting letter or provide dissenting testimony that is in opposition to the county's legislative agenda or other board approved positions
- Letters/testimony will note that opinion is that of individual commissioner, not the entire BCC
- Letters/testimony does not need prior approval from all BCC
- Signed letter/testimony will be shared with BCC and PGA

FINAL 2016 Session Calendar

JANUARY						
S	M	T	W	T	F	S
					1 New Year's	2
3	4	5	6	7	8	9
10	11 Return DL	12 Task force	13 Leg days	14 Leg days	15 Leg days	16
17	18 MLK	19 Drop DL	20	21	22 Advisory referrals	23
24/31	25	26	27	28	29	30

FEBRUARY						
S	M	T	W	T	F	S
	1 Session convenes	2	3	4	5 1st Chamber deadline to post work sessions	6
7	8	9	10 Revenue forecast	11 1st Chamber deadline to hold work sessions	12	13
14	15 President's	16	17	18 2nd Chamber deadline to post work sessions	19	20
21	22	23 2nd Chamber deadline to hold work sessions	24	25	26	27
28	29					

MARCH						
S	M	T	W	T	F	S
		1	2	3	4	5
6 Const. Sine Die	7	8 Filing day	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

KEY
Session days
Leg days
Optional task force days
State holidays
Key election dates
Projected revenue forecast
Session deadlines

Floor sessions will be held in each chamber in the late morning Monday through Friday. Weekend floor sessions may also be held. Members should be flexible to attend additional floor sessions and/or additional committee meetings outside of regularly-scheduled times, including evenings, *as necessary*.

The following committees are exempt from the session deadlines: House Rules, Senate Rules, Senate Finance & Revenue, House Revenue, and joint committees including Ways & Means.

Nov 17 2015