



Memorandum Date: January 20, 2023

TO: Board of County Commissioners

DEPARTMENT: County Administration

PRESENTED BY: Alex Cuyler, Intergovernmental Relations Manager

AGENDA ITEM TITLE: REPORT: Legislative Committee Update

I. MOTION

This item is a report back only, but does include an Order to memorialize the proposed changes to the Lane County Legislative Principles and Priorities Document. In the event the Board decides to formalize these recommendations, staff suggest the following motions:

Move to adopt (via Board Order xxx) the updates to the Lane County Legislative Principles and Priorities document to include the amendments recommended by the Lane County Legislative Committee arising from their January 12, 2023 meeting and included by reference as Attachment A to this January 31, 2023 Board Memo.

II. AGENDA ITEM SUMMARY

This is a report from the Lane County Legislative Committee which met on January 12, 2023. This report back summarizes a discussion about draft principles emerging priorities for the Oregon 2023 Legislature and the 2023 United Front effort.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The Board of County Commissioners regularly takes positions on specific legislation. Typically the Board adopts recommendations of the Committee after their review, but can also take positions on specific legislation if timing of Committee meetings does not allow for the Committee to make recommendations in a timely manner.

The Board memorializes these decisions by making changes to the Lane County Legislative Principles and Priorities document, a comprehensive yet dynamic

summation of issues important to Lane County and which guides organizational-wide advocacy involving the Oregon Legislature and the United States Congress, as well as administrative rulemaking arising from adopted laws.

The Board last acted on June 7, 2022 when it adopted Order 22-06-07-07 which amended the Legislative Principles and Priorities document by adding legislative principles and priorities specifically identified to prepare the organization for the 2023 “Long Session” of Legislative Assembly.

B. Policy Issues

Participation in the state and federal political process is initiated by participation in Lane County’s Legislative Committee, established in Lane Manual Chapter 3, Section 3.670, and Administrative Procedures Manual Chapter 1, Section 10. Additionally, the Board of County Commissioners adopts Legislative Priorities and Legislative Principles. The Principles are broad statements designed to cover a breadth of county concerns, while the Priorities are specific bills or initiatives.

The By-Laws of the Committee mandate that each meeting of the Legislative Committee there is a review of the Principals and Priorities document.

C. Board Goals

The Strategic Priorities of Lane County’s 2022-2024 Strategic Plan of Safe, Healthy County, Vibrant Communities, Robust Infrastructure, and Our People & Organizational Health are each represented in the legislative priorities adopted by the Board.

D. Financial and/or Resource Considerations

There is always the possibility of financial and/or resource considerations stemming from the actions of state and federal legislation. The Oregon Legislature is responsible for setting the 1923-1925 Oregon biennial budget, and many of the funding decisions which lead to the adoption of that budget involve funds that pass through to counties.

E. Health Implications

There is always the possibility of health implications stemming from the actions of state and federal legislation. The Board has a keen focus on homelessness and behavioral health, both of which are predicted to be priorities for the 2023 Legislature.

F. Analysis

At the January 12, 2023 meeting of the Legislative Committee the committee:

- Reviewed and discussed new legislative Principles and Priorities
- Discussed federal priorities related to the 2023 United Front trip

The outcomes of the meeting included the following recommendations (see also attachment A):

STATE FOCUS

- Seek funding for the Integrated Material and Energy Facility (IMERF)
- Seek language in the final 21-23 rebalance bill for direct allocations for fire impacted county projects and for repurposing language for the fire recovery bond issuances
- Seek a revenue source to reverse the historical decline in County Assessment Function Funding Assistance
- Establish a stable funding source for County Emergency Management
- Seek funding for the build out and continued development of the “Four Corners” site to allow for re-entry housing
- Seek a measure to ensure that “innocent purchasers of land” are able to develop their land as if they were lawfully established parcels.
- Seek funding resources for special district formations and other technical assistance
- Support efforts that seek Building Oregon’s Local Emergency Management Capacity at the county level
- Decouple the ADU implementation from fire mapping

FEDERAL FOCUS

- Ensure any and all claims tendered by a Federally Qualified Health Center (FQHC) are accepted by the Health Resources and Services Administration and the Department of Justice
- Seek funding for region wide resilience improvements for communications infrastructure
- Follow on funding for wastewater system assistance from the authorities granted in the Water Resources Development Act of 2022
- Seek funding for the reconstruction of Blue River Drive, and Local Access Roads in Blue River destroyed in the Holiday Farm Fire
- Support efforts to address deficiencies in the 42nd St levy
- Seek funding for an Interchange Area Management Plan for the Dillard Rd Overpass.

G. Alternatives/Options

The Board may:

- Accept the report and recommendations for the amendments to the Legislative Principles
- Accept the report and not take action on the amendment to the Legislative Principles
- Amend the proposed Legislative Principles and Priorities document as it sees fit.
- Do nothing.

IV. RECOMMENDATION

Staff recommends the Board accept the report and move to include the recommendations to amend the Legislative Policies and Principles document as highlighted in Attachment A.

V. TIMING/IMPLEMENTATION

The Oregon Legislature will convene in January, 2023 for its six month (long) session.

VI. FOLLOW-UP

The Legislative Committee will convene monthly during the 2023 Legislative Session

VII. ATTACHMENTS

Attachment A - Recommended Legislative Principles and Priorities document for formal adoption.

Attachment B – BCC Order Updated Principles and Priorities 01/2023

Lane County
Legislative Principles and Priorities
DRAFT for Board of Commissioners Consideration January, 2023

The Lane County Legislative Principles and Priorities provide a framework for the Board of Commissioners and the Lane County staff to work within. These documents serve as a reference for legislative positions and objectives while providing direction for the Board of Commissioners and staff throughout the year. The County's Legislative Principles and Priorities are the foundation of a focused advocacy strategy.

Objective

The primary objective is for the Lane County Board of Commissioners to adopt official positions on clearly stated legislative issues at the start of the legislative session and in advance of the annual United Front trip. The legislative approval process is streamlined by receiving clear direction from the Board on pertinent legislative issues at the beginning of the legislative and Congressional sessions and this is accomplished by adoption of the Principles contained in this document.

The Principles are designed to provide guidance to Intergovernmental Relations staff on policy issues that arise during the Legislature and Congress and for which insufficient time exists to fully vet the issue through a formal convening of the Legislative Committee. Priorities are specific legislative initiatives that typically involve the drafting, introduction, and advocacy involved to get a bill passed into law. Legislative Principles and Priorities shall address issues directly relevant to or impacting the provision of county services.

~~The Legislative Priorities are developed and maintained using the goals and objectives of the Board of Commissioners, the priorities of the Strategic Plan adopted by the Board, a review of legislative priorities from the Association of Oregon Counties, input from the Legislative Committee which includes Board members, department directors and staff, research of current law and pending legislation, as well as discussions with local legislative and Congressional staff and the County's legislative advocates.~~

Federal and state legislative proposals and policies consistent with the Legislative Principles may be supported by the County. Those policies or proposals inconsistent with this agenda may be opposed by the County.

For proposed legislation consistent with the County's Legislative Principles and Priorities, the County Administrator or designee shall be authorized to prepare position letters on behalf of the Board or an individual commissioner, and affix the Board Chair's or the individual commissioner's signature to those letters as appropriate. In both instances, the County Administrator or designee will provide the Board with a copy of the signed letter. Items not addressed in the County's Legislative Principles and Priorities may require further Board direction. ~~Legislative Principles and Priorities shall address issues directly relevant to or impacting the provision of county services.~~

County departments are encouraged to monitor and be knowledgeable of any legislative issues related to their discipline. However, any requests for the County to take positions on a legislative matter must be directed to the Intergovernmental Relations Manager. County departments may not take positions on legislative issues without the Legislative Committee's review and approval, or a clear Principle or Priority to support their work.

Attachment A – Legislative Principles Updated Draft

Goals and Strategies

Goals:

- Advocate the County’s legislative interests at the Federal, State and County levels
- Inform and provide information to our Legislators, Board of Commissioners, and Staff on the legislative process and key issues and legislation that could have a potential impact on the County
- Serve as an active participant with other local governments, the Association of Oregon Counties, regional agencies, and local professional organizations on legislative/regulatory issues that are important to the County and our Region
- Seek grant and funding assistance for County projects, services, and programs to enhance services for our community
- Ensure fidelity to the most recently adopted Strategic Plan when setting Principles and Priorities

Strategies:

- Communicate legislative positions on proposed Federal, State, and County legislation, measures, initiatives and governmental regulations
- Seek Federal, State, and County funding through allocations, grants and other discretionary funding for County projects, services and programs
- Work closely with the Association of Oregon Counties, our legislative advocates and other counties in advocating for the County’s Federal, State and County legislative interests
- Share information with the Board of Commissioners, County staff, and the community on legislative issues
- Where appropriate, integrate key staff **or elected officials** into workgroups, task forces, **advisory committees** or other bodies that are developing legislative proposals. **or implementing legislation.**

LANE COUNTY PRIORITY BILLS (Oregon Legislature)

- Amend the Oregon Tort Claims Act to ensure Community Mental Health Programs are indemnified for the procedures related to ORS 161.365 and ORS 161.370 (introduced SB 319)
- Seek \$7.5M for a Lane County owned multi-use facility ~~built in partnership with the Eugene Emeralds~~ on the site of the Lane County Fairgrounds
- Seek operational **and capital** funding for Behavioral Health Stabilization Centers
- Ensure the Improving People’s Access to Community-based Treatment, Supports, and Services (IMPACTS) program becomes a regularly (permanent) funded program within the biennial budget of the Criminal Justice Commission, and receives no less than \$10M in biennial funding.
- Seek alignment in forest and farm zones to ensure dwellings replacement statutes (ORS Chapter 215) may be replaced if any habitability elements are or were destroyed by acts of God or human caused damage (introduced SB 439)
- **Seek \$20M for the Integrated Material and Energy Recovery Facility (IMERF) to be located at the Short Mountain Landfill. Funding would be used to construct the facility and reduce costs that would otherwise be recovered via tipping fee increases**
- **Seek a measure to ensure that “innocent purchasers of land” located within Lane County are able to develop their land as if they were lawfully established units. There are three parcels, owned by three un-related owners, within Lane County who were victims of a fraudulent subdivision process that occurred in 2011**
- **Seek language in the final 21-23 rebalance bill for direct allocations for fire impacted county projects and for repurposing language for the fire recovery bond issuances**

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- Seek a revenue source to reverse the historical decline in County Assessment Function Funding Assistance. (introduced HB 2088)
- Establish a stable funding source for County Emergency Management
- Seek funding for the build out and continued development of the “Four Corners” site to allow for re-entry housing.
- Seek funding resources for special district formations and other technical assistance.

LANE COUNTY UNITED FRONT PRIORITIES (US Congress)

- Ensure any and all claims tendered by a Federally Qualified Health Center (FQHC) are accepted by the Health Resources and Services Administration and the Department of Justice
- Seek funding for region wide resilience improvements for communications infrastructure
- Seek funding for the Integrated Material and Energy Recovery Facility
- Follow on funding for wastewater system assistance from the authorities granted in the Water Resources Development Act of 2022
- Seek funding for the reconstruction of Blue River Drive, and Local Access Roads in Blue River destroyed in the Holiday Farm Fire
- 42nd St Levy
- Interchange Area Management Plan funding for Dillard Rd Overpass
- Four Corners site for re-entry housing

Lane County 2023 Legislative Principles

General

1. Identify and oppose unfunded mandates.
2. Identify and oppose local pre-emptions, particularly those that inhibit opportunities for locally derived revenues.
3. Work to maintain or increase existing revenue streams to counties.
4. Work to ensure revenues exist to local governments to fund any new services.
5. Advocate maintenance of existing local authority.
6. Support issues which provide greater authority to govern more effectively, efficiently and flexibly at the local level.
7. Advocate for county representation on all state boards, commissions and study committees which affect county government and have non-legislative members.
8. Work cooperatively with other groups and associations to support efforts to improve the delivery of services at the local level.
9. Support county efforts toward effective regional cooperation and delivery of county services
10. Support efforts to develop increased communication and greater compatibility among levels of government and within and between agencies in all levels of government.
11. Support legislation that encourages economic growth.
12. Support legislative efforts to address the root causes of inequities.
13. Protect local control of land use decision-making and oppose legislation that would hinder or threaten local control.
14. Monitor state policies to ensure new obligations are funded and contain adequate provisions to address embedded liabilities.
15. Advocate to ensure fiscal health for Assessment and Taxation offices, to maximize revenue for all local taxing districts.
16. Support efforts to mitigate exposure to future PERS liabilities
17. Protect the quality, accuracy, and completeness of the County's index of property transfer transactions.
18. Ensure all Lane County residents have access to fast, affordable, and reliable broadband in order to maximize their economic, educational, health, and public safety needs.
19. Support elections integrity and the staffing and infrastructure systems necessary to ensure accurate and timely elections.
20. Elevate the importance of robust County Emergency Management functions, including the need for stable and ongoing revenue to address mitigation and preparedness activities.

COVID-19

- Focus on increasing the volume and turnaround time for COVID-19 test kits and test results.
- Focus on increasing the supply of personal protective equipment for first responders and medical professionals.
- Focus on securing the necessary hospital beds and capacity as this pandemic continues to evolve.
- Ensuring Lane County employees have sufficient resources and flexibility to perform and maintain their professional duties.
- Ensuring Lane County businesses impacted by the COVID-19 pandemic are provided the necessary resources to recover.
- Ensure public safety resources are sufficient to maintain public order.
- Ensure public health resources are sufficient to provide adequate disease response.
- Ensure mental health resources are sufficient to mitigate disruptions associated with the

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pandemic.

- Ensure housing resources are sufficient to protect existing property owners, minimize impacts to renters, and are expanded for those who are now, or become, un-sheltered.
- Increasing federal share of cost reimbursement under Stafford Act.
- Ensuring county liability is minimized across all facets of response
- Ensure employers and employees have sufficient and flexible family and child care resources such that businesses and organizations maintain resiliency throughout the duration of the pandemic.
- Ensure that state revenue decreases to local government are minimized and spread equitably across the state.
- Ensure public policy and budgetary decisions do not exacerbate the disproportionate effect of COVID-19 on already marginalized groups.

HOLIDAY FARM FIRE

- Ensure robust funding exists for the human resources associated with emergency management personnel at all levels of government
- Support efforts to “build back better” infrastructure, economic development, and housing
- Seek funding for the continued build out and development of the McKenzie River Discovery Center
- Seek special land use treatment for the “Seneca donation” such that increased density and shared septic systems may be deployed on that property
- Support efforts to increase the local add on fee to support the Public Land Corner Preservation Fund (ORS 203.148) at least for fire impacted counties
- Seek funding for a transportation funding package to repair post-fire related damages to state and local roadways and bridges
- Support efforts to centralize recovery efforts

Public Safety

- Support efforts to ensure federal Secure Rural Schools payments
- Support funding for rural patrol
- Support funding for law enforcement training to provide law enforcement leaders with cutting-edge training on emergency response, crime reduction strategies, and professional standards
- Maximize grant and contract funding/partnerships
- Support funding for prosecution services and services for crime victims
- Ensure that local resources for the Office of the District Attorney are not further eroded through Legislative policies that enable cost shifting from the state to counties
- Support efforts which seek to provide policing agencies with options for in jail mental health treatment, as well as jail diversion strategies aimed at people with mental illness.
- Support efforts to maintain Community Corrections Act, Juvenile Crime Prevention, Specialty Courts, Justice Reinvestment, and IMPACTS funding
- Support funding for Evidence Based Decision Making Initiatives to reduce recidivism
- Support adequate funding for specialty courts in both the adult and juvenile systems
- Support legislation, appropriations, and policy direction that stabilizes County operation of the Law Library
- Support Medicaid reform such that benefits may accrue to inmates
- Support efforts which serve to advance diversity and access to services by non-English language speakers
- Ensure that the Oregon Department of Revenue’s Other Agency Collection Unit remains able to efficiently assist with local collections

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- Ensure public safety assets obtained via the US Defense Logistics Agency remain in Lane County ownership
- ~~Seek funding for the build out and continued development of the “Four Corners” site to allow for re-entry housing.~~
- Work to ensure that Lane County’s regional emergency communications and preparations systems are supported by sustainable funding frameworks.
- Support funding for programs that assist Lane County with efforts aimed at reducing crime and enhancing public safety through community partnerships and multijurisdictional efforts including communications.

Emergency Preparedness & Resilience

- Support efforts that seek Building Oregon’s Local Emergency Management Capacity at the County Level.
- Support funding for programs that address disaster response and preparedness and homeland security-related needs, including efforts aimed at achieving communications interoperability.
- Support funding for programs that assist the County with building resilience to the impacts of climate change and extreme weather events, including wildfires and floods.
- Support funding for climate resiliency and emergency disaster preparedness and response programs, such as FEMA’s Building Resilient Infrastructure and Communities (BRIC) program; Emergency Management Performance Grants (EMPG); and emergency disaster preparedness and infrastructure damage recovery programs, particularly as it pertains to areas where governmental and municipal buildings play a role in local emergency response.
- Support legislation and policy that streamlines local agency’s recovery to disasters within the FEMA reimbursement process to allow rapid recovery efforts.

Health and Human Services

- Support implementation and full funding of Public Health Modernization, and support for strong local public health authority for the provision of essential public health services
- Support stable Medicaid funding and work with Oregon CCOs to enhance local initiatives and strong partnerships with Counties
- Support strong local mental health authority and enhanced funding for behavioral health services targeted to local initiatives to improve access to health care and to promote improved health outcomes
- Support funding for community health centers operations, development, and real property acquisition and improvements
- Support stable funding (100% of workload) to maintain community-based services for individuals with intellectual and developmental disabilities
- Support for mandatory state job classifications reviews specific to positions indicated workload model for Community Developmental Disabilities Programs
- Support multi-agency partnership and goals established to reduce veteran homelessness and increase veterans services
- Support programs and policies with the goal of preventing and ending homelessness among veterans, persons with disabilities, people with behavioral health diagnosis, families with children, and youth, such as Housing First, supportive housing, and emergency housing
- Support funding for evidence-based prevention programs that target behaviors to improve health and reduce health disparities
- Support prevention and education programs efforts aimed at the decreasing use of tobacco ,

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nicotine products and other inhalants (such as local tobacco tax authority, preservation of Oregon Indoor Clean Air Act, ~~and~~ retail licensing, and flavored products bans)

- Support efforts to eliminate non-medical exemptions for otherwise mandated preventable disease vaccinations.
- Support strategies to reduce the negative effects of problem/disorder gambling in Lane County
- Support funding for mental health services, detox services, and prevention services
- Support funding that would allow counties to individualize services based on need and keep youth offenders in their home communities
- ~~Support funding for long term care and treatment facilities, address needed health regulations for assisted living facilities~~
- Support dedicated funding for medium and high risk juvenile offenders allowing individualized programming at the county level
- Support funding for additional acute and sub-acute treatment beds for youth with complex needs in Lane County
- ~~Support local and state efforts to promote availability and purchase of local fruits and vegetables (Farm to School, Farm to Institution, School Gardens Nutrition Programs)~~
- Support funding for workforce development and career technical education
- Support strategies to increase the pipeline of qualified nurses, mental health specialists, physicians, and psychiatrists to work in Oregon
- Support multi-system efforts to address opiate overprescribing and addiction, including unifying data to more effectively track overdoses in Oregon
- ~~Support efforts to combat opiate overdoses by increasing the availability and access to Naloxone~~
- ~~Increase the Medicaid reimbursement rate for individuals working in the field of treating substance use disorder~~
- Support stable and enhanced funding for Family Mediation services
- Support policies and funding which address the prevention of suicide
- Oppose exceptions to the Oregon Clean Air Act for recreational marijuana
- Oppose efforts to legalize the consumption of recreational marijuana outside of the privacy of one's home, for example at special events or within a publicly licensed establishment
- Ensure that marijuana tax revenues are allocated for drug treatment and prevention
- Support efforts to mitigate wildfire smoke
- Support efforts to address the impact of localized blue green algal bloom outbreaks
- Support efforts to increase Oregon's beer and wine tax
- ~~Support efforts to develop state funding and a framework for universal legal representation for immigrants located in Oregon~~
- Protect existing pharmaceutical pricing structures unique to FQHC's (the 340-B structure)
- Support efforts to gain state funding for the non-federal match required for the Medicaid billing of Nurse Family Partnership services.

Housing

- Support regional housing analysis and funding to increase supply of housing across housing continuum throughout the County
- Support changes to land use policies or practices to increase the supply of affordable housing throughout the County
- Supporting efforts to ensure our most vulnerable community members remain economically stable and housed
- Support permanent Emergency Rental Assistance Programs for low income households facing unexpected economic shocks and/or evictions.

Public Works

- Support funding solutions to support safe roads and bridges
- Support efforts which transfer the cost of recycling and disposal functions onto product producers
- Support policies that require producers of materials sold or distributed in Oregon to share disposal and recycling costs through environmentally sound stewardship programs that minimize the unintended consequences of materials across their entire life cycle.
- Support efforts which incentivize public and commercial fleets to transition towards cleaner burning or renewable fuels
- Support commercial development in unincorporated communities
- Provide opportunities for healthy activities through parks, open spaces, alternative travel choices and event center activities
- Maintain regional partnerships to plan and develop a healthy, integrated transportation system
- Work with non-profits to identify tax foreclosed properties that can be added to available affordable housing
- Support our regional partners to provide sustainable animal services to the community
- Support improvement efforts in Land Management to facilitate economic development and community growth
- Continue to foster a local, livable community through Transportation, Parks and Lane Event Center functions
- Support the continued State of Oregon Department of Agriculture payments to County Fairs that qualify to support and promote agriculture.
- Maintain the Firewise Communities Wildfire protection project
- Reduce Lane County's environmental footprint through efficient solid waste management practices to increase resource recovery
- Continue to re-invest in existing Public Works infrastructure, including parks, to avoid higher future deferred maintenance costs
- Oppose efforts to implement expedited replacements of diesel engines unless fully funded and evidence of increased public health impacts are documented
- Support reforms to Oregon's land use laws which:
 - o Allow for Farm to Table operations on agricultural lands
 - o Eliminate the 2 acre minimum lot size for a county to allow rural accessory dwelling units
 - o Decouple the ADU implementation from fire mapping
- Seek additional funding and policies which address Lane County's high rate of roadway fatalities
- Support efforts to minimize the generation of methane from the solid waste stream during collection and landfilling

Infrastructure

- Support safe infrastructure, roads, bridges, parks and buildings
- Support efforts to ensure greatest possible flexibility for use of funds to meet local needs
- Support state funding for improvements and replacement projects for courthouses in Oregon
- Support policies which clarify county development and ownership authority over fiber networks
- Seek funding for the Lane County Courthouse Replacement Project

Economic Development

- Support existing traded sector business recruitment, retention and expansion that complement

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- Lane County's unique natural environment and intellectual capital
- Support agri-business industries such as food and beverage, and advanced wood products manufacturing
- Support workforce development efforts including career technical education
- Support the development of brownfields
- Support development of critical infrastructure such as high speed fiber in rural Lane County
- Support the existing allocation of county video lottery dollars for economic development and oppose efforts to base that allocation on projected revenue.
- ~~Support efforts which enable public agencies to expand the local impact of their investment in construction projects by establishing minimum standards for worker pay, benefits, equity, and participation by persons and businesses traditionally under represented in the construction industry.~~