

October 23, 2009



Conflicting Calendars

or Learning to Love the Legislature during Annual Conference Week

SALEM – The Oregon Legislature conveniently scheduled three days of interim committee hearings and meetings on the three days of AOC's Annual Conference, November 17, 18 and 19. (It should be noted that AOC scheduled the conference at the Portland Marriott Waterfront hotel five years before the Legislature decided to cram committee work into the same three days.) Nonetheless, the conference schedule is filling out nicely and an excellent, informative and educational program is ready for you.

Several legislators have rearranged their schedules in order to participate, and we fully expect some county commissioners, judges and staff to make the trek to Salem during conference to keep an eye on the interim committee activities. It promises to be a very busy three days, so AOC conference planners have included several activities to relieve the stress.

Tuesday evening, beginning at 5:45, the annual President's Reception is a chance to rub shoulders with county officials from around the state. AOC President Linda Modrell will be honored at the festivities. On Wednesday evening, the amazing, fun-filled and always entertaining Annual County Product Tasting gets underway at 6:00. As always, the "band" of county officials who wanted to be rock stars will provide the "entertainment" for your listening and dancing pleasure. Thursday evening, the AOC Reception begins at 6:00 followed by the Annual Banquet at 7:00.

If you haven't registered for this year's Annual Conference, there's still time. Just go to www.aocweb.org and follow the prompts on the front page. If you have questions, please call the AOC office at 503-585-8351.

IMPORTANT BUSINESS will be conducted at the Annual Conference. The AOC Steering Committees will hold meetings as will all eight AOC Districts. The committees and the districts have the opportunity to vet potential resolutions for consideration at

the annual Business Meeting on Thursday morning, November 19. The districts will also be asked to consider possible nominees to receive the AOC Bulldog Awards.

THE WHAT?

Here's what a bulldog and a puppy look like....



Here's what you need to know about the canines... Several years ago AOC established a practice of awarding unique hand-carved bulldogs and bulldog puppies to legislators who had acted boldly and tenaciously on AOC's behalf. Suggestions of honorees came from AOC members and staff, usually during or immediately following legislative sessions.

This past September, the AOC Legislative Committee established that the bulldogs should go to "anyone who demonstrates outstanding support for county government and services." Nominators are county commissioners and judges, AOC leadership and committee chairs and AOC staff.

Criteria may include, but is not limited to:

- Availability to AOC staff, county judges and commissioners
- Support for AOC positions
- Support for AOC positions in the face of the legislator's party opposition
- Support for the most critical AOC positions
- Leadership for county and AOC positions
- Sponsorship of county legislation
- Service to many counties in contrast to a single county
- Public support of counties, e.g., newspaper guest editorials, floor speeches

How it's done: The AOC Executive Committee will review nominations, measure them against the criteria and forward recommendations to the AOC Board of Directors for approval. No more than two awards will be made per biennium. Awards may be given in the "heat of the moment." The big dogs go to honorees who have never received one. The puppies go to previous Bulldog recipients who have otherwise qualified again.

Time to walk the Bulldogs. Bring your suggested nominees to the District meetings.

WIR DIRECTORS GATHER IN TILLAMOOK COUNTY. Commissioner Tim Josi, President of the Western Interstate Region of the National Association of Counties, served as host to the WIR Board of Directors, October 13th to 15th. The agenda included a fishing trip; tour of the Creamery, a dairy farm, and the Tillamook State Forest Interpretive Center; and the fall board meeting.

At the board meeting, Douglas County Commissioner Joe Laurance presented a white paper on sustainability of federal forestland developed by the AOC Public Lands and Natural Resources Committee. The paper was praised by the WIR board, particularly for supporting actions to promote forest health within the context of the Obama Executive Order on Federal Leadership in Environmental, Energy, and Economic Performance. The board formed two small workgroups to put the paper into final form – one for forestland and one for rangeland. Commissioner Laurance was appointed chair of the forestland group. The final products will be presented at the NACo Legislative Conference for adoption.

The board also set its priorities for 2009-10: 1) Reauthorization of the Secure Rural Schools Act and Payments-in-lieu-of-taxes (PILT); 2) Pursuit of sustainable forest management, based on the AOC white paper; and 3) Development of national energy policies. Also to be attended to: federal transportation bill (federal forest roads and highway funding); tribal tract lands; grazing permitting; federal mineral leasing.

An item of great interest to Oregon is the tardiness of reappointment of Secure Rural Schools Title II Resource Advisory Committees. NACo has sent letters signed by key congressional figures urging Administration action on reappointment.

Marc Kelley, consultant to the National Forest Counties & Schools Coalition, presented the strategic plan for reauthorization of Secure Rural Schools, which will rely on a grass-roots organization, congressional contact lists created by Rocky McVay (O&C Counties Association Executive Director), and localized materials. Initial efforts will begin in the South, to make the focus nationwide.

Douglas County Commissioner Doug Robertson shared his thoughts about the recent announcement by Interior Secretary Ken Salazar regarding management of O&C lands. In particular, he noted that Secretary Salazar made no mention of the 9th Circuit Court of Appeals decision, *Headwaters v. BLM*, which held that timber production is the dominant use of O&C lands. The decision served as the basis for development of the Western Oregon Plan Revision (WOPR), which the Administration withdrew.



Seated: WIR President Tim Josi and NACo's Ryan Yates. Standing, O&C Association President Doug Robertson. They were in on a conference call with U.S. Rep. Rob Bishop, R-Utah, Chair of the Congressional Western Caucus during the recent WIR Board meeting in Tillamook County.

One of the highlights of the WIR meeting in Tillamook County was a tour of the Tillamook State Forest Interpretive Center, which also featured an impressive display of Coast Range sunshine.



BAIL OR NO BAIL – THAT IS THE QUESTION. In the early 1970's, the Oregon Legislature abolished commercial surety bail in Oregon. About 20 years later, an effort was made to reinstate the practice, but that failed.

Now they're back. In the regular legislative session the surety bail industry introduced legislation to reinstate surety bail. An informal workgroup was created but no resolution was reached. So the proponents scaled their legislation way back, and HB 2682 passed in a form which directed the judiciary committee(s) to take testimony on the issue during the interim and report back to the legislature, either at the next regular session, or a special (February) session. Two weeks ago, the two Interim Judiciary Committees heard from the proponents of bail.

Last week, the AOC Public Safety Committee heard from both the proponents and the opponents. Jim Gardner, representing Aladdin, the largest surety bail company in the country, made the case for reinstating bail, saying it would improve public safety by causing more defendants to show up in court – at no cost to the system. Gail Meyers, representing the Oregon Criminal Defense Lawyers Association, made the case against it, saying that when profit becomes the driver behind release decisions rather than public safety, public safety suffers. She also disputed that more defendants show up for court, saying that it's not the surety companies or their agents (no "Dog"-the-bounty-hunter comments, please), but the police who usually bring bail jumpers in.

The committee listened intently and asked a lot of questions. We're not done with this issue – expect it to reappear on the committee agenda very soon. AOC Legal Counsel Paul Snider is the man to go to with your bounty hunter questions.

PREPARING FOR THE BIG ONE. At the opening General Session of the Fall Conference, James Roddy of the Oregon Department Of Geology and Mineral Industries (DOGAMI – another dog reference) will talk about earthquakes in Oregon. Anyone who has seen this presentation will tell you it shook them to the core. There will also be a panel on Emergency Management following the General Session.

In the meantime, more earth shaking opportunities await you on October 30 in Tillamook for training in the Seismic Rehabilitation Grant Program. The program takes place from 1 to 3 pm at the Tillamook School District Office #9. You must register for this program. To register, or for more information, please contact Kiri Carini [kcarini@oem.state.or.us], 503-378-2911 ext 22245.

IN THE EVENT OF AN EMERGENCY... how many of us really know what to do? The Oregon Local Leadership Institute (OLLI) is sponsoring Emergency Preparedness Training for local government officials. You can learn more about the training, where and when it's offered and special deals for CIS members at the OLLI website. <http://www.orcities.org/Training/OregonLocalLeadershipInstituteOLLI/EmergencyManagementPreparedness/tabid/5871/language/en-US/Default.aspx>.

CHECKING YOUR COUNTY'S ECONOMIC PULSE. Looking for an easy way to track how your county is weathering the current turbulent economic times? Well, Oregon State University Rural Studies Program (RSP) Faculty Affiliate **Mindy Crandall** and RSP Coordinator **Rich Sandler** have created the **Oregon County Monitor**. It is a useful summary of county-level trends since January, 2009. The monitor gathers indicators on jobs and business conditions and the use of social safety net programs providing cash, food and housing assistance.

You can click on your county and see the latest trends in employment, population, poverty rate, utility shut-off notices, food stamp use and income assistance. You'll be able to see not only today's figures but the trends over the past year.

Find the monitor at: <http://ruralstudies.oregonstate.edu/index2.htm>

ELECTION NEWS FROM THE SECRETARY OF STATE'S OFFICE. Brenda Bayes, Deputy Director of the Secretary of State Elections Division attended the recent Clerks Conference in Klamath County and was asked to "provide counties with a couple clarifying issues." What follows is her memo...

First, I would contact the Department of Revenue to clarify the definition of "renewal" in regards to language requirements on envelopes for a local option tax measure (HB 3237). Following is their response:

If the dollar amount for a local option tax measure is equal to or less than the previous amount of the local option tax it is considered a "renewal".

If the dollar amount is an "increase" in the amount of tax it is considered a "new" local option tax.

Secondly, in regards to SB 344 in which the office of "county surveyor shall be an appointed office unless a county charter or ordinance provides otherwise.

Question: How does this change affect county surveyors that were elected and are currently serving their term of office.

Once the current term of office in which they were "elected" has been completed the position will then become an "appointed" position unless a county charter/ordinance provides otherwise. The individual appointed to the position will serve 4 years.

If there is a "vacancy" in the office of county surveyor the vacancy shall be filled by appointment and shall serve a 4 year term.

In addition, I was asked to clarify if the office of county surveyor is still a "nonpartisan" office.

It appears from SB 344, sections (6) and (7) (deleting the office of county surveyor from the definition of nonpartisan offices) that the only way to keep the office nonpartisan would be to have it designated as such "by a home rule charter" as the definition provides. The amendments did not seem to address the question of how to keep the office of elected surveyor nonpartisan if the county chooses to continue to elect the surveyor by county ordinance.

It is suggested that counties also consider the potential application of ORS 203.035(3), which requires a vote at a primary or general election to change the mode of selection of elective county officers. One might argue that deciding to retain the office of surveyor as elected is not a "change", but the law making the office appointive is already in effect, so it would seem that the county is changing the office from appointed to elective. We suggest that you consult with your county legal counsel regarding this issue because as you know any challenge will involve consultation with your county legal counsel who will be the one representing you in court if it were to go that far.

Because the office of county surveyor is no longer defined as a nonpartisan office, we believe the office is partisan.

YOUR MOMENT OF OREGON FALL COLOR



U.S. Highway 20 – West Side
Photographer: Mike McArthur
who stood on the center line to get
the photo.



Southern Oregon
Photographer: Emily Ackland
who was not in harm's way taking this
photo.

Oregon Trails is a production of the AOC Communications Department. Mike McArthur is the publisher. Laura Cleland is the editor. Eric Schmidt is Eric Schmidt. Special thanks this week to Gil Riddell, Paul Snider, Ann Hanus and Emily Ackland.

SEE YOU IN MULTNOMAH COUNTY NOVEMBER 17 - 19