

Legislative Committee

Monday, October 10, 2011

12:00 p.m.

Lunch will be available at 11:30 a.m.

Local Government Center, Room 113

1201 Court Street NE

Salem, Oregon

Agenda

12:00 p.m.

1. Call to order

President Janet Carlson

1.1 Agenda approval **(Action)**

1.2 Minutes of September 12, 2011 meeting **(Action)** page 3

12:05 p.m.

2. Action or possible action items

2.1 Early Learning Task Force Report **(Action)** under separate cover President Carlson

2.2 Priority items from committees **(Possible Action)** page 7 President Carlson

1:15 p.m.

3. Steering Committee reports

3.1 Communications Policy

Jeanne Burch, chair

3.2 Community Development

Diane McKeel, chair

3.3 Environment & Energy

Gary Thompson, chair

3.4 Governance

Earl Fisher & Andy Duyck, co-chairs

3.5 Human Services

Kathy George & Bill Hall, co-chairs

3.6 Public Lands

Faye Stewart, chair

3.7 Public Safety

Jim Bernard & Jay Dixon, co-chairs

3.8 Transportation

Al Switzer, chair

3.9 Water Policy

Alan Unger, chair

1:30 p.m.

4. Affiliate Organizations reports

4.1 OSACA (Assessors)

Scot Langton

4.2 OCCA (Clerks)

Dana Jenkins

4.3 NACA (County Administrators)

Ralph Wyatt

4.4 ODAA (District Attorneys)

Eric Nisley

4.5 OACES (Engineers & Surveyors)

Robb Paul

4.6 OJPA (Justices of the Peace)

Charles Fadeley

4.7 OSSA (Sheriffs)

Jack Crabtree

4.8 OACTC (Tax Collectors)

Bob Vroman

4.9 OACTFO (Treasurers & Finance Officers)

Laurie Steele

1:45 p.m.

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| 5. Update on possible extension of Secure Rural Schools | Mike McArthur |
| 6. Other business | President Carlson |
| 7. Adjourn | President Carlson |
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Next AOC Legislative Committee meeting:
December 12 (*Oregon Convention Center, Portland*)

November 15-17, AOC Annual Conference, Hilton Eugene & Conference Center
Register now at WWW.aocweb.org

Association of Oregon Counties
Legislative Committee

Monday, September 12, 2011
12:00 p.m.

Local Government Center
Salem, Oregon

Present: President Janet Carlson, Commissioner Tammy Baney, Commissioner Mary Stern, Judge Pat Shaw, Commissioner Bill Hall, Commissioner Bill Hansell, Commissioner Tony Hyde, Commissioner Sam Brentano, Judge Gary Thomson, Commissioner Andy Duyck, Commissioner Annabelle Jaramillo, Commissioner Wayne Fording, Commissioner Chris Perry, Judge Dan Joyce, Commissioner Simon Hare, Commissioner Craig Pope, Commissioner Earl Fisher, Commissioner Mark Labhart, Commissioner Jim Bernard, Commissioner Diane McKeel, Commissioner Tim Josi, Commissioner Kathy George, Commissioner Leslie Lewis, Commissioner Greg Malinowski, Treasurer Laurie Steele, Sheriff Jack Crabtree, Administrator Ralph Wyatt

Via telephone: Commissioner Patricia Roberts, Commissioner Alan Unger, District Attorney Eric Nisley, Public Works Director Robb Paul

Guests: Commissioner Larry Givens, Sarah Miller, Gilliam Wesenberg, Greg Wolf, Steve Schenewish, Jennifer Wheeler, Steve Marks, Troy Rayburn, Barb Young, Brenda Comini, Alex Cuyler, Sean Files, Bill Thomas, Jan Nordlund, Andy Smith

Staff and consultants: Mike McArthur, Cara Fischer, Gil Riddell, Emily Ackland, Mark Nystrom, Mike Eliason, Paul Snider, Ann Hanus, Eric Schmidt, Laura Cleland, JoAnn Hendrix

President Janet Carlson called the meeting to order at 12:00 p.m. and asked for self-introductions.

Agenda

Mr. Ralph Wyatt moved to approve the agenda of June 20, 2011, seconded by Commissioner Earl Fisher. Motion carried.

Minutes

Commissioner Bill Hansell moved approval of the meeting minutes of June 20, 2011, seconded by Commissioner Bill Hall. Motion carried.

Early Learning Task Force

President Carlson reviewed the Early Learning Task Force issue brief.

She told the committee that in June 2011, the AOC Board of Directors voted to:

- Create an AOC Early Learning Task Force;
- Appoint Marion County Commissioner Janet Carlson and the Coalition of County Children and Families Commissions Chair Kevin Stufflebean as task force co-chairs; and

- Authorize the president to appoint task force members.

Following these actions, President Carlson appointed 21 members to the Early Learning Task Force.

After the first meeting of the task force, a workgroup was formed to produce deliverables identified by the task force.

The task force is in the process of reviewing an issue brief that includes recommendations relating to proposed early learning design issues, outcomes, services, governance, cost and community engagement. At its August meeting, the task force endorsed a number of these recommendations.

Task force recommendations will also be reviewed by the AOC Human Services Steering Committee, the Coalition of Local Health Officials (CHLO) and the Coalition of County Children and Families Commissions during their September meetings. Staff is checking in with the governor's office and key legislators to keep them informed of process and progress of the task force's work.

To support the Task Force, AOC created a Web page. The Web site includes task force and workgroup agendas, minutes and handouts, along with other relevant early learning documents.

<http://www.aocweb.org/aoc/AboutAOC/AOCCommittees/AOCTaskForces/EarlyLearningTaskForce/tabid/401/Default.aspx>.

The task force's recommendations and a full report will be presented to the AOC Legislative Committee in October. The committee will be asked to endorse the recommendations and report.

Oregon ADA Complementary Paratransit Plans Project

Connie Soper, of Nelson Nygaard and Sherrin Coleman and Michael Ward, from the Oregon Department of Transportation (ODOT) Public Transit Division, presented a report summarizing the key activities and findings resulting from a project sponsored by AOC in conjunction with ODOT. The purpose of this project was to provide consultant assistance to Oregon local jurisdictions responsible for preparation and adoption of Complementary Paratransit Plans as required by the federal Americans with Disabilities Act (ADA).

Oregon 10-year Budget Planning Process

Sarah Miller, a project manager with the Department of Administrative Services, presented the 10-Year Plan for Oregon project, which seeks to implement Governor Kitzhaber's vision to "Rebuild Oregon's House."

Ms. Miller stated that to rebuild Oregon's house, the following must be accomplished:

- Set clear priorities and a clear vision of where we want our state to be in the future;
- Overhaul state government to deliver on those priorities; and

- Stay the course by developing a 10-year reinvestment plan that shows a clear strategy to guide how we will invest our resources in the future in a way that will continue to move us toward our goal.

Ms. Miller responded to questions from committee members and invited county leaders to be involved with this project.

Steering Committee Reports

Communications Policy – no report

Community Development and Transportation

Commissioner Diane McKeel reported that the Community Development and Transportation committees met jointly. Presentations were made by state agency staff on transportation plan rule, least-cost planning and updates on regional solutions. Mike Eliason gave an update on land use issues.

Environment & Energy – no report

Governance

Commissioner Andy Duyck stated the committee discussed the Comcast v. Department of Revenue court case.

Human Services

Commissioner Bill Hall reported the committee discussed the Early Learning Task Force recommendations. The committee has been monitoring the implications of HB 3650 and the development of coordinated care programs. It also discussed a report on Addictions and Mental Health Division System Care Change process. Bobby Green reported on the revitalization of the Local Government Advisory Council (LGAC).

Public Lands & Natural Resources

Judge Dan Joyce reported that the committee approved the Public Lands and Natural Resources 2012 budget proposal.

Public Safety – no report

Transportation –see Community Development Committee

Water Policy

Commissioner Alan Unger said the committee would be meeting jointly with the Oregon Water Resources Committee on September 29 at the Port of Morrow in Boardman.

Affiliate Organizations Reports

Assessors – no report

Clerks – no report

County Administrators

Mr. Wyatt said there is ongoing discussion regarding health care transformation and its impact on counties. He added the implications of HB 2710 and HB 2712, regarding the state distribution of court fees and court funds to counties, is of concern to the administrators.

District Attorneys

District Attorney Eric Nisley reported that the district attorneys are monitoring the governor's Public Safety Commission's decisions regarding Measure 11 and potential impacts to counties. The DA's Public Safety Committee will report its findings to the governor by December 2011.

Engineers and Surveyors

Mr. Robb Paul reported he attended the Oregon Transportation Commission meeting and gave a presentation to the commission on loss of revenue and the effect on counties.

Justices of the Peace – no report

Sheriffs

Sheriff Jack Crabtree reported the sheriffs are gearing up for the February legislative session.

Tax Collectors – no report

Treasurers

Treasurer Laurie Steele reported the treasurers would meet in Lane County in September for their annual conference.

Other Business

There being no further business, the meeting was adjourned at 1:30 p.m.

Date: October 10, 2011

To: Legislative Committee
Association of Oregon Counties

From: AOC Public Safety Committee
Commissioners Jay Dixon and Jim Bernard, Co-chairs

Subject: HB 2712 (2011 Session) revising criminal fine law

Staff: Paul Snider, legal counsel

Requested action:

The AOC Public Safety Committee may have a recommendation relating to loss of fine revenue for justice courts.

Background:

HB 2712 was enacted by the 2011 Legislative Assembly. A number of provisions were added toward the end of the legislative session and without the benefit of hearings. One of those provisions is section 6b, which states the first \$60 of the fine in a criminal case is to be paid to the state. If the fine is less than \$60, then the whole fine is to be paid to the state. This is scheduled to take effect January 1, 2012. This provision replaces the unitary assessment and several "add-on" assessments that are to be eliminated.

However, it causes several problems. First, the amount is greater than the amount of unitary assessment and the add-ons combined. Second, it gives the highest priority to payment of this amount. If the total fine is not paid, this provision assures the state will be paid first from the part that is paid. Third, a strong argument can be made that it applies to small fines such as parking tickets and bicycle helmet violations, where the total fine is often less than \$60. Finally, it appears that elimination of the unitary assessment might not occur in some cases that are pending on January 1, even though the new \$60 provision will apply as of that date as well. The state may be entitled to receive both for some cases.

A list of questions is being developed for Legislative Counsel as to the above concerns, and possibly others. If the concerns prove valid, legislation will be needed in the February, 2012 session to prevent significant losses of revenue to justice and municipal courts.