

**Association of Oregon Counties  
Legislative Committee**

**Monday, January 10, 2011  
12:00 p.m.**

**Local Government Center  
Salem, Oregon**

*Present: Commissioner Janet Carlson, Commissioner Tammy Baney, Commissioner Mary Stern, Commissioner Tony Hyde, Commissioner Tim Josi, Commissioner Dan Shoun, Commissioner Sam Brentano, Commissioner Leslie Lewis, Commissioner Jim Bernard, Commissioner Mark Labhart, Commissioner Earl Fisher, Commissioner Wayne Fording, Judge Jeanne Burch, Commissioner Annabelle Jaramillo, Commissioner Kathy George, Commissioner Simon Hare, Judge Gary Thompson, Commissioner Diane McKeel, Commissioner Jay Dixon, Commissioner Chris Perry, Commissioner Craig Pope, Commissioner John Lindsey, Commissioner Dwight Ellis, Treasurer Laurie Steele, Sheriff Jack Crabtree*

*Via telephone: Judge Pat Shaw, Commissioner Patricia Roberts, Commissioner Joe Laurance, Judge Steve Grasty, Administrator Ralph Wyatt, Public Works Director Robb Paul*

*Guests: Commissioner Paul Savas, Treasurer Michelle Hawkins, Ray Naff, Lisa Naito, Gillian Wesenberg, Andrew Olsen, Alex Cuyler, Andy Smith, Barb Young, Troy Rayburn, Sarah Granger*

*Guests via videoconference: Commissioner CW Smith, Commissioner John Rachor*

*Staff and consultants: Mike McArthur, Paul Snider, Mike Eliason, Gil Riddell, Ann Hanus, Emily Ackland, Mark Nystrom, Eric Schmidt, Laura Cleland, Art Schlack, Doris Penwell, Cara Fischer, Joann Hendrix*

President Janet Carlson called the meeting to order at 12:00 p.m.

***Agenda***

**Commissioner Tony Hyde moved to approve the agenda of January 10, 2011, seconded by Commissioner Tim Josi. Motion carried.**

***Action Items***

**AOC Federal Priorities**

**Commissioner Tammy Baney moved to endorse the short list of Federal Priorities to Oregon congressional delegation, seconded by Commissioner Mary Stern.**

President Carlson explained the AOC steering committees prepared a short list of Federal Priorities to forward to the Oregon congressional delegation.

Discussion ensued regarding public safety. Alex Cuyler explained HR 1959; if an individual owes a state court fine and the IRS owes the individual a tax return the court fine could be deducted from the individual's tax return and sent to the state court for payment. HR 1959 did not pass in the 111th Congress but will be reintroduced in the 112th Congress. HR 1959 is already part of NACo platform but Lane County requests AOC support it as a priority.

**Commissioner Baney moved to amend the prior motion to include the endorsement of HR 1959 under Public Safety and to endorse the short list of Federal Priorities to the Oregon congressional delegation, seconded by Commissioner Stern. Motion carried. Opposed by Commissioner John Lindsey.**

**Commissioner Lindsey moved to remove from under Human Services the Mental Health Tier. No second to the motion. Without a second the motion was not considered.**

***Governance Committee***

Mike Eliason explained the Governance Committee's recommendation for support for a technical fix to the IRS Code allowing for reimbursements to non-dependent beneficiaries when no surviving spouse or qualified dependents remain after participant's death.

**Commissioner Earl Fisher moved to support the Governance Steering Committee position of technical change to IRS Code for health reimbursement arrangements (HRAs), seconded by Commissioner Hyde. Motion carried.**

***Public Safety Committee***

Addendum 1: Criminal Fine Collection and Distribution

**Commissioner Stern moved to oppose legislation to revise criminal fine collection and distribution (LC 364-1), seconded by Commissioner Josi. Motion carried.**

Item 1: Justice Court Collections

**Commissioner Stern moved to support legislation authorizing justice of the peace courts to utilize full Department of Revenue (DOR) collection capability (LC 1305), seconded by Commissioner Jim Bernard. Motion carried. Opposed by Commissioner Lindsey.**

Item 2: Federal Forest Revenues for Patrol

**Commissioner Stern moved to support legislation that would amend Section 4, chapter 894, Oregon Laws 2007, a temporary law that will sunset on January 2, 2014, to expand the named counties to which it applies from just Lane and Douglas to add the county or counties that are seeking legislation (currently Curry; possibly Klamath), seconded by Commissioner Wayne Fording.**

Under ORS 294.060, federal forest reserves received by a county are divided 75 percent to the road fund and 25 percent to the school fund. But the temporary law cited above creates an exception for Lane and Douglas counties by allowing those two counties only to use some of their money that otherwise go to roads to be used instead for sheriffs' patrol. That authority would end on January 2, 2014. Curry County has asked AOC to support its effort to amend that temporary law to also allow Curry County to use its federal forest reserves for patrol.

Discussion ensued regarding the legislation proposed. Several counties voiced their concerns about setting a precedent with using federal forest reserves for sheriffs' patrols.

**Commissioner Josi moved to substitute the original motion with AOC not take a position on Federal Forest Revenues for patrol, seconded by Commissioner Annabelle Jaramillo. Motion carried. Opposed by Commissioner Chris Perry.**

Item 3: Workers' Compensation Responsibility for Search and Rescue Volunteers

**Commissioner Stern moved to approve request from City County Insurance Services (CIS) for AOC support of legislative concept to clarify that when a county that has qualified search and rescue volunteers responds to a request for help from another county in a search and rescue mission, the statutory responsibility to provide workers' compensation coverage for the volunteers from the responding county rests with the responding county, not the requesting county, seconded by Commissioner Jay Dixon. Motion carried.**

### *Discussion Items*

#### **2011 Legislative Concepts**

Gil Riddell reviewed the 2011 pre-session-filed legislative concepts (LC) under AOC watch. The AOC policy staff reviewed available pre-session-filed legislative bills and ranked the LCs of most importance to AOC.

#### **Economic Revitalization Team**

Mike McArthur explained that the Economic Revitalization Team (ERT) will be modified. Governor Kitzhaber will have Regional Community Solutions Teams. His plan is to establish Regional Community Solutions Centers at five locations initially. The Governor plans on creating a steering committee of county and city representatives to work with the coordinators.

### *Steering Committee Reports*

#### **Communications Policy**

Judge Jeanne Burch said the committee recommends that AOC proceed on the Public Utility Commission (PUC) grant for E-government projects. Members also discussed a draft communications plan, the Oregon Wireless Interoperability Network (OWIN) and endorsed Commissioner Kathy George to the Broadband Advisory Council.

#### **Community Development**

Commissioner Diane McKeel reported the committee discussed a Transient Occupancy Tax proposal. It also drafted a committee work plan for 2011, reviewed legislative concepts and discussed ideas for federal resolutions for NACo. Members met recently with State Treasurer Ted Wheeler regarding the transition team on Economic Development. Doris Penwell gave a presentation on the campaign to support clean energy development, conservation and manufacturing.

#### **Environment & Energy**

Judge Gary Thompson stated the committee discussed NACo draft resolutions and 2011 legislative concepts. The committee recommended biomass legislation and migratory bird issue for the AOC priority list.

### **Governance**

Commissioner Earl Fisher announced the committee discussed PERS for 2011 session and beyond. Members also discussed health insurance benefits issues and a federal technical fix for voluntary employees' beneficiary association (VEBA) accounts and reviewed legislative concepts to date for 2011.

### **Human Services**

Commissioner Tammy Baney stated the committee discussed Oregon's Action Plan for Health, the Human Services Committee principles, legislative tiers and important legislative concepts.

### **Public Lands & Natural Resources**

Commissioner Dan Shoun stated the committee discussed its state and federal legislative focus for 2011, the O&C Counties Association, Blue Mountains plan revisions and the Wildland Fire Leadership Council. It also adopted a work plan for 2011 and heard a report on progress of the Secure Rural Schools national campaign,

### **Public Safety**

Commissioner Mary Stern said the committee discussed legislative concepts, committee principles, the "tiering" process for legislative issues and reviewed action items forwarded to legislative committee.

### **Transportation**

Commissioner Dwight Ellis announced that the committee discussed legislative concepts introduced by House Transportation Committee and reviewed legislation introduced by Senate Transportation and Economic Development Committee. Travis Brouwer, ODOT federal affairs advisor, gave the committee an update on Federal Transportation Reauthorization.

### **Water Policy**

Commissioner Al Unger said the committee discussed legislative focus and concepts for 2011.

### **Affiliate Organizations Reports**

*Assessors* – no report.

*Clerks* – no report.

*County Administrators* – no report.

*District Attorneys* – no report.

*Engineers and Surveyors* – no report.

*Justices of the Peace* – no report.

### **Sheriffs**

Sheriff Jack Crabtree stated that the sheriffs are focusing on about seven legislative concepts.

### **Tax Collectors**

The tax collectors are working on a legislative concept dealing with quarterly CAFFA deadline reporting to the Department of Revenue and other 2011 legislative issues.

***Treasurers***

Treasurer Laurie Steele stated the treasurers are tracking several legislative concepts that could bring repercussion to the counties.

Meeting was adjourned at 2:00 p.m.