

MULTNOMAH COUNTY OFFICE OF GOVERNMENT RELATIONS

REPORT ON OREGON'S LEGISLATIVE SESSION

2023

MULTNOMAH COUNTY BOARD OF COMMISSIONERS

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INTRODUCTION

Legislative Session Recap

The 2023 Oregon Legislative Session convened on January 17, 2023, and adjourned on June 25, 2023. A significant number of bills were proposed and reviewed this session, with newly elected Governor Tina Kotek beginning her first term coinciding with the first regular session to be held in person in three years. In addition to the newly elected Governor Kotek, Senator Rob Wagner served his first term as Senate President. He replaced Senator Peter Courtney, who left office in 2022 after 38 years. And Representative Dan Rayfield served his first full term as Speaker of the House.

Major construction of the Capitol rendered large portions of the building unusable. And Minority members required all bills to be read on the floor for most of the legislative session, adding additional time constraints to an extremely busy regular session.

Senate Republicans tested Ballot Measure 113, passed by voters in 2022, by leading the longest walkout in Oregon's history and accruing more than ten unexcused absences for many. Republican Senators walked out to stop bills that expanded access to abortion, gender-affirming care, and increased restrictions on gun ownership. Republicans, now disqualified from seeking reelection, plan to challenge the new law's constitutionality in court.

Oregon's 2024 Economic and Revenue forecast released in May 2023 was much better than anticipated and predicted \$1.9 billion more in tax receipts in the current budget cycle concluding in June. Economists predict a kicker tax rebate of \$5.5 billion instead of the \$3.9 billion forecasted initially.

In the 2023 regular session, approximately 2,970 bills were introduced, with Multnomah County identifying nearly 1,800 as potentially relevant to our operations, budgets, and the diverse communities we serve. Government Relations partnered with department and County leadership to review these bills, develop policy analysis on over 1,250, and provide verbal and written testimony on many bills throughout the session. For more information on testimony submitted this session, visit the Office of Government Relation's web page.

This important work led to Multnomah County enjoying legislative and budgetary wins for key priorities in our <u>2023 State Legislative Agenda</u> (see appendix for more information). Highlights of the session include

Housing and Homelessness

- HB 2001 & HB 5019
 - \$155 million to support the shelter and homelessness emergency response and reduce the number of unsheltered individuals in Oregon.
 - \$316 million to rehouse 750 households, prevent homelessness for 11,700 households, maintain shelter operations, and create new permanent supportive housing.
 - \$650 million in bonding to build and preserve more affordable housing.

INTRODUCTION

• SB 611 limits annual rent increases for renters statewide.

Health & Human Services

- HB 2002 expands access to gender-affirming care and provides protections for abortion providers.
- \$20.9 million in one-time General Fund to extend food and shelter support for individuals in Oregon seeking refuge and immigration legal services
- \$200 million for added capacity for detox and substance use disorder residential treatment facilities.
- Increased funding for suicide prevention and 988 services.
- Expanded access to overdose reversal drugs to reduce overdose deaths.
- HB 2519 protects the integrity of human remains donations.
- \$50 million for continued Public Health Modernization.
- Oregon Kids' Credit establishing a new child tax credit for families with younger children.

Public Safety

- SB 5014 invests \$8.3 million in the Juvenile Detention Education Program (JDEP) and the Youth Corrections Education Program (YCEP).
- HB 2005 defines "undetectable firearm" and punishes manufacturing, importing, offering for sale, or transferring of an undetectable firearm.
- Reauthorization of the Justice Reinvestment (SB 344) and full funding (SB 5505).
- SB 586 makes restorative justice processes confidential.

Environment and Sustainability

\$90 million investment for climate change adaptation and emissions reduction.

Infrastructure, Transportation, and Land Use

- \$20 million for continued work on the Earthquake Ready Burnside Bridge.
- HB 3201 ensures that Oregon can leverage the \$688 million in recent federal dollars to invest in building broadband services across our state.

The positive outcomes realized this session would not have been possible without the hard work and collaboration of the County's elected and department leadership. Government Relations appreciates their dedication to ensuring our region continues to make strides toward greater safety net services, racial equity, and opportunity for all residents in our community.

In the following report, we will share additional information on key bills the County tracked through the session by subject area with a brief analysis of their potential impact on the State and County. Included in parenthesis at the end of each bill's summary are notes on the departments impacted potentially by the legislation and whether it aligned with the Board's Agenda.⁵ Our hope is the summary will serve as a helpful reference tool for understanding how key legislation may impact the County now and in the future.

Bill numbers in green passed Bill numbers in yellow failed

Housing & Homelessness

Appropriations for Oregon Housing and Community Services

HB 5511 provides \$218.5 million for the affordable housing and emergency homelessness response package, including:

- \$111.2 million to continue shelter and rehousing services funded through HB 5019;
- \$24.1 million for operating support to existing shelters;
- \$55 million for rental assistance;
- \$6 million for services to tenants;
- \$10 million for down payment assistance;
- \$2.5 million for decommissioning and replacement of manufactured housing;
- \$9.7 million to capitalize a predevelopment loan program;

The bill passed the second chamber (House) with 41 Ayes, 12 Nays, and 7 Abstentions. (Board Agenda, DCHS, JOHS)

Affordable Housing and Emergency Homelessness Response Package

HB 2001/HB 5019 provides \$200 million for the affordable housing and emergency homelessness response package, including:

- \$85.2 million for local homelessness emergency plans, including \$18.2 million for Multnomah County, Portland, and Gresham to rehouse 275 households and create 138 shelter beds:
- \$55.4 million for prepaid rental assistance to rehouse at least 1,200 unsheltered households, block leasing at least 600 vacant homes, landlord guarantees and incentives, etc.:
- \$33.6 million for rent assistance and eviction prevention services for 8,750 households;
- \$27 million to address homelessness in 25 rural counties outside the order;
- \$25 million for homeless youth services connecting them to rental assistance, shelter, outreach, and mental health services;
- \$23.8 million for 600 low-barrier shelter beds and housing navigation services across Oregon;
- \$20 million for the production of modular homes;
- \$5 million for the nine sovereign tribes;
- \$5 million for culturally responsive organizations providing homeless services;
- \$5 million for improving the health and safety of farm worker camps;
- \$3 million for revolving loans to builders for developing affordable housing;
- \$2 million for local sanitation services;
- \$1.8 million for the Office of Emergency Management and Oregon Housing and Community Services;

Bill numbers in green passed

Bill numbers in yellow failed

The bills passed the second chamber (Senate) with 21 Ayes, 7 Nays, and 2 Abstentions. (Board Agenda, DCHS, JOHS)

Rental agreements for recreational vehicle spaces

<u>HB 2634</u> defines "recreational vehicle park" for the purposes of residential tenancy law. The bill passed the second chamber (Senate) with 25 Ayes, 0 Nays, and 5 Abstentions. (DCHS, JOHS)

Residential landlords accepting applicant screening charge

<u>HB 2680</u> amends requirements for residential landlords accepting applicant screening charges. The bill passed the second chamber (Senate) with 17 Ayes, 7 Nays, and 6 Abstentions. (DCHS, JOHS)

Financing affordable residential units within housing developments

<u>HB 2761</u> expands Oregon Housing and Community Services' ability to allow financing of certain affordable residential units within certain housing developments subject to limits established by the Oregon Housing Stability Council. The bill passed the second chamber (Senate) with 20 Ayes, 5 Nays, and 5 Abstentions. (JOHS)

Eviction and rent increase limits

HB 3042 limits terminations and rent increases for three years after tenants' housing is withdrawn from publicly supported housing. The bill passed the second chamber (Senate) with 17 Ayes, 8 Nays, and 5 Abstentions. **(DCHS, JOHS)**

Limits annual rent increases

SB 611 limits annual rent increases for residential tenancies. The bill passed the second chamber (House) with 32 Ayes, 18 Nays and 10 Abstentions. (**DCHS**, **JOHS**)

OHCS authority to provide down payment assistance

<u>SB 892</u> amends statutes relating to housing laws and the authority of the Housing and Community Services Department and Oregon Housing Stability Council, including changes to the department's procurement authority and ability to provide down payment assistance. The bill passed the second chamber (House) with 47 Ayes, 0 Nays, and 13 Absences. (JOHS)

Implementation of 2021 Task Force on Homelessness and Racial Disparities

<u>SB 893</u> requires the Housing and Community Services Department to take action to implement recommendations from the Task Force on Homelessness and Racial Disparities created in the 2021 Legislative Session. The bill passed the second chamber (House) with 45 Ayes, 13 Nays, and 2 Absences. (Board Agenda, DCHS, JOHS)

Oregon Housing Justice Program

Bill numbers in green passed

Bill numbers in yellow failed

<u>SB 918</u> directs the Housing and Community Services Department to establish the Oregon Housing Justice Program to provide grants for housing stability. The bill was referred to Ways and Means, where it remained upon adjournment. (**DCHS**, **JOHS**)

Health

Appropriations for the Oregon Health Authority

SB 5525 provides funding for the following health services, including

- \$138.5 million GF in the 2022-27 Medicaid Demonstration waiver, which establishes
 continuous enrollment for children up to 6 years of age and two-year eligibility for those 6
 years and older;
- \$37.1 million GF for a Behavioral Health Investment Package, including \$7 million General Fund in community investment for coordination and care of civilly committed individuals. \$15 million General Fund for the construction of additional substance use disorder (SUD) facility capacity.;
- \$30 million for Public Health Modernization (see also HB 5506 for an additional investment of \$20 million); and
- An expansion of the Healthier Oregon Program;

The bill passed the second chamber (House) with 34 Ayes, 18 Nays, and 8 Abstentions. (Board Agenda, DCHS, HD)

Reproductive health rights

<u>HB 2002</u> modifies provisions relating to reproductive health rights. The bill passed in the first chamber (House) on concurrence with 35 Ayes, 12 Nays, and 12 Abstentions. (Board Agenda, HD)

Pharmacists administering the influenza vaccine

<u>HB 2278</u> authorizes pharmacists to administer the influenza vaccine to persons six months of age or older. The bill passed the second chamber (Senate) with 18 Ayes, 6 Nays, and 6 Abstentions.

(HD)

Short-acting Opioid Antagonist distribution kits

<u>HB 2395</u> allows specified persons to distribute and administer short-acting opioid antagonists and distribute kits. The bill passed the first chamber (House) on concurrence with 46 Ayes, 3 Nays, and 11 Abstentions. (DCJ, HD)

Vital records access

<u>HB 2420</u> directs the Oregon Health Authority to designate a work group to propose options for equitable access to birth and death certificates throughout the state and equitable fee revenue

Bill numbers in green passed

Bill numbers in yellow failed

to maintain and improve vital records systems. The bill passed the second chamber (Senate) with 25 Ayes, 0 Nays, and 5 Abstentions. (HD)

Coordinated Care Organization contracts

HB 2446 requires an extension to no later than December 31, 2026, of the term for contracts between the Oregon Health Authority and coordinated care organizations. The bill passed the second chamber (Senate) with 21 Ayes, 4 Nays, and 5 Abstentions. (**Board Agenda, HD**)

Portland State University's increase of mental health and addiction treatment providers

HB 2485 requires Portland State University, subject to sufficient monies being appropriated, to enhance the state's capacity to educate public mental health and addiction treatment providers by July 1, 2028 by materially increasing the number of graduates from relevant degree programs. The bill was referred to Ways and Means, where it remained upon adjournment. (HD)

Amending the implementation of Ballot Measure 110

<u>HB 2513</u> requires local planning committees for alcohol and drug prevention and treatment services to coordinate with local Behavioral Health Resource Networks. The bill passed the second chamber (Senate) with 24 Ayes, 1 Nays, and 5 Abstentions. (Board Agenda, HD)

Displaying of human remains

<u>HB 2519</u> prohibits acceptance of consideration for displaying human remains to the public. The bill passed the first chamber (House) on concurrence with 52 Ayes, 1 Nays, and 7 Abstentions. (Board Agenda, HD)

Cost analysis of CMHP Services

HB 2543 requires the Oregon Health Authority to conduct a study every four years of funding needed by community mental health programs in complying with statutory requirements. The bill was referred to Ways and Means where it remained upon adjournment. (HD)

Provision of Human Immunodeficiency Virus drugs or therapies

<u>HB 2574</u> requires hospitals to adopt policies and procedures to ensure provision of human immunodeficiency virus post-exposure prophylactic drugs or therapies following a patient's possible exposure to human immunodeficiency virus. The bill passed the second chamber (Senate) with 21 Ayes, 3 Nays, and 6 Abstentions. (HD)

Funding 988

Bill numbers in green passed

Bill numbers in yellow failed

HB 2757 expands and provides funding for the coordinated crisis services system, including 9-8-8 suicide prevention and behavioral health crisis hotline. The bill imposes a 40-cent per line per month tax on cell phone consumers. Preempts local governments from increasing tax to pay for 9-8-8 and requires MOU for cities that provide mobile crisis. The bill passed the second chamber (Senate) with 19 Ayes, 6 Nays, and 5 Abstentions. (HD)

Flavored tobacco ban

<u>HB 3090</u> prohibits distributing, selling, attempting to sell, or allowing to be sold flavored inhalant delivery system products or flavored tobacco products in this state. The bill was referred to Ways and Means, where it remained upon adjournment. (**Board Agenda, HD**)

Prescription drug monitoring

HB 3258 requires pharmacies to report the dispensation of prescription drugs classified in schedules II through V under the federal Controlled Substances Act to an electronic system established for monitoring and reporting prescription drugs when a drug is prescribed to an individual for use by an individual or an individual's animal. The bill passed the second chamber (Senate) with 46 Ayes, 8 Nays, and 6 Abstentions. (Board Agenda, HD)

Acute Psychiatric Facilities

HB 5030 authorizes the issuance of lottery revenue bonds for specified projects. \$50 million in lottery backed bonds to "increase community acute psychiatric facility capacity. The bill passed the second chamber (House) with 19 Ayes, 5 Nays, and 6 Abstentions. **(HD)**

Adult Suicide Prevention Coordinator

SB 514 establishes the Adult Suicide Prevention Coordinator within the Oregon Health Authority. The bill was referred to Ways and Means, where it remained upon adjournment. (HD)

School-based Health Centers

<u>SB 549</u> directs the Oregon Health Authority to modify amounts of grants for school-based health centers for inflation. The bill was referred to Ways and Means, where it remained upon adjournment. (**HD**)

Retail pharmacies

<u>SB 608</u> requires the Oregon Health Authority, every three years, to conduct a survey of retail pharmacies enrolled as providers in the state medical assistance program regarding pharmacies' dispensing costs. The bill passed the second chamber (House) with 46 Ayes, 1 Nays, and 13 Abstentions. (DCHS, HD)

Food establishments in residential dwellings

<u>SB 643</u> modifies provisions relating to sales of homemade foods. The bill passed the second chamber (House) with 43 Ayes, 11 Nays, and 6 Abstentions. (HD)

Bill numbers in green passed

Bill numbers in yellow failed

Death investigations

SB 953 changes the title of "district medical examiner" to "county medical examiner." Changes the title of "medical legal death investigator" to "medicolegal death investigator." Eliminates the process by which two or more counties may form districts for the purposes of establishing a single medical examiner's office. The bill was referred to the Senate Committee on Health Care, where it remained upon adjournment. (HD)

Human Services

Appropriation for the Department of Early Learning and Care

HB 5013 is the budget bill for the new Department of Early Learning and Care (DELC). It invests \$1.18 billion in child care and early education services. Funding from this bill includes the following:

- \$800,000 for the Healthy Families Oregon Database;
- \$2.8 million for Healthy Families Oregon to continue wage increases first funded in 2022;
- 9% per child increase for Preschool Promise;

The bill passed in the second chamber (Senate) with 21 Ayes, 3 Nays, and 6 Abstentions. (Board Agenda, DCHS)

Appropriation for the Department of Human Services

<u>HB 5026</u> is the budget bill for the Oregon Department of Human Services. Funding from this bill includes the following:

- \$10 million to fill the gap in food supplies resulting from reduced post-pandemic food donations through distribution of funds throughout the statewide food bank network.
- Implementation of the new 1115 Medicaid Waiver which includes continuous Oregon Health Plan enrollment for kids up to six years of age, and two-year continuous enrollment for individuals over five years of age;
- An increase of \$12.8 million for the Healthier Oregon Program to support the forecast HOP caseload. It includes funding for the population enrolled during 2022 (individuals ages 19-26 and 55+) and expansion of services to the remainder of age groups;
- \$27.5 million to continue a 5% increase in the I/DD Provider Rate that is set to expire at the end of the 2021-23;

The bill passed the second chamber (Senate) with 21 Ayes, 3 Nays, and 6 Abstentions. (Board Agenda, DCHS)

Requirements for landlords of tenants who operate childcare in dwelling

<u>HB 2468</u> authorizes the Early Learning Council to adopt by rule reasonable requirements for landlords of tenants who operate a certified childcare home in a tenant's dwelling. The bill passed the second chamber (Senate) with 18 Ayes, 6 Nays, and 6 Abstentions. (DCHS, HD)

Workgroup to examine expansion of childcare facilities

Bill numbers in green passed Bill numbers in yellow failed

HB 2727 directs the Department of Land and Conservation and Development to convene a work group to examine strategies for expanding the state's early learning and care facilities. The bill passed the second chamber (Senate) with 20 Ayes, 4 Nays, and 6 Abstentions. (DCHS)

Universal School Meal Account

HB 3030 establishes a Universal School Meal Account to reimburse school districts for certain costs in providing federally reimbursable meals. The bill was referred to the House Committee on Education, where it remained upon adjournment. (DCHS)

Water utility ratepayer assistance

HB 3125 establishes the Public Drinking Water and Sewer Ratepayer Assistance Fund. The bill was referred to House Ways and Means, where it remained upon adjournment. (DCHS, HD, Sustainability)

Welcome and Reception Program within the Office of Immigrant and **Refugee Advancement**

HB 3176 establishes the Welcome and Reception Program within the Office of Immigrant and Refugee Advancement to provide immigrants, refugees, and asylum seekers with support services. The bill was referred to Ways and Means, where it remained upon adjournment. (DCHS)

Commitment of persons with intellectual disabilities

HB 3234 prohibits the commitment of children with intellectual disabilities without the consent of a parent or legal guardian. The bill passed the second chamber (Senate) with 24 Ayes, 0 Nays, and 6 Abstentions. (DCHS)

Allowing dwelling to be used as a family child care home

SB 599 requires landlords to allow dwelling to be used as a family child care home, subject to conditions. The bills passed the second chamber (House) with 36 Ayes, 20 Nays, and 4 Abstentions. (DCHS, HD)

Establishes Food for All Oregonians Program

SB 610 establishes the Food for All Oregonians Program in the Department of Human Services to provide nutrition assistance to residents of this state who would qualify for the federal Supplemental Nutrition Assistance Program but for immigration status or lack of Social Security number. The bill was referred to Ways and Means, where it remained upon adjournment. (DCHS, HD)

Public Safety

Appropriations for the Department of Corrections

Bill numbers in green passed

Bill numbers in yellow failed

<u>SB 5504</u> invests \$252 million for Community Corrections "Grant-In Aid". The bill passed the second chamber (House) with 35 Ayes, 18 Nays, and 7 Abstentions. (**Board Agenda, DCJ, MCSO**)

Appropriations for Oregon Criminal Justice Commission

<u>SB 5505</u> invests \$26.9 million for the Justice Reinvestment Grant Program through the Criminal Justice Commission. The bill passed the second chamber (House) with 51 Ayes, 1 Nays, and 8 Abstentions. (Board Agenda, DCJ, MCSO)

Appropriations for the Public Defense Services Commission

<u>SB 5532</u> is the budget bill for the Public Defense Services Commission. The budget includes investments in the following:

- \$113.7 million for the Emergency Board action and the release of the \$100 million special purpose appropriation;
- \$21.2 million to fully fund caseloads;
- \$5.4 million for the unrepresented defendant crisis; and
- \$3 million for nonunanimous jury convictions;

Juvenile Detention Education Program

<u>SB 5014</u> invests \$8.3 million of ongoing General Funds in the Juvenile Detention Education Program (JDEP) and the Youth Corrections Education Program (YCEP). Investment is further defined through a budget note that creates a single monetary fund and directs the Oregon Department of Education to consider diversity, number of classrooms, number of students, and percentage of students utilizing special education services when determining programmatic distributions for individual facilities and transition services. The bill passed the second chamber (Senate) with 20 Ayes, 4 Nays, and 6 Abstentions. (Board Agenda, DCJ)

Prohibits Undetectable firearms

<u>HB 2005</u> defines "undetectable firearm" and punishes manufacturing, importing, offering for sale, or transferring of an undetectable firearm by a maximum of 10 years imprisonment, a \$250,000 fine, or both. The bill passed the first chamber (House) on concurrence with 34 Ayes, 14 Nays, and 12 Abstentions. (**DCJ**, **MCSO**)

Prohibits a person under 21 years of age from possession of firearms

<u>HB 2006</u> prohibits a person under 21 years of age from possessing firearms with specified exceptions. The bill was referred to the House Judiciary, where it remained upon adjournment. (MCSO)

Prohibits possession of firearms in certain public areas

Bill numbers in green passed Bill numbers in yellow failed

HB 2007 authorizes governing bodies of certain public entities that own or control a public building to adopt policy, ordinance, or regulation or precluding affirmative defense for possessing firearms in public buildings and adjacent grounds by concealed handgun licensees. The bill was referred to the House Judiciary, where it remained upon adjournment. (MCSO)

Preventative services for juveniles

HB 2327 permits the county juvenile department to provide preventative services to certain persons under 12 years of age. The bill was referred to the House Judiciary, where it remained upon adjournment. (DCJ)

Penalties for Possession of Fentanyl

HB 2645 increases penalties for possession of certain amounts of fentanyl. The bill passed the first chamber (House) on concurrence with 52 Ayes, 1 Nay, and 7 Abstentions. (MCSO, DCJ)

Public Defense Services Commission reform

SB 337 restructures Oregon's Public Defense Commission by changing the name of the commission, modifying the membership of the commission, and transfers the commission to the Executive branch. The bill passed the second chamber (House) with 34 Ayes, 16 Nays, and 10 Abstentions. (DCJ, MCSO)

Confidentiality in juvenile records

SB 519 modifies the procedure for the expunction of certain juvenile records. The bill passed the second chamber (House) with 54 Ayes, 0 Nays, and 6 Absences. (DCJ)

Confidentiality in restorative justice programs

SB 586 makes restorative justice communications confidential. The bill passed the second chamber (Senate) with 32 Ayes, 24 Nays, and 4 Absences. (DCJ, MCSO)

Sex trafficking screenings

SB 745 directs county juvenile departments to ensure that specified youth or adjudicated youth receive sex trafficking screening. The bill passed the second chamber (House) with 54 Ayes, 0 Nays, and 6 Absences. (DCJ, MCSO)

Bill numbers in green passed

Bill numbers in yellow failed

Environment & Sustainability

Controlling Diesel Emissions

<u>HB 2396</u> directs the Environmental Quality Commission to create rules to control the emissions associated specifically with diesel hotspots. These hotspots would include distribution centers, railyards, marine ports, and construction sites. Referred to House Climate, Energy, and Environment with a subsequent referral to Transportation. In committee upon adjournment. (HD, Sustainability)

Electric bicycles program

<u>HB 2571</u> directs the Department of Environmental Quality to establish a program for providing rebates to qualifying individuals who purchase electric-assisted bicycles. The bill was referred to Ways and Means and where it remained upon adjournment. (**DCS**, **HD**, **Sustainability**)

Community Green Infrastructure Grant Program

<u>HB 3016</u> establishes the Community Green Infrastructure Grant Program. The bill was referred to Ways and Means and where it remained upon adjournment. (DCS, HD, Sustainability)

Engine emissions

HB 3158 imposes an excise tax on the retail sale of tires, privilege tax for engaging in business of providing nonroad diesel equipment, tax on use in Oregon of nonroad diesel equipment purchased out of state at retail, heavy equipment rental tax on rents of nonroad diesel equipment, privilege tax on heavy-duty vehicles and license on tax on dyed diesel for transfer to Clean Diesel Engine Fund. The bill was referred to the House Committee On Climate, Energy, and Environment, where it remained upon adjournment. (HD, Sustainability)

Citizen involvement in statewide land use planning

HB 3217 requires that the statewide land use planning goal relating to citizen involvement incorporate environmental justice practices. The bill was referred to the House Agriculture Land Use, Natural Resources and Water subcommittee, where it remained upon adjournment. (DCS, HD, Sustainability)

Air pollution fees

HB 3229 modifies federal operating permit program fees that fund DEQ's Title V air quality program. This bill phases in a total fee increase of nearly 70%. The bill passed the second chamber (Senate) with 17 Aves. 8 Navs. and 5 Abstentions. (**HD. Sustainability**)

Climate Package

Bill numbers in green passed

Bill numbers in yellow failed

HB 3409 invests \$90 million in climate change adaptation and emissions reduction. It set goals for installing more heat pumps in Oregon and reducing barriers to installation. It requires energy standards for commercial buildings and a reduction of energy use and GHGs in state buildings. It directs the State Forestry Department to acquire and maintain an urban tree canopy assessment tool, provide technical and financial assistance in addressing a lack of urban tree canopy, and develop and implement the Community Green Infrastructure Grant Program. It creates a rebate program for zero-emission medium and heavy-duty vehicles, extends the rebate for solar power, and creates a \$10M grant program for resilience hubs. The bill passed the first chamber (House) on concurrence with 34 Ayes, 16 Nays, and 10 Abstentions. (HD, Sustainability)

Right to repair consumer electronics

SB 542 requires an original equipment manufacturer to make available to the owner of consumer electronic equipment or independent repair provider on fair and reasonable terms any documentation, tool, part, or other device or implement that the original equipment manufacturer makes available to authorized service provider for the purpose of diagnosing, maintaining or repairing consumer electronic equipment. The bill was referred to the Senate Committee on Rules, where it remained upon adjournment. (DCA)

Soil and Water Conservation District Candidates

<u>SB 775</u> removes the landowning requirements for Soil and Water Conservation District Candidates in districts with populations over 250,000. Prior to this bill, a candidate had to own or manage at least 10 acres of land to run for a zoned seat, drastically limiting the number of people eligible for a position, especially in urban areas. The bill passed the second chamber (House) with 32 Ayes, 20 Nays, and 8 Abstentions. (DCS, Sustainability)

Studying the feasibility of phasing out fossil diesel fuels

SB 803 directs the Department of Environmental Quality, in consultation with other state agencies, to study the feasibility of phasing out fossil diesel fuels with high carbon intensity and examine the impacts of requiring a carbon intensity value of 60 grams of carbon dioxide equivalent per megajoule or less for on-road diesel fuel. The bill was referred to Ways and Means, where it remained upon adjournment. (Board Agenda, HD, Sustainability)

Infrastructure, Transportation, Land Use & Development

Funding for the Earthquake Ready Burnside Bridge

<u>HB 5030</u> authorizes the issuance of lottery revenue bonds for specified projects. Among other beneficiaries, it funds the Earthquake Ready Burnside Bridge Replacement Project at \$20 million. The bill passed the second chamber (House) with 19 Ayes, 5 Nays, and 6 Abstentions. (Board Agenda, DCS)

Federal surface transportation funding for local governments

Bill numbers in green passed Bill numbers in yellow failed

HB 2101 removes restrictions that prevent ODOT from flexibly exchanging State Highway Funds outside of their operations and maintenance budget and codifies the Surface Transportation Block Grant (STBG) Fund Exchange Program in statute, which distributes federal transportation funding to cities and counties with ODOT acting as a pass-through entity. The bill passed the second chamber (Senate) with 23 Ayes, 1 Nay, and 6 Abstentions. (DCS)

Oregon Housing Needs Analysis

HB 2889 amends Oregon Housing Needs Analysis and land use requirements for local governments related to urbanization. The bill passed the second chamber (Senate) with 23 Ayes, 1 Nay, and 6 Abstentions. (DCS, DCHS, JOHS)

Supporting broadband access, affordability, and adoption

HB 3201 This bill was essential to ensure that Oregon can leverage the \$688 million in recent federal dollars to invest in building out broadband services across our state. It updates and broadens the purpose of the Oregon Broadband Fund and allows both unserved and underserved areas to be eligible for federal broadband funding. The bill passed the first chamber (House) on concurrence with 50 Ayes, 4 Nays, and 6 Abstentions. (Board Agenda)

Funding for the Interstate 5 Bridge Replacement

HB 5005 authorizes the issuance of General Obligation bonds for specified purposes. It allocates \$251,825,000, which includes \$250,000,000 in net proceeds and \$1,825,000 for costs of issuing bonds, to fund the Interstate 5 Bridge Replacement project in the 2023-25 biennium. In addition to the authorization in 2023-25, the Subcommittee approved an additional authorization of \$250,000,000 in net proceeds in each of the next three biennia (2025-27, 2027-29, 2029-31), producing a combined total of \$1 billion in net proceeds for the Interstate 5 Bridge Replacement project. The bill passed the second chamber (House) with 19 Ayes, 5 Navs. and 6 Abstentions. (DCM)

Fee Bill for Investment in Transportation

HB 2100 raises various fees for the issuance of identification cards, vehicle inspections, vehicle registration fees for trailers, campers, and motor homes, and the replacement of registration plates. In addition, the measure raises fees for most driver license types, driver testing, motorcycle license fees, and reinstatement of revoked driving privileges. The proposed fee increases align more closely with the costs of providing various services. The bill passed the second chamber (Senate) with 18 Ayes, 6 Nays, and 6 Abstentions. (DCS)

Public Contracting Preference for Veterans

HB 2295 broadens public contracting preference for businesses that service-disabled veterans to include all veteran-owned businesses. The bill passed the second chamber (Senate) with 25 Ayes, 0 Nays, and 5 Abstentions. (DCHS, DCM)

Housing within urban growth boundary

Bill numbers in green passed

Bill numbers in yellow failed

<u>HB 2984</u> allows the conversion of a building from commercial use to housing within the urban growth boundary under certain conditions. The bill passed the first chamber (House) on concurrence with 35 Ayes, 18 Nays, and 7 Abstentions. (**DCHS**, **JOHS**)

Road user charge

<u>HB 3297</u> Imposes a mandatory per-mile road usage charge for registered owners and lessees of passenger vehicles of model year 2028 or later that have a rating of 30 miles per gallon or greater, beginning July 1, 2027, and then of passenger vehicles of the model year 2036 or later that have a rating of 20 miles per gallon or greater, beginning July 1, 2035. Referred to Transportation with subsequent referral to Revenue. In committee upon adjournment. (DCS, HD, DCM)

Multnomah County bridge service district development

<u>HB 3301</u> authorizes Multnomah County to form a master plan and service district for bridges spanning the Willamette River. The bill was referred to the Transportation Committee, where it remained upon adjournment. (**DCS**)

Earthquake Ready Burnside Bridge Investment

HB 3323 appropriates money from the General Fund to the Oregon Department of Administrative Services for distribution to Multnomah County for the Earthquake Ready Burnside Bridge project. The bill referred to House Ways and Means, where it remained upon adjournment. The project was funded at \$20 million HB 5030. (DCS)

Ports and deep draft navigation channel improvements

HB 3382 authorizes local governments to adopt an exception to land use planning goals for deep draft navigation channel improvements with certain restrictions and in accordance with a plan developed by Local Indian Tribes. The bill passed the second chamber (Senate) with 21 Ayes, 4 Nays, and 5 Abstentions. (DCS)

Variance exceptions to land use policy for housing development

HB 3414 Requires local governments to approve certain adjustments to land use regulations for housing development within the urban growth boundary. The bill failed on the house floor with 15 Ayes, 10 Nays, and 5 Abstentions. (DCS, Health, JOHS, DCHS)

Zone changes for affordable housing in floodplains

HB 3442 authorizes local governments to allow, prohibit, and require zone change for or subject to conditional use permit development of certain affordable housing on certain lands within tsunami inundation zones or 100-year floodplains. The bill only applies to coastal areas that require compliance with minimum federal regulations under the National Flood Insurance Program. The bill passed the second chamber (Senate) with 18 Ayes, 6 Nays, and 6 Abstentions. (DCS)

Bill numbers in green passed

Bill numbers in yellow failed

Energy utility residential rates

<u>HB 3459</u> extends the sunset for the requirement that the Public Utility Commission provides through rates charged to all customers of electric companies, collection of monies for low-income electric bill payment, and crisis assistance. The bill was referred to the House Ways and Means, where it remained upon adjournment. (**JOHS**)

Employer settlement agreements and no-rehire provisions

<u>HB 3471</u> makes it an unlawful employment practice for an employer to make an offer to negotiate a settlement agreement conditional upon the worker also entering into an agreement that includes a no-rehire provision. The bill passed the first chamber (House) on concurrence with 33 Ayes, 21 Nays, and 6 Abstentions. (DCM)

Public procurement contract preferences

HB 3572 permits a contracting agency to grant preference to procuring for public use goods or services that are provided by a benefit company incorporated, organized, formed, or created under laws of this state if goods or services cost not more than five percent more than goods or services available from a contractor that is not benefit company. The bill passed the second chamber (Senate) with 19 Ayes, 5 Nays and 6 Abstentions. (DCS)

Passenger rail service expansion study

<u>SB 14</u> requires the Department of Transportation to study options for expanding passenger rail service in Oregon. The bill was referred to Ways and Means, where it remained upon adjournment. (**DCS**)

Public procurements offsetting environmental costs

SB 442 permits contracting agency to grant preference to procuring for public use goods that are fabricated or processed, or services that are performed, entirely within this state if goods or services cost not more than five percent more than goods not processed, fabricated or services not performed, entirely within this state if a contracting agency can reasonably and credibly determine that procuring at higher price offsets environmental costs of transporting goods or service providers from outside this state. The bill was referred to the House Committee on Emergency Management, General Government, and Veterans, where it remained upon adjournment. (DCM)

Equity in contract price thresholds for public procurements

<u>SB 1047</u> raises the contract price threshold under which a contracting agency may apply certain solicitation and procurement methods for public contracts. The bill passed the second chamber (House) with 39 Ayes, 18 Nays and 3 Absences. (DCM)

Bill numbers in green passed

Bill numbers in yellow failed

County Tax & Revenue

County Assessment Function Funding Assistance (CAFFA) Grant Program

HB 2088 provides counties with funding for property tax administration by directing the county treasurer to withhold three percent of all monies deposited with the county treasurer at A&T purposes. The bill was referred to the House Revenue Committee, where it remained upon adjournment. (Board Agenda, DCM)

Marijuana Tax revenue distribution to cities and counties

<u>HB 2089</u> directs the Department of Revenue to transfer a specified amount of money from the Oregon Marijuana Account to cities, counties, and the State Police. The bill was referred to the House Revenue Committee, where it remained upon adjournment. (**Board Agenda, DCM, HD**)

Local Income Tax Limitation

HB 2548 requires political subdivisions, when imposing an income tax, to conform with provisions of ORS Chapters 314, 316, and 317 governing the determination of net income, including the apportionment and sourcing of income. It also repeals the authority of a metropolitan service district to impose an income tax. The bill was referred to the House Revenue Committee, where it remained upon adjournment. (DCM, CA)

Floating homes assessment technical fix

<u>SB 198</u> is a technical fix that stems from work that began during the 2021-long session with SB 1559, which was intended to exempt floating structures from the need to file a tax return. This bill changes the definition of "floating home" to also incorporate accessory structures that many floating homes have, such as a garage. The bill passed the second chamber (House) with 54 Ayes, 0 Nays, and 6 Abstentions. (**DCM**)

Five-year property tax exemption for ADUs

<u>SB 919</u> allows cities and counties to adopt a five-year property tax exemption for new ADUs, duplexes, triplexes, or quadplexes that are added to existing property and are used as the occupant's primary residence. The bill passed the second chamber (House) with 43 Ayes, 10 Nays, and 7 Abstentions. (Board Agenda, DCM)

Other Relevant Bills to the County

Omnibus Budget Reconciliation Bill

Bill numbers in green passed

Bill numbers in yellow failed

<u>SB 5506</u> is the end-of-session omnibus reconciliation budget bill that implements the remaining adjustments to state agencies' legislatively adopted budget for the 2023-25 biennium. The bill includes funding for the following:

- \$50 million for the Emergency Board for general purposes;
- \$741.7 million to the Emergency Board for special purposes, including state employee compensation, Long Term Rental Assistance, Firearm Background Checks, and Public Defense Services.
- \$99.7 million to address climate change, wildfire, housing, behavioral health, and drought-related issues;
- \$20.9 million in one-time General Fund to extend food and shelter support for individuals in Oregon seeking refuge and immigration legal services;
- \$20 million in additional support for Public Health Modernization;
- \$15 million for a cost-per-case increase for Employment Related Day Care; and
- \$13.8 million for community violence prevention activities;
- Funding to study barriers that prevent Local Governments in obtaining liability insurance when providing Behavioral Health Resources;
- \$5.8 million in funding for Universal Representation;

The bill passed the second chamber (House) with 40 Ayes, 7 Nays, and 13 Abstentions. (HD)

Ranked choice voting

<u>HB 2004</u> establishes ranked choice voting as a voting method for selecting the winner of nomination for an election to the offices of President of the United States, Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, and Attorney General. The bill passed the first chamber (House) on concurrence with 34 Ayes, 17 Nays, and 9 Abstentions. (DCS)

Disclosure of cybersecurity plans

<u>HB 2490</u> exempts from required disclosure records concerning cybersecurity plans, devices, and systems, including contractual and insurance records setting forth specifications, applications, and coverages. The bill passed the second chamber (Senate) with 25 Ayes, 0 Nays, and 5 Abstentions. (DCS)

Deductions from employee wages

<u>HB 2556</u> provides requirements for employer deductions for erroneous overpayments of wages for employees who are not subject to a collective bargaining agreement. The bill was referred to the Senate Committee on Labor and Business, where it remained upon adjournment. (**DCM**)

Executive session allowances for governing bodies

<u>HB 2806</u> authorizes a governing body to meet in executive session to consider matters relating to the safety of governing body, public body staff, and public body volunteers and to the security of public body facilities and meeting spaces and relating to cyber security infrastructure and

Bill numbers in green passed Bill numbers in yellow failed

responses to cyber security threats. The bill passed the second chamber (Senate) with 24 Ayes, 0 Nays, and 6 Abstentions. (County Attorney)

Acceptance of bonds for construction projects

HB 2870 requires a contracting agency to accept contractors' bonds in lieu of retainage for construction projects and public improvement contracts. The bill was referred to a conference committee, where it remained upon adjournment. (DCS)

Sales of animals by retail pet stores

HB 2915 prohibits retail pet stores from offering to sell or selling dogs or cats, with an exception for adoption events in partnership with local shelters. The bill passed the first chamber (House) on concurrence with 41 Ayes, 12 Nays, and 7 Abstentions. (DCS)

Public disclosure of an elected official or candidate's home address

HB 3073 prohibits the Secretary of State and county clerks from disclosing as public record or including on lists of electors residence address of elector who is a candidate for elected office or holder of elected office. The bill passed the second chamber (Senate) with 24 Ayes, 0 Nays, and 6 Abstentions. (DCS)

Pay equity and bonuses

HB 3205 permits an employer to pay employees at different compensation levels pursuant to retention bonus provided that the employer does not discriminate in the retention bonus payment and that the retention bonus accounts for the entire compensation differential. The bill was referred to the Senate Committee on Labor and Business, where it remained upon adjournment. (DCM)

Removing discriminatory language in recorded instruments

HB 3294 requires the county clerk to replace the recorded instrument with a court-ordered version that redacts discriminatory language. The bill passed the second chamber (Senate) with 23 Ayes, 1 Nays, and 6 Abstentions. (DCA, DCM, DCS)

Bill of Rights for LGBTQIA2+ Adults

SB 99 establishes a Bill of Rights for LGBTQIA2S+ Older Adult Residents of Long Term and Community-Based Care Facilities. The bill passed the second chamber (House) with 40 Ayes, 12 Nays, and 8 Abstentions. (DCHS)

Disability benefit requirements under workers' compensation

SB 418 removes the minimum time period that an injured worker must be absent from work for compensable medical services before an injured worker may receive temporary disability benefits for such absence. The bill passed the second chamber (House) with 57 Ayes, 0 Nays and 3 Absences. (DCM)

Bill numbers in green passed Bill numbers in vellow failed

Paying prevailing rate requirements

SB 594 requires payment of prevailing rate of wage for demolition or removal of hazardous waste from roads, highways, buildings, structures, or improvement in a public improvement contract that uses \$750k or more of public funds or that occurs on real property that state agency owns, including demolition or removal of hazardous waste that occurs in connection with construction, reconstruction, renovation or painting of road, highway, building, structure or improvement. The bill passed the second chamber (House) with 34 Ayes, 23 Nays, and 3 Abstentions. (DCM)

Nonprofit Modernization Act

SB 606 establishes the Task Force on Modernizing Grant Funding and Contracting to study the state's granting and public procurement practices concerning the wages of employees of nonprofit organizations and make recommendations. The bill passed the second chamber (House) with 38 Ayes, 15 Nays, and 7 Abstentions. (DCHS, HD)

Employee rights to refuse certain work assignments

SB 907 prohibits employers from retaliating or discriminating against an employee or prospective employee who, in good faith and with no reasonable alternative, refuses exposure arising from hazardous conditions at the place of employment. The bill passed the second chamber (House) with 33 Ayes, 15 Nays, and 12 Abstentions. (DCJ, DCM)

APPENDIX



2023 State Legislative Agenda

The 2023 Legislative Session presents a unique opportunity to support essential programs and services in Multnomah county, the most populous and diverse community in the state with over 800,000 residents. In partnership with state partners, the County will work to develop innovative solutions to budget, service delivery, and racial equity challenges. Multnomah County's 2023 Legislative Agenda's budget and policy priorities for this session include the following:

Protect and Expand Programs that Help Our Most Vulnerable

- Expand Oregon Health Plan Benefits to indigent populations.
- Protect and expand funding for innovative Behavioral Health projects.
- Increase investment in child care and early education for all children, especially racial and ethnic minorities, dual language learners, and those with special needs.
- Support Intellectual and Developmental Disability Services and address workforce challenges to ensure a robust provider network.
- Expand Older Adults' Supports that are empowering and culturally responsive.
- Invest in long-term Housing and Shelter support to help stabilize funding resources.
- Support increased investments in services for individuals who have experienced or are at risk of sex trafficking.

Invest in Oregon's Behavioral Health System

- Support efforts to create a new tax to fund 988 services to ensure local governments have resources to
 provide and coordinate services.
- Ensure greater equity in the Aid and Assist reimbursement rates to better account for actual costs for service delivery across Oregon and increased costs for serving violent and high-risk populations.
- Support efforts to retain and recruit skilled individuals to the behavioral health workforce.
- Amend Measure 110 statute to ensure greater partnership with Local Mental Health Authorities and Community
 Mental Health Programs and ensure a more equitable grantmaking program that funds substance use disorder
 treatment and wrap-around services for individuals with SUD and co-occurring mental health needs.
- Strengthen and enhance treatment options for those with co-occurring mental health and addiction treatment needs.
- Support an expansion of the Future Ready Oregon grant and create a new Human Services degree and certificate program.

Fund Housing and Permanent Supportive Housing

- Increase investments in long-term funding for local governments to provide supportive and transitional housing services.
- Increase funding for long-term housing vouchers to help stabilize individuals and families.
- Increase GAP funding for affordable housing to address the increased cost of building supplies.

Promote Equity and Justice

- Reduce fines, fees, and restrictions that criminalize BIPOC, low-income, and LGBTQIA2S+ communities and
 prevent individuals involved in the criminal justice system from finding stable housing, employment, and
 successful reentrance into the community.
- Correct the school funding formula to provide juvenile justice settings with equitable funding for educating students in detention.
- Support Restorative Justice policies that refocus on repairing the harm that has been caused.
- Advocate for continued Juvenile Justice reform by establishing a minimum age for prosecuting youth involved in the justice system.

(continued on next page)

APPENDIX

Fully Fund and Support a Robust Public Health System

- Support continued investments for Local Public Health Authorities statewide to ensure essential public health protections are in place for all Oregonians and equitable health outcomes are achieved.
- Establish a Local Public Health Workforce Incentives Package to promote a growing and diverse workforce.
- Protect the integrity of human remains donations by prohibiting profiting off of the public display of human remains.
- Support a statewide barn on flavored tobacco products to protect the health of all Oregonians.

Support Economic and Community Development

- Improve broadband access by:
 - Increasing broadband adoption through infrastructure build-out.
 - Addressing broadband affordability challenges in areas with existing infrastructure.
 - Supporting daily access to the internet.
- Create tools to better understand the impact of institutional and investment home buyers on housing affordability and homeownership, especially for BIPOC and low-income communities.
- Retain and improve tenant protections including keeping a 10-day eviction notice, right to redemption, cap
 rent increases to 10% per year, and other policies that help tenants stay in stable housing.

Protect our Environment

- Protect and improve air and water quality, especially in low-income communities and communities of color, by utilizing tools such as the Indirect Source Rule.
- Aid residents in gaining access to heating and cooling options as climate change continues to cause more extreme seasonal temperatures.
- Support environmental justice efforts to mitigate disparities in current and past social, environmental, and health policies and practices.
- Create climate and disaster-resilient communities by providing resources for vulnerable communities at centrally located resilience hubs.
- Assist owners and operators of diesel engine equipment and vehicles to transition to cleaner technology through incentives and assistance programs.

Sustainably Fund Transportation and Infrastructure

- Ensure that users pay an equitable share to use the road in Oregon, including large heavyweight vehicles, to increase the safety for all road users and especially those in urban areas with many pedestrians and bicyclists.
- Enable counties to recover costs when issuing permits for access to county right of way.
- Assert an equitable share of transportation revenue for counties from options such as gas tax, congestion pricing, bonding, or vehicle registration fees.
- Seek a long-term and sustainable transportation funding mechanism such as the road user charge.
- Leverage local and federal funds for the Earthquake Ready Burnside Bridge project through State investment.
- Fund safety, ADA and maintenance upgrades on both state and local urban arterials.

Support More Equitable Revenue

- Increase funding for the County Assessment Function Funding Assistance grant program to better reflect the cost to administer property tax laws.
- Ensure greater equity in the property tax and fee systems to increase revenue for local government services.

Provide Safe Harbor and Reproductive Health Protections

- Provide a safe harbor to individuals regardless of residency, receiving reproductive health care (e.g. abortions, birth control, anti-HIV medicine), and medical providers providing services in the state.
- Increase funding for providing reproductive health care for in and out-of-state residents.

For more information, please contact:

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APPENDIX

- **1** VanderHart, Dirk. "Oregon economists say state lawmakers have an additional \$800 million to spend." Oregon Public Broadcasting.
- https://www.opb.org/article/2022/02/09/oregon-revenue-forecast-800-million-kicker-tax/. February 9, 2022.
- **2** Oregon Office of Economic Analysis. "Oregon Economic and Revenue Forecast." Volume XLII, No. 1. https://www.oregon.gov/das/OEA/Documents/forecast0322.pdf. February 9, 2022.
- 3 Ibid.
- 4 Oregon House Democrats. "Oregon House Democrats Elect New Caucus Leader, Speaker Nominee." https://www.oregonlegislature.gov/housedemocrats/Documents/FOR%20IMMEDIATE%20RELEASE_Oregon%20House%20Democrats%20Elect%20New%20Caucus%20Leader,%20Speaker%20Nominee.pdf. January 16, 2022.
- **5** Departments and abbreviations are as follows: Department of Community Assets (DCA), Department of County Management (DCM), Department of County Services (DCS), Department of County Human Services (DCHS), Department of Community Justice (DCJ), Health Department (HD), Joint Office of Homeless Services (JOHS), Sustainability.
- **6** Governor Kate Brown has five days (excluding weekends) during session post transmittal to sign or veto a bill passed by the legislature, or it becomes law without her signature. Bills transmitted to the governor within the last five days of the session must be signed or vetoed within 30 days of adjournment (excluding weekends), or the legislation becomes law without signature. If a bill has already been signed by the Governor, it will be marked "Signed" in the appendix table.