

W. T. A.

AGENDA COVER MEMORANDUM

AGENDA DATE: March 30, 2005

TO: **Board of County Commissioners**

FROM: **Lane County Legislative Committee**
Commissioner Bill Dwyer, chair
Anna Morrison, member

PRESENTED BY: Anthony S. Bieda, IGR Manager

AGENDA TITLE: Report by Legislative Committee

1) Review of Recommendations on Legislative Bills

DISCUSSION: The Board will review recommendations from its Legislative Committee about legislation of interest to the county that is pending before the Oregon Legislature.

ISSUE: **Review of recommendations on pending legislation.**
The following are recommendations by the Legislative Committee, adopted at its meeting of Thursday, March 10, for consideration by the full Board:

HB 2164 -- Adds two members to Oregon Transportation Commission. Requires two members to be elected local officials at time of appointment.

Analysis: The intent is to have a county commissioner or county judge be appointed in order to fortify the voice of counties on the OTC, regarding transportation issues of regional and statewide significance. Proposed and supported by AOC.

Recommended Position: Support

HB 2202 -- Directs State Commission on Children and Families to work with certain state agencies and advisory committees to develop state policy regarding runaway and homeless youth and their families. Requires that policy be developed by January 1, 2007, and that report to legislature on implementation of policy be made prior to February 1, 2009. Declares emergency, effective on passage.

Analysis: The cost of the bill (i.e. meetings and development of a report on comprehensive state policy for runaway, homeless youth), will be born by the state

partner agencies. Representatives from private non-profits in Lane County have been key voices in state efforts on behalf of runaway, homeless youth and will participate in planning and research efforts similar to existing efforts through local SB 555 planning.

Lane County will provide input and recommendations to the state regarding policy and services appropriate to Lane County youth and families. Input from youth themselves will also come from the one state/local pilot project currently working on behalf of runaway, homeless youth in the state, based here in Lane County: Positive Youth Development (PYD). Potential exists for future funds allocated by the state for services to runaways, their families and homeless youth but not until 2009. The bill has been developed as a grass roots citizen and advocacy group effort. It is gaining momentum.

Recommendation: Bring to full Board for discussion/decision.

HB 2296 -- Expands sex offender reporting requirements by requiring sex offender to report when sex offender works at, carries on vocation at or attends institution of higher education.

Analysis: Would require sex offenders to register with state police, chief of police, sheriff or supervising agency within 10 days after offender becomes a student at or is employed at an institution of higher learning. Community Corrections Directors are currently neutral on this bill.

Recommended Position: Support

HB 2300 -- Requires person with duty to report as sex offender to report every 10 days if person does not have fixed address.

Analysis: Would require sex offenders without fixed residences to report every 10 days. This bill appears to be in the midst of heavy-duty negotiations. Although it has been determined that it would not likely have a significant fiscal impact on parole and probation, it could be virtually impossible to enforce and might create some unnecessary liability.

Recommended Position: Support only if funded by state; otherwise oppose

HB 2381 -- Expands crimes of rape in second degree, sodomy in second degree, unlawful sexual penetration in second degree and sexual abuse in first degree to include victims under 18 years of age. Repeals crimes of rape in third degree, sodomy in third degree and contributing to sexual delinquency of minor.

Analysis: Would abolish the crimes of Rape 3 and Contributing to the Sexual Delinquency of a Minor but would elevate the minimum age of rape and sexual abuse victims from 16 to 18. It would elevate Rape 3 cases to Rape 2, a Measure 11 offense. Community Corrections Directors oppose this bill.

Recommended Position: Oppose

HB 2444 -- Authorizes circuit court to place probationer under supervision of court. Allows circuit court to impose supervision fee. Establishes Court Supervised Probation Fund. Appropriates moneys in fund to Judicial Department to pay costs incurred by circuit courts in supervising probationers. Declares emergency, effective July 1, 2005.

Analysis: Would allow circuit courts to place misdemeanants under the supervision of the court and charge supervision fees which would go into a special fund. Could result in courts using the money to hire people to do the supervision, resulting in a split probation system. Provides no distinction between higher and lower-risk misdemeanants. Most counties don't provide supervision of misdemeanants, leaving courts with a void. Some counties might be willing to take on supervision of misdemeanants if the funding from this bill followed, and at an appropriate level.

Recommended Position: Oppose

SB 586 -- Limits number of medium and high risk offenders that may be supervised by parole and probation officers who engage in case supervision.

Analysis: Establishes parole and probation caseload limits of no more than 60 high and medium cases. In many counties, caseload exceeds that threshold and has for some time, due to funding cutbacks. No information how about public safety outcomes are enhanced or diminished by putting a staffing standard into statute.

Recommended Position: Support, only if state provides sufficient funding