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## AGENDA COVER MEMORANDUM

AGENDA DATE: March 9, 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) Status Report: Reauthorization of Federal Timber Payments  
(HR 517, S 267)**

**2) Review of Recommendations on Legislative Bills**

DISCUSSION: The Board will hear on update on the status of federal legislation to continue timber safety net payments to counties. Also, it will review recommendations from its Legislative Committee about legislation of interest to the county that is pending before the Oregon Legislature.

ISSUE: **Status report on reauthorization of federal timber payments (HR 517, S 267)**

With the introduction of HR 517 and S 267 in the U. S. Congress, the effort to reauthorize PL 106-393 (Secure Rural Schools) has begun in earnest; Lane County schools, roads and public safety has much at risk if the safety net payments are not continued after the current act sunsets in 2006.

As part of a nationwide coalition to inform Congress about the benefits and virtues of "Secure Rural Schools," an outreach fund is being developed to enable counties and schools throughout the country, and in particular key congressional districts, to send representatives back to Washington, D.C. to make contacts with their members. While more than 700 counties in 41 states receive support under the act, most receive amounts smaller than the funds received in Oregon, Washington, California, Idaho and Montana. For many of those counties in the Southwest, Mid-west, Southeast and Northeast parts of the country, travel resources are limited.

In order to ensure that Congress hears from a geographically diverse constituency with regard to extending this act, Lane County would set aside part of the lapse in the CAO budget for 2004-05 to make a contribution to the outreach fund. Specifically, an amount of no more than \$25,000 would be applied through the National Forest Counties and Schools Coalition to reimburse travel by county and school officials who visit Washington to inform members about the value of the safety net payments legislation.

**Recommendation:** That the Board of County Commissioners authorize county administration to use up to \$25,000 of budget lapse to contribute to the NFCSC outreach fund for purposes of informing Congress about the need to reauthorize PL 106-393.

**ISSUE: Review of recommendations on pending legislation**

**HB 2174 --** Makes certain site preparation and planning costs eligible for payment in economic development projects. Establishes eligibility of essential community facility projects for federal disaster relief funding under certain circumstances. Requires that loan contracts made for funds from Special Public Works Fund be authorized in accordance with local public notice requirements.

**Analysis:** Appears consistent with economic development objectives of facilitating shovel ready industrial sites.

**Recommended Position: Support**

**Priority: Medium**

**HB 2395 --** Authorizes local governments to invest deferred compensation moneys in shares of corporate stock, including shares of mutual funds.

**Analysis:** Sponsors of governmental deferred compensation plans, under this bill, would have direct access to the financial markets, thereby eliminating "middleman" commissions and management fees, lowering the costs of such programs and increasing the financial return to members.

**Recommended Position: Support**

**Priority: High**

**HB 2445 --** Imposes requirements on local governments with respect to provision of telecommunications service by local government. Provides exceptions.

**Analysis:** Supported by telephone companies. Constrains ability of local governments to develop telecommunications and information infrastructure for their communities. Would impede ability of Lane County in taking the initiative and doing what private industry can not or will not provide. . While metropolitan areas may enjoy the benefits of many Broadband providers, many rural areas do not. The public is better served when information technology facilitates local economic development, education, healthcare and encourages democracy.

**Recommended Position: Oppose**

**Priority: High**

**SB 0114 --** Increases fees for screening interviews of persons convicted of driving while under influence of intoxicants and diagnostic assessments of persons entering diversion agreements. Declares emergency, effective July 1, 2005.

**Analysis:** Would have significant impact on Lane County's ability to continue providing DUII evaluation and monitoring services for all courts in Lane County. This service is provided by H&HS/Supervision and Treatment Services. Based on the approximately 2,000 new DUII cases per year, the increase in the fee would increase or maintain our revenue by about \$120,000 per year. This will allow county to offset some of the personnel increases in fiscal year 05/06 and beyond.

**Recommended Position: Support**

**Priority: High**

**SB 540** -- Directs Department of Human Services to pay certain claims submitted by federally qualified health centers and rural health clinics for cost of covered services provided to persons receiving medical assistance no later than 30 days after receiving claim or additional information about claim. Declares emergency, effective on passage.

**Analysis:** Current DHS payment practice pays the FQHC a quarterly settle-up 210 days after the service is provided. This bill would reduce the settle-up time down to 120 days or less and allow for payments to be made monthly. This would allow Community Health Centers of Lane County to maintain a positive cash flow and build a reserve fund. Further the program income generated would allow CHC to add providers and increase access to preventative and primary care services.

Oregon is only one of 12 states that do not have prompt payment laws for FQHC's. Thirty-nine states have passed prompt-payment laws.

**Recommended Position: Support**

**Priority: High**

**HB 2295** -- Creates State Court Facilities Task Force. Directs task force to study issues relating to state court facilities and to make recommendations on minimum standards for suitable and sufficient court facilities. Sunsets task force on January 2, 2008. Increases unitary assessment for violations for period commencing September 1, 2005, and ending June 30, 2007, for purpose of funding expenses of task force. Declares emergency, effective on passage.

**Analysis Review:**

At this time the County is required to maintain and upgrade Court facilities without compensation. Custodial and maintenance staff are spread thin and the County agencies pay a disproportionate share of the cost. Repairs come from an already stretched budget and capital improvements only happen under emergency circumstances. If this bill were to provide financial support and the Courts were to pay their proportionate share facilities would be better maintained.

**Recommended Position: Support**

**Priority: High**

**SB 319** -- Modifies criteria used by arbitrators in public collective bargaining.

**Analysis:** In interest arbitration for strike-prohibited units, eliminates priority for interest and welfare of the public. Adds criteria for "lawful authority of employer." Some arbitrators have essentially made that priority meaningless, but it is still valuable for management to be able to articulate spending priorities. Depending on the circumstances, this a powerful tool for an articulate public employer in the interest arbitration process.

**Recommended Position: Oppose**

**Priority: High**

**SB 320** -- Modifies definition of 'supervisory employee' for purposes of public employee collective bargaining law.

**Analysis:** Narrows definition of supervisory authority to exclude charge nurse, public safety officer who cannot impose economic sanction. The effect on the County would be to put sergeants and perhaps liutenants in the bargaining unit. A first step to providing for supervisory bargaining units. Dilutes management.

**Recommended Position: Oppose**

**Priority: High**

**SB 321** -- Modifies definition of 'employment relations' to include certain staffing levels and safety issues for certain employees who are prohibited from striking.

**Analysis:** Includes staffing levels as a matter of “labor relations” for strike prohibited units. Would require County to bargain with strike-prohibited units, i.e. deputies and parole/probation officers, over staffing.

**Recommended Position: Oppose**

**Priority: High**

**SB 292** -- Provides that county governing body must inspect local correctional facilities once every two years.

**Analysis:** Would alleviate requirement that Lane County inspect all jail facilities in its jurisdiction every year; would retain Board authority to make such inspections if and when it so desired.

**Recommended Position: Support**

**Priority: High**