

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Action: Ratification of Intergovernmental Relations Committee Actions of  
March 13, March 20 and April 3, 2013

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Meeting Date: April 15, 2013  
Department: City Manager's Office  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 5  
Staff Contact: Lisa Gardner  
Contact Telephone Number: 541-682-5245

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## ISSUE STATEMENT

This is an action item to ratify the recommendations of the Intergovernmental Relations (IGR) Committee meetings of March 13, March 20, April 3, and April 17, 2013.

## BACKGROUND

As a matter of procedure, the City Council is routinely asked to ratify the actions taken by the Intergovernmental Relations (IGR) Committee. This is done by submitting the minutes of each committee meeting to the council.

Actions on which the committee is not unanimous are brought before the full City Council for consideration. These bills must be addressed by the full council in order to provide direction to staff.

On March 13, the IGR Committee discussed 10 bills that were referred by IGR staff for their consideration. The bill report of referred bills is included as Attachment B. Unanimous action was taken on all 10 bills. Accordingly, the full council needs only to ratify the actions taken by the IGR Committee.

On March 20, the IGR Committee discussed 14 bills that were referred by IGR staff for their consideration. The bill report of referred bills is included as Attachment C. Unanimous action was taken on 13 bills; however, the vote on one bill was not unanimous. Accordingly, the full council must provide direction before this bill can be lobbied in Salem. The bill for which there was not a unanimous vote is listed below. Additionally, the position of monitor was taken on HB 2275 until such time that the full council could review and provide further direction on the City's position. Staff comments for each bill are listed in the attached documents.

*HB 2463: Increases tax on cigarettes.  
Distributes tax revenues from increase. Applies to cigarette distributions occurring on or after January 1, 2014, or first day of calendar month following effective date of Act. Takes effect on 91st day following adjournment sine die.*

*Relating to:* *Relating to tax on cigarettes; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.*

Staff Recommendation: Priority 1 – Monitor

IGR Committee Vote: Priority 2 – Oppose, 2:1; Ms. Taylor voted no.

*HB 2275:* *Increases cigarette tax.*

*Applies increase to cigarettes distributed on or after January 1, 2014, and to existing inventories of cigarettes not yet acquired by consumers as of January 1, 2014. Takes effect on 91st day following adjournment sine die.*

*Relating to:* *Relating to cigarettes taxes; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.*

Staff Recommendation: Priority 2 – Monitor

IGR Committee Vote: Unanimous vote to adopt a Priority 3 – Monitor, until full council has opportunity to review and clarify City's position.

On April 3, the IGR Committee discussed five bills that were referred by IGR staff for their consideration. The bill report of referred bills is included as Attachment D. Unanimous action was taken on three bills; however, the vote on two bills was not unanimous. One of the two bills has since failed in committee and does not need a formal position by the City of Eugene. As such, the full council needs only to provide direction on HB 3453, for which there was not a unanimous vote before it can be lobbied in Salem. Additionally, the position of monitor was taken on HB 2857 with the addition of directing staff to research committee concerns about fiscal impact and allow for discussion by the full council to provide direction on the City's position. Staff comments for each bill are listed in the attached documents.

*HB 3453:* *Provides that Governor may proclaim, in affected counties, public safety fiscal emergency, with unanimous agreement of President and Minority Leader of Senate and Speaker and Minority Leader of House of Representatives. Allows for consolidation or merger of units of local government and for intergovernmental agreements for purpose of providing services. Allows for imposition of income tax assessment on residents of affected counties, with maximum rate to be specified in proclamation and with approval of county governing body. Declares emergency, effective on passage.*

*Relating to:* *Relating to public safety fiscal emergencies; declaring an emergency*

Staff Recommendation: Neutral

IGR Committee Vote: Priority 2 – Oppose, 2:1. Ms. Taylor voted no.

*HB 2857:* *Reduces amount payable by municipal or justice court for deposit in Criminal Fine Account from \$60 to \$45.*

*Modifies priority of distribution for partial payments of fines. Provides that amounts owing to city or county have same priority as amounts owing to state. Declares emergency, effective on passage.*

*Relating to:* *Relating to offenses; declaring an emergency*

Staff Recommendation: Priority 1 – Oppose

IGR Committee Vote: Unanimous vote to adopt a Priority 3 – Monitor, until full council has opportunity to review and clarify City’s position.

On April 17, the IGR Committee discussed seven bills that were referred by IGR staff for their consideration. The bill report of referred bills is included as Attachment E. Unanimous action was taken on four bills; however, the vote on three bills was not unanimous. Accordingly, the full council must provide direction before these bills can be lobbied in Salem. The bills for which there was not a unanimous vote are listed below. Staff comments for each bill are listed in the attached documents.

*SB 670: Increases ceiling amount of total assessed value of taxable personal property for purposes of exemption from property taxation.  
Applies to property tax years beginning on or after July 1, 2014. Takes effect on 91st day following adjournment sine die.*

*Relating to: Relating to property tax exemption for personal property; prescribing an effective date.*

Staff Recommendation: Oppose

IGR Committee Vote: Oppose, 1:2. Mr. Clark, and Mr. Poling voted no.

*HJR 22: Proposes amendment to Oregon Constitution to allow local option land value ad valorem property taxes outside certain limitations.  
Refers proposed amendment to people for their approval or rejection at next regular general election.*

*Relating to: Proposing amendment to Oregon Constitution relating to local option land value ad valorem property taxes.*

Staff Recommendation: Priority 1 – Support

IGR Committee Vote: Priority 1 – Support, 2:1. Mr. Clark voted no

*HJR 8: Proposes amendment to Oregon Constitution to authorize local taxing districts to impose local option taxes not subject to compression under Ballot Measure 5 (1990) if approved by voters.  
Refers proposed amendment to people for their approval or rejection at next regular general election.*

*Relating to: Proposing amendment to Oregon Constitution relating to local option ad valorem property taxes.*

Staff Recommendation: Priority 1 – Support

IGR Committee Vote: Priority 1 – Support, 2:1. Mr. Clark voted no.

## **RELATED CITY POLICIES**

Ratification of IGR Committee actions is the making or affirming of the City of Eugene's policy with respect to Federal and State legislative issues or such other matters as may come to the council from the committee.

## **COUNCIL OPTIONS**

The council may ratify or decline to ratify the IGR Committee's unanimous actions and approval of staff recommendations. Actions on which the IGR committee is not unanimous must be addressed by the full council in order to provide direction to staff in Salem.

## **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends ratification of the IGR Committee's actions as set forth in the minutes of the committee's meeting and that there be a discussion on the decisions that were not unanimous.

## **SUGGESTED MOTION**

Move to ratify the IGR Committee's unanimous actions on bills at the March 13, March 20, and April 3, 2013 IGR Committee meetings.

There also needs to be motions to state positions for each bill listed where the IGR Committee action was not unanimous.

## **ATTACHMENTS**

- A. IGR Committee Minutes of March 13, March 20, April 3, and April 17, 2013
- B. Bill Report for March 13, 2013, IGR Meeting
- C. Bill Report for March 20, 2013, IGR Meeting
- D. Bill Report for the April 3, 2013, IGR Meeting
- E. Bill Report for the April 17, 2013, IGR Meeting

## **FOR MORE INFORMATION**

Staff Contact: Lisa Gardner  
Telephone: 541-682-5245  
Staff E-Mail: [lisa.a.gardner@ci.eugene.or.us](mailto:lisa.a.gardner@ci.eugene.or.us)

# MINUTES

Eugene Council Committee on Intergovernmental Relations  
Harris Hall—Public Service Building  
125 East 8<sup>th</sup> Avenue—Eugene, Oregon

March 13, 2013  
1:17p.m.

PRESENT: Mayor Piercy, Council George Poling, Councilor Mike Clark (by phone); Members: Lisa Gardner, City Manager's Office, Officer Doug Ledbetter, EPD, Cheryl Stone, Municipal Court, Pam Collett, Central Lane 9-1-1, Larry Hill, Finance, Jenna McCulley, City Manager's Office

ABSENT: Councilor Betty Taylor (Mayor Piercy voted in proxy)

## 1. Call to Order and Review Agenda

Mr. Poling called the meeting of the Council Committee on Intergovernmental Relations (CCIGR) to order at 1:17 p.m. Ms. Gardner outlined the agenda for the meeting.

## 2. Review Pending Legislation

### *House Bill 3136*

After thorough discussion with Officer Ledbetter the Mayor suggested that the spirit of the bill was supported with the need for some discussion with Representative Nathanson the Bill's Chief Sponsor. Mr. Clark, seconded by Mr. Poling, moved to recommend a position of Priority 2 Support, if the after discussions with the Sponsors of the Bill resulted in the requested amendments.

### *House Bill 3047*

Mr. Poling, seconded by Mr. Clark, moved to approve the staff recommendation of a Priority 1 Support position. The motion passed unanimously, 3:0.

### *House Bill 2035*

Mr. Poling, seconded by Mr. Clark, moved to approve the staff recommendation of a Priority 1 Support position. The motion passed unanimously, 3:0.

### *House Bill 2036*

After discussion about concerns in how fees would be captured for services beyond pre-paid, Mr. Clark, seconded by Mr. Poling, moved to support a Priority 3 Monitor position, noting that staff may return to CCIGR with additional information for possible additional review. The motion passed unanimously, 3:0.

### *House Bill 2179*

Mr. Poling, seconded by Mayor Piercy, moved to approve the staff recommendation of a Priority 1 Support position. The motion passed unanimously, 3:0.

### *House Bill 2415*

Mr. Poling, seconded by Mayor Piercy, moved approve the staff recommendation of a Priority 1 Support position. The motion passed unanimously, 3:0.

### *House Bill 2454*

Mr. Poling, seconded by Mr. Clark, moved to adopt a Priority 3 Monitor position. The motion passed unanimously, 3:0.

*House Bill 2496*

Mr. Poling, seconded by Mayor Piercy, moved to approve the staff recommendation of a Priority 1 Support position. The motion passed unanimously, 3:0.

*Senate Bill 134*

Mr. Poling, seconded by Mr. Clark, moved to adopt a Priority 3 Monitor position. The motion passed unanimously, 3:0.

*Senate Bill 597*

Mr. Clark, seconded by Mayor Piercy, moved to adopt a Priority 3 Monitor position. The motion passed unanimously, 3:0.

Mr. Poling, seconded by Mayor Piercy, moved to approve the bills unanimously supported by [the CCIGR]. The motion passed unanimously, 3:0.

**3. Items from Members and Staff**

Mr. Poling, seconded by Mr. Clark, moved to approve the minutes from the March 6, 2013 CCIGR meeting as prepared. The motion passed unanimously, 3:0.

Mayor Piercy updated the committee on her recent participation on a panel discussion in support of Senate Bill 241 regarding the Accelerator. Mayor also noted the positive reception by state legislatures in response to recent City positions on reviewed bills.

Ms. Gardner confirmed the next CCIGR meeting was tentatively scheduled for March 20, 2013 with an agreed upon modified start time of 1:45 p.m.

Mr. Poling adjourned the meeting at 2:07 p.m.

*(Recorded by Jenna McCulley)*

# MINUTES

Eugene Council Committee on Intergovernmental Relations  
Harris Hall—Public Service Building  
125 East 8<sup>th</sup> Avenue—Eugene, Oregon

March 20, 2013  
1:46 p.m.

PRESENT: Mayor Piercy, Council George Poling, Councilor Mike Clark (by phone); Members: Lisa Gardner, City Manager's Office, Larry Hill, Finance, Mark Whitmill, Planning and Development, Ethan Nelson, Planning and Development, Jenna McCulley, City Manager's Office

## 1. Call to Order and Review Agenda

Mr. Clark called the meeting of the Council Committee on Intergovernmental Relations (CCIGR) to order at 1:46 p.m. Ms. Gardner outlined the agenda for the meeting, and identified additional supplemental material added.

## 2. Review Pending Legislation

### *Senate Bill 119, House Bill 2514, House Bill 2481*

It was determined that due to overall similarities in the three presented bills that they be reviewed at the same time. Ms. Taylor, seconded by Mr. Poling moved to approve the staff recommendation of Priority 2 Support position. The motion passed unanimously, 3:0.

### *House Bill 3145*

Mr. Poling, seconded by Mr. Clark, moved to approve the staff recommendation of a Priority 1 Oppose position. The motion passed unanimously, 3:0.

### *Senate Bill 248*

Ms. Taylor, seconded by Mr. Poling, moved to approve the staff recommendation of a Priority 1 Oppose position. The motion passed unanimously, 3:0.

### *Senate Bill 669*

Ms. Taylor, seconded by Mr. Poling, moved the City take a Priority 1 Oppose position. The motion passed unanimously, 3:0.

### *House Bill 2310*

Ms. Taylor, seconded by Mr. Poling, moved to approve the staff recommendation of a Priority 2 Support position. The motion passed unanimously, 3:0.

### *House Bill 2508, House Bill 2656*

Mr. Poling, seconded by Ms. Taylor, moved approve the staff recommendation of a Priority 1 Support position on both bills. The motion passed unanimously, 3:0.

### *House Bill 2275*

After discussion about the incomplete nature of the bill as written, Mr. Poling, seconded by Ms. Taylor, moved to adopt a Priority 3 Monitor position, with the understanding that the bill be brought to the full council if it hasn't been acted upon in Salem. The motion passed unanimously, 3:0.

If there is not any significant change in the bill or action by the legislature the bill will go to the full council for clarity on the City's position.

*House Bill 2463*

Mr. Poling, seconded by Mr. Clark, moved that the City take a Priority 2 Oppose position. The vote on the motion was 2:1, Ms. Taylor voted no.

The bill will go to the full council for resolution of the City's position.

*Senate Bill 673*

Mr. Poling, seconded by Mr. Clark, moved to adopt a Priority 1 Support position. The motion passed unanimously, 3:0.

*House Bill 2019*

Mr. Poling, seconded by Mr. Clark, moved to adopt a Priority 1 Support position. The motion passed unanimously, 3:0.

*House Bill 2780*

Mr. Poling, seconded by Ms. Taylor, moved to adopt a Priority 3 Monitor position. The motion passed unanimously, 3:0.

Mr. Poling, seconded by Mayor Piercy, moved to approve the bills unanimously supported by [the CCIGR]. The motion passed unanimously, 3:0.

**3. Items from Members and Staff**

Mr. Poling, seconded by Ms. Taylor, moved to approve the minutes from the March 13, 2013 CCIGR meeting as prepared. The motion passed unanimously, 3:0.

Ms. Gardner presented the committee with the Build Act Summary, and a draft letter that could accompany delegation members. No action needed at this time.

Ms. Gardner advised a notification will be distributed regarding the date and time of the next meeting.

Mr. Poling adjourned the meeting at 3:03 p.m.

*(Recorded by Jenna McCulley)*



# MINUTES

Eugene Council Committee on Intergovernmental Relations  
Bob Straub Conference Room—Public Service Building  
125 East 8<sup>th</sup> Avenue—Eugene, Oregon

April 3, 2013  
1:34 p.m.

PRESENT: Councilor Mike Clark, Councilor George Poling, Councilor Betty Taylor; Members: Lisa Gardner, Intergovernmental Relations, Cheryl Stone, Municipal Court, Larry Hill, Finance, Mark Whitmill, Planning and Development.

## 1. Call to Order and Review Agenda

Mr. Clark called the meeting of the Council Committee on Intergovernmental Relations (CCIGR) to order at 1:34 p.m. Ms. Gardner outlined the agenda for the meeting.

Councilor Poling, seconded by Ms. Taylor, moved to approve the minutes from the March 20, 2013 meeting of the CCIGR with the correction to the date. The vote was unanimous, 3:0.

## 2. Review Pending Legislation

The committee reviewed a list of bills recommended for CCIGR discussion and action. Committee votes, if any, are recorded below:

### *House Bill 2857*

Ms. Stone presented information to support the staff recommendation of a Priority 1 Support position. Committee members discussed their agreement on how staff arrived at the position yet made concerns known about supporting a financial bill that could potentially decrease revenue for programs and services that they strongly support.

Ms. Taylor, seconded by Mr. Poling, moved to monitor the bill and direct staff to further investigate the committee's concerns regarding funding and local legislator support and then report back to the full council for direction on the City's position. The motion passed unanimously, 3:0.

### *House Bill 3317*

Mr. Hill presented the staff recommendation of a Priority 1 Support position for House Bill 3317. Ms. Gardner provided information on the newly proposed amendments to the bill that combine the intention of similar bills as they related to the inclusion of pre-paid phones in the associated 9-1-1 tax. The committee re-affirmed their concern regarding the implementation of taxes on VoIP as proposed in similar introduced bills this session.

Mr. Poling, seconded by Ms. Taylor, moved to approve the staff recommended position of Priority 1 Support. The motion passed unanimously, 3:0.

*House Bill 3453*

Mr. Hill presented the bill for discussion to the committee.

Mr. Poling, seconded by Mr. Clark, moved the City adopt a Priority 2 Oppose position. The vote on the motion was 2:1; Ms. Taylor voted no.

Mr. Clark indicated the bill would go to the full council for resolution of the City's position.

*House Bill 3326*

Mr. Whitmill presented the staff recommendation of a Priority 1 Oppose position on the bill as it is written with the understanding that there are many factors that need clarifying in the bill prior to anything that would likely move forward. After discussions about potential unintended consequences, Mr. Poling, seconded by Ms. Taylor, moved to adopt the staff recommendation of Priority 2 Oppose position. The vote on the motion was 2:1; Mr. Clark voted no.

Mr. Clark indicated the bill would go to the full council for resolution of the City's position.

*House Bill 2267*

The committee was presented with a copy of the staff recommendation of a Priority 2 Support position on the bill as it was consistent with the City's position on similar legislation from past years.

Mr. Clark, seconded by Ms. Taylor, moved to adopt the staff recommendation of a Priority 2 Support position. The motion passed unanimously, 3:0.

**3. Items from Members and Staff**

Committee members were presented with two matching grant application requests one for Oregon Parks and Recreation that would assist in funding for the Washington Jefferson Skatepark, and the second for the 2013 Carol White Physical Education Participation Grant.

Both grants received unanimous approval by the committee.

Discussion was started about both potential successes and areas for improvement in this year's pilot IGR process. Further discussion will continue throughout the pilot and a recommendation will be made to council at the conclusion of the legislative session.

The next CCIGR meeting is tentatively scheduled for April 17, 2013. Staff will confirm by email.

Mr. Clark adjourned the meeting at 2:48 p.m.

*(Recorded by Jenna McCulley)*

# MINUTES

Eugene Council Committee on Intergovernmental Relations  
Bob Straub Conference Room—Public Service Building  
125 East 8<sup>th</sup> Avenue—Eugene, Oregon

April 17, 2013  
1:35 p.m.

PRESENT: Mayor Kitty Piercy, Councilor Mike Clark, Councilor George Poling, Councilor Betty Taylor; Members: Lisa Gardner, Intergovernmental Relations, Fred McVey, Public Works, Larry Hill, Finance, Jenna McCulley, City Manager's Office.

## 1. Call to Order and Review Agenda

Mr. Clark called the meeting of the Council Committee on Intergovernmental Relations (CCIGR) to order at 1:35 p.m. Ms. Gardner outlined the agenda for the meeting.

Councilor Poling, seconded by Ms. Taylor, moved to approve the minutes from the April 3, 2013 meeting of the CCIGR. The vote was unanimous, 3:0.

## 2. Review Pending Legislation

The committee reviewed a list of bills recommended for CCIGR discussion and action. Committee votes, if any, are recorded below:

### *House Bill 3479*

Mr. Fred McVey presented information to support the staff recommendation of a Priority 1 Oppose position. After continued discussion about the bill and the possible ramifications Mr. Poling, seconded by Mr. Poling, seconded by Ms. Taylor moved to support the staff recommended Priority 1 Oppose position. The motion passed unanimously, 3:0.

### *House Joint Resolution 22, House Joint Resolution 8*

Mr. Larry Hill presented the staff recommendation of a Priority 1 Support position for both of the bills as they are functionally very similar. The committee discussed their positions on the proposed legislation that would refer the constitutional amendment to the people for their approval or rejection at the next regular general election.

Ms. Taylor, seconded by Mr. Poling, moved to approve the staff recommended position of Priority 1 Support on both bills. The vote on the motion was 2:1; Mr. Clark voted no.

Mr. Clark indicated the bill would go to the full council for resolution of the City's position.

*House Joint Resolution 13*

Mr. Hill presented information to support the staff recommendation of a Priority 1 Support position.

Mr. Poling, seconded by Ms. Taylor moved to support the staff recommendation of Priority 1 Support. The motion passed unanimously, 3:0.

*House Bill 3453*

Mr. Hill presented the bill for discussion to the committee.

Ms. Taylor, seconded by Mr. Poling, moved the City support the Priority 2 Oppose position. The motion passed unanimously, 3:0.

*Senate Bill 118*

Mr. Hill presented the staff recommendation of a Priority 1 Support position on the bill.

After discussion, Mr. Clark, seconded by Mr. Poling moved to adopt a Priority 2 Oppose position on the bill. The motion passed unanimously, 3:0.

*Senate Bill 670*

Mr. Hill presented the staff opinion of Opposition on the bill.

Ms. Taylor, seconded by Mr. Poling, moved to adopt the staff recommendation of an Oppose position. The vote on the motion was 1:2; Mr. Clark and Mr. Poling voted no.

Mr. Clark indicated the bill would go to the full council for resolution.

**3. Items from Members and Staff**

Committee members were presented with a matching grant application request for the Oregon Watershed Enhancement Board (OWEB) for land management in Ridgeline.

The grant received unanimous approval by the committee.

Mr. Clark noted his request for additional staff analysis if possible when making recommendations that will reflect the totality of impact of legislation, beyond the immediate organizational impact.

The next CCIGR meeting is tentatively scheduled for April 24, 2013. Staff will confirm by email.

Mr. Clark adjourned the meeting at 2:27 p.m.

*(Recorded by Jenna McCulley)*

IGR BILL REPORT  
MARCH 13, 2013 / IGR COMMITTEE MEETING  
CITY OF EUGENE

**HB 2035**

*Relating Clause:* Relating to emergency communications taxes; providing for revenue raising that requires approval by a three-fifths majority.

*Title:* Extends period of applicability of emergency communications tax.

*Sponsored by:* (at the request of Governor John Kitzhauber, M.D., for Oregon Military Department)  
(Pre-session Filed)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2000.dir/hb2035.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS-FIN		Pri 1	Support

*Comments:* This is a LOC priority. Under current law, state 911 emergency communications taxes will expire as of January 1, 2014. HB 2035 extends current 911 taxes until January 1, 2026. The City's Public Safety Communications Fund received \$3.6 million in revenue in FY13. If the tax is not extended, revenue to this fund will cease in FY14. This would have a significant negative impact on Police, Fire and Emergency services. This bill is similar to HB 2496.

Pam Collett: EPD-911

*Comments:* This bill is critical to the health of all 9-1-1 Organizations in the State of Oregon, including Central Lane Communications. We must have a dependable and dedicated revenue stream in order to successfully run our 9-1-1 Centers. This dedicated tax has been an asset to communities and cannot sunset. If it is not extended, the health and safety of our citizens could be put at risk.

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**HB 2036**

*Relating Clause:* Relating to the 9-1-1 emergency reporting system; prescribing an effective date

*Title:* Establishes alternative methods for telecommunications provider to satisfy requirement to collect and remit tax on customer access to 9-1-1 emergency reporting system from prepaid telecommunications service customers. Defines terms. Takes effect on 91st day following adjournment sine die.

*Sponsored by:* (at the request of Governor John Kitzhauber, M.D., for Oregon Military Department)  
(Pre-session Filed)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2000.dir/hb2036.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS-FIN		Pri 1	Support

Comments: This is a LOC priority. Currently 911 taxes are not collected on per-paid phone card and voice-over-internet-protocol (VOIP) customers who access the system without contributing revenue. HB 2036 was introduced by Gov. Kitzhauber to apply 911 taxes to these customers. The Eugene 911 fund needs these revenues as costs continue to outpace revenues. HB 2454, HB 2415 & HB 2036 are similar bills.

Pam Berrian		CS-ISD		Pri 1	Support
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Comments: I understand that Nathan Reynolds at EPD is lead on 911 bills and also that Larry Hill in Finance is very knowledgeable. I have suggested that Nathan can also consult with former IGR Director Brenda Wilson about this bill last session; I will add that My Telecom program does consider prepaid telecom revenue considered Eugene-earned by a provider is part of the revenue base for purposes of a rights of way use License fee and the 2% telecom tax.

Pam Collett:		EPD-911			
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Comments:

## **HB 2179**

*Relating Clause:* Relating to the Emergency Communications Account; declaring an emergency.

*Title:* Designates Emergency Communications Account as trust account exclusively for emergency communication purposes.  
 Declares legislative intent to create contractual obligation of state to use moneys only for emergency communication purposes and to not transfer moneys out of account for other uses. Declares emergency, effective on passage.

*Sponsored by:* Representative Boone, (Pre-session filed)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2100.dir/hb2179.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Pam Collet		EPD-911		Pri 1	Support

Comments: This is a no sweeps bill and it was a number one priority for the City last time around

Larry Hill		CS-FIN		Pri 1	Support
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Comments: HB 2179 is an LOC priority. The state deposits 911 emergency communications taxes into an Emergency Communications Account. The Legislature appropriates money from this account to local Public Safety Answering Points to support local emergency communications. Interest income on revenue in the account is already diverted by the state to other purposes, and the Legislature continues to eye this revenue for additional diversion to other state priorities, to the detriment of local 911 emergency response systems. HB 2179 would protect local 911 emergency communications funding by

declaring the Emergency Communications Account a trust account to be used only for the purposes it is intended. The Legislature could not divert the money away from local emergency communications

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**HB 2415**

*Relating Clause:* Relating to 9-1-1 emergency reporting system.

*Title:* Establishes alternative methods for telecommunications provider to satisfy requirement to collect and remit tax on customer access to 9-1-1 emergency reporting system from prepaid telecommunications service customers. Defines terms. Applies to monthly periods of telecommunications service that begin on or after January 1, 2015.

*Sponsored by:* Representative Matthews; REGULAR SPONSORS: Representative Clem, Representative Hoyle, Senator Roblan (Presession Filed)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2400.dir/hb2415.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Larry Hill		CS-FIN		Pri 1	Support

*Comments:* This is an LOC priority. HB 2415 would amend the existing 911 telecommunications tax to also apply to prepaid phone cards providing access to 911 services. Eugene's Emergency Communications Fund depends upon a share of the State's 911 tax revenue, and would benefit from this change. The bill has LOC #1 support. HB 2454, HB 2415 & HB 2036 are similar bills.

Pam Collett                                EPD-911

*Comments:* The need and importance of pre-paid wireless phones being included in the 9-1-1 tax cannot be stressed enough. The cellular phone market is swiftly shifting. Wireless customers no longer necessarily value contract plans, which are covered under the tax, and are moving at a high rate to pre-paid plans which are not. Because pre-paid plans are currently not integrated in the tax our State is being deprived of millions of dollars which is needed to not only fund the basic operations of our 9-1-1 Centers, but also to keep up with industry advances including Next Generation technology (NG or Next Gen). NG technology is coming. The Oregon Office of Emergency Management anticipates rolling out NG within the next 12 to 24 months. The added expense of adding NG capabilities is not going to be insignificant but it's necessary. Our citizens expect that they should be able to text 9-1-1 Centers as well as send pictures and documents. Adding pre-paid plans to the tax only makes sense as these new technologies emerge and citizens want to reach 9-1-1 services in a variety of ways.

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**HB 2454**

*Relating Clause:* Relating to tax for emergency communications; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.

*Title:* Provides for point-of-sale collection of tax for access to 9-1-1 emergency reporting system from prepaid wireless telecommunications service consumers. Applies tax to retail transactions made on or after January 1, 2014, and before January 1, 2016. Requires Office of Emergency Management and Department of Revenue to report biennially to interim committee of Legislative Assembly with authority over revenue issues on status of available forms of telecommunications service and related emergency communications taxation issues. Extends period of applicability of emergency communications tax. Takes effect on 91st day following adjournment sine die.

*Sponsored by:* (at the request of the House Interim Committee on Revenue)  
(Pre-session filed)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2400.dir/hb2454.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS-FIN		Pri 1	Support

*Comments:* HB 2454 is an LOC priority. It would amend the existing 911 telecommunications tax to also apply to prepaid phone cards providing access to 911 services. Eugene's Emergency Communications Fund depends upon a share of the State's 911 tax revenue, and would benefit from this change. The bill has LOC #1 support. HB 2454, HB 2415 & HB 2036 are similar bills.

Pam Collett EPD-911

*Comments:* I think this methodology makes sense. I am still researching this and need more information from APCO on their stance.

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## **HB 2496**

*Relating Clause:* Relating to emergency communications taxes; providing for revenue raising that requires approval by a three-fifths majority.

*Title:* Extends period of applicability of emergency communications tax.

*Sponsored by:* (at the request of the House Interim Committee on Revenue)  
(Pre-session filed)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2400.dir/hb2496.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS-FIN		Pri 1	Support

*Comments:* This is an LOC priority. HB 2496 (and similar HB 2035) would extend the sunset date on the State 911 emergency communication tax. Without this extension the tax will sunset on Jan. 1, 2014, and the City Emergency Communication Fund would be starved of revenue.

Pam Collett EPD-911



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**HB 3047**

*Relating Clause:* Relating to suspension of driving privileges; declaring an emergency

*Title:* Extends length of suspension of driving privileges if person fails to pay fine or obey order of court from 10 years to 20 years. Permits court to reinstate driving privileges if certain conditions are met. Declares emergency, effective on passage.

*Sponsored by:* Representative Olson, Representative Barker, Senator Prozanski; REGULAR SPONSEORS: Representative Krieger, Representative Sprenger, Representative Williamson

*URL:* <http://www.leg.state.or.us/l3reg/measpdf/hb3000.dir/hb3047.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Cheryl Stone		CS-MC		Pri 1	Support

*Comments:* Due to a recent appellate court decision, DMV no longer allows courts to reinstate and then re-suspend a defendant's driver's license for non-compliance. The court often uses this tool as an effort to get valid licensed drivers on the road as long as they are willing to stay in compliance with court orders (payments and other sanctions). Without this fix the court is unable to work with people to allow them to get their driver's license reinstated once it has been suspended for failure to comply with a court order.

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**HB 3136**

*Relating Clause:* Relating to Vehicle Windows

*Title:* Allows court to dismiss citation issued for offense of operating vehicle with illegal window tinting, or to reduce fine that court would otherwise have imposed for offense, if defendant establishes that tinting has been modified to comply with statutory requirements.

*Sponsored by:* Representative Nathanson, Representative Matthews

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HB3136>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Nathan Reynolds		EPD-Admin			

*Comments:*

Lee Shoemaker		PWE		Pri 3	Monitor
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*Comments:* Overly tinted windows is one of the most common complaints expressed by pedestrians and bicyclists. It is very important for pedestrians and bicyclists to make eye contact with motorists to see if they are looking in their direction. This creates a safety hazard for

bicyclists and pedestrians who are vulnerable users of the roadway. This bill would allow a “fix-it” provision where a judge could dismiss the ticket if the unsafe tinting is removed making it safe for bicyclists, pedestrians, and law enforcement.

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**SB 134**

*Relating Clause:* Relating to 9-1-1 emergency communications.

*Title:* Modifies organizational structure and process for 9-1-1 emergency reporting system. Establishes nine regional 9-1-1 centers for 9-1-1 call-taking. Becomes operative on July 1, 2015.

*Sponsored by:* (at the request of Senate Interim Committee on Veterans’ and Military Affairs)  
(Pre-session filed)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/sb0100.dir/sb0134.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Larry Hill		CS-FIN			Drop

*Comments:* I recommend we let LOC take the lead on this bill.

Pam Collett EPD-911

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**SB 597**

*Relating Clause:* Relating to 9-1-1 emergency communications; declaring an emergency.

*Title:* Requires moneys in Emergency Communications Account, including Enhanced 9-1-1 Subaccount, to be used for purposes of 9-1-1 emergency communications unless statutory exception is made during state of fiscal emergency. Defines "fiscal emergency." Declares emergency, effective on passage.

*Sponsored by:* Senator Olsen; REGULAR SPONSORS: Senator Knoppo, Senator Kruse, Senator Thomse, Senator Whitsett, Representative Krieger

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/SB597>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Larry Hill		CS-FIN		Pri 1	Support

*Comments:* This bill would prevent the Legislature from further diverting 911 tax revenue in the state Emergency Communications Account away from funding 911 emergency communications. The City 911 services depend upon a share of this funding, which is not even currently adequate. Legislative raids on the fund for other purposes remain a threat. This bill is an attempt to prevent future diversions of revenue.

Pam Collett EPD-911

IGR BILL REPORT  
MARCH 20, 2013 / IGR COMMITTEE MEETING  
CITY OF EUGENE

**SB 119**

*Relating Clause:* Relating to local government tobacco taxes; prescribing an effective date.

*Title:* Removes prohibition against local government imposition of taxes on cigarettes and tobacco products.

Applies to cigarettes and tobacco products distributed on or after effective date of Act. Takes effect on 91st day following adjournment sine die.

*Sponsored by:* Senator Monroe, Senator Beyer, Senator Burdick, Senator Dingfelder, Senator Hass, Senator Shields, Senator Steiner Hayward

*URL:* <http://www.leg.state.or.us/13reg/measpdf/sb0100.dir/sb0119.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Larry Hill		CS – FIN	02/25/2013	Pri 1	Support

*Comments:* SB 119 is identical to 2514 and HB 2481. It would remove the current prohibition against county and city taxes on cigarettes and tobacco products. This would open the possibility for the City to consider a local tobacco tax. LOC supports this measure. It will face strong opposition from the tobacco lobby. Nevertheless a letter of support is justified.

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**SB 248**

*Relating Clause:* Relating to disposal sites

*Title:* Increases amount of service and user charges collected for solid waste disposal that may be set aside by local governments for certain uses.

*Sponsored by:* at the request of Senate Interim Committee on Business, Transportation and Economic Development for Lane County

*URL:* <http://www.leg.state.or.us/13reg/measpdf/sb0200.dir/sb0248.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Ethan Nelson		PDD – BPS	03/18/2013	Pri 1	Oppose

*Comments:* SEE ATTACHMENT C – SUPPLEMENTAL INFORMATION

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**SB 673**

*Relating Clause:* Relating to sex trafficking of children; declaring an emergency.

*Title:* Creates crime of patronizing a trafficked child. Punishes by maximum of 10 years' imprisonment, \$250,000 fine, or both, if victim is child under 18 years of age. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both, if conviction is based on offer by or to law enforcement officer posing as child under 18 years of age. Enhances penalties for crime of trafficking in persons if victim was minor or force was used and trafficking was for purpose of commercial sex acts. Declares emergency, effective on passage.

*Sponsored by:* **Chief Sponsors:** Senator Close, Senator Johnson; **Regular Sponsors:** Senator Dingfelder, Senator Hansell, Senator Hass, Senator Kruse, Senator Monnes Anderson, Senator Starr, Senator Steiner Haward, Senator Thomsen, Senator Winters

*URL:* <http://www.leg.state.or.us/13reg/measpdf/sb0600.dir/sb0673.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Nathan Reynolds	Curt Newell	EPD	03/20/2013	Pri 1	Support

*Comments:* I think this bill would be helpful to those trying to combat human trafficking in any area of country, including Lane County. As we know, the demand drives the supply and currently there are fairly weak laws pertaining to the customers or “Johns” involved in these types of investigations. Thus the demand is as high as it always is. I think if the message got out there to the “Johns” in the form of this newer stricter law, then those on the fence might change their mind about soliciting prostitutes, and hopefully reducing the demand even that small bit. And for those who are intentionally seeking out under age children to solicit for prostitution, we would have the ability to punish them more severely than we currently can. A local example of a case I worked a couple years ago where this new law would’ve been nice and a service to our community: We arrested a “John” who specifically sought the sexual services of underage girls via his pimp. We learned he paid minimal amounts to his victims and engaged in sexual encounters with several different underage girls (we proved two, learned of eight total). The best we were able to do on this guy was a sentence of 8 total months in local jail and he was out before our investigation concluded. He was convicted of misd. Prostitution and 8 different sex related crimes which netted 30 days each. This is an example of just one pedophile/predator that utilized the loop holes in the human trafficking/prostitution laws to commit his crimes.

**SB 669**

*Relating Clause:* Relating to the occupancy of public property by districts.

*Title:* Prohibits cities from imposing franchise fees, privilege taxes or other fees on certain districts for occupancy of streets, alleys, highways or other public property.

*Sponsored by:* Finance and Revenue

*URL:* <http://www.leg.state.or.us/13reg/measpdf/sb0600.dir/sb0669.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Pam Berrian			03/07/2013	Pri 1	Oppose
Comments:	The bill is preemptive of local authority and would generate revenue loss among other adverse impacts which I will not expand on at this time because on 3-7-13, I was informed by LOC that the Committee Chair stated with certainty that this bill was dead. That said, we will watch for any resurrection of the bill or text during the session and report back to the IGR Committee.				

## **HB 2019**

*Relating Clause:* Relating to sex trafficking of children; declaring an emergency.

*Title:* Creates crime of patronizing a trafficked child. Punishes by maximum of 10 years' imprisonment, \$250,000 fine, or both, if victim is child under 18 years of age. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both, if conviction is based on offer by or to law enforcement officer posing as child under 18 years of age. Enhances penalties for crime of trafficking in persons if victim was minor or force was used and trafficking was for purpose of commercial sex acts. Declares emergency, effective on passage.

*Sponsored by:* **Chief Sponsors:** Representative Tomei, Representative Gilliam; **Regular Sponsors:** Representative Bailey, Representative Barker, Representative Barnhart, Representative Boone, Representative Dembrow, Representative Frederick, Representative Freeman, Representative Gelsner, Representative Hicks, Representative Komp, Representative Krieger, Representative Nathanson, Representative Reardon, Representative Vega Pederson, Representative Witt

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2000.dir/hb2019.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Nathan Reynolds	Curt Newell	EPD	03/20/2013	Pri 1	Support
Comments:	House version of SB 673 – Same statement from Detective Curt Newell applicable in this bill - I think this bill would be helpful to those trying to combat human trafficking in any area of country, including Lane County. As we know, the demand drives the supply and currently there are fairly weak laws pertaining to the customers or “Johns” involved in these types of investigations. Thus the demand is as high as it always is. I think if the message got out there to the “Johns” in the form of this newer stricter law, then those on the fence might change their mind about soliciting prostitutes, and hopefully reducing the demand even that small bit. And for those who are intentionally seeking out under age children to solicit for prostitution, we would have the ability to punish them more severely than we currently can. A local example of a case I worked a couple years ago where this new law would’ve been nice and a service to our community: We arrested a “John” who specifically sought the sexual services of underage girls via his pimp. We learned he paid minimal amounts to his victims and engaged in sexual encounters with several different underage girls (we proved two, learned of eight total). The best we were able to do on this guy was a sentence of 8 total months in local jail and he was out before our investigation concluded. He was convicted of misd. Prostitution and 8 different sex related crimes which netted 30 days each. This is an example of just				

one pedophile/predator that utilized the loop holes in the human trafficking/prostitution laws to commit his crimes.

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**HB 2275**

*Relating Clause:* Relating to cigarettes taxes; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.

*Title:* Increases cigarette tax.  
Applies increase to cigarettes distributed on or after January 1, 2014, and to existing inventories of cigarettes not yet acquired by consumers as of January 1, 2014. Takes effect on 91st day following adjournment sine die.

*Sponsored by:* Representative Greenlick, Representative Dembrow, Senator Steiner Haward

*URL:* <http://www.leg.state.or.us/l3reg/measpdf/hb2200.dir/hb2275.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	03/06/2013	Pri 2	Monitor

*Comments:* The City expects to receive about \$218,000 in state shared cigarette tax revenues in FY13. HB 2275 would significantly increase state taxes on cigarettes. It also would change distribution of cigarette tax revenues, but the distribution share are left blank in the bill as introduced. Depending on amendments these changes could damage or enhance the City's share of state cigarette tax revenue. If the bill has any possibility of moving it should be monitored for amendments and any reduction in shared revenue should be opposed.

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**HB 2310**

*Relating Clause:* Relating to financing transportation projects; declaring an emergency.

*Title:* Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund. Specifies allocation of lottery bond proceeds. Declares emergency, effective July 1, 2013

*Sponsored by:* Representative Read

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HB2310>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Lee Shoemaker		PWE	03/04/2013	Pri 2	Support

*Comments:* The Connect Oregon grant is a multi-modal program. Walking and biking are two modes that are not currently eligible. Adding those modes would give the City of Eugene more flexibility in project selection for grant submittal. At a lower than priority one, transportation planning staff would like to support expanding the ConnectOregon program to include pedestrian and bicycle modes that currently are not eligible. This is



URL: <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HB2481>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	02/25/2013	Pri 2	Support

Comments: HB 2481 is identical to 2514 and SB 119. It would remove the current prohibition against county and city taxes on cigarettes and tobacco products. This would open the possibility for the City to consider a local tobacco tax. LOC supports this measure. It will face strong opposition from the tobacco lobby. Nevertheless a letter of support is justified.

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### **HB 2508**

*Relating Clause:* Relating to transient lodging taxes; prescribing an effective date.

*Title:* Requires transient lodging provider and transient lodging intermediary to collect and remit transient lodging taxes computed on total retail price, including all charges other than taxes, paid by person for occupancy of transient lodging

*Sponsored by:* at the request of House Interim Committee on Revenue (presession filed)

URL: <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HB2508>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	02/25/2013	Pri 1	Support

Comments: HB 2508 would plug a loophole in the current transient lodging tax and increase revenue for the City's Cultural Services Fund. Currently, full retail prices for lodging are not subject to the tax because fees charged by transient lodging intermediaries such as Expedia are not included. HB 2508 would make the full retail price of the lodging subject to the tax.

Michael Magee		LRCS – ADM	02/26/2013	Pri 2	Support
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Comments: LRCS defers to Finance on this bill. LRCS believes that this bill is attempting to get at a long standing issue of lodging provider clearing houses not having to pay lodging taxes on the full price paid. This being the case, and with no other changes, this could increase Transient Room Tax (TRT) revenue for the City and LRCS staff thinks the bill should be supported. This bill is the same as HB2656.

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### **HB 2514**

*Relating Clause:* Relating to local government taxation of tobacco; prescribing an effective date.

*Title:* Removes prohibition against local government imposition of taxes on cigarettes and tobacco products.  
Applies to cigarettes and tobacco products distributed on or after effective date of Act.  
Takes effect on 91st day following adjournment sine die.



*Sponsored by:* at the request of House Interim Committee on Revenue (pre-session filed)

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HB2514>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	02/25/2013	Pri 2	Support

Comments: HB 2514 is identical to 2481 and SB 119. It would remove the current prohibition against county and city taxes on cigarettes and tobacco products. This would open the possibility for the City to consider a local tobacco tax. LOC supports this measure. It will face strong opposition from the tobacco lobby. Nevertheless a letter of support is justified.

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### **HB 2656**

*Relating Clause:* Relating to transient lodging taxes; prescribing an effective date.

*Title:* Requires transient lodging provider and transient lodging intermediary to collect and remit transient lodging taxes computed on total retail price, including all charges other than taxes, paid by person for occupancy of transient lodging. Takes effect on 91st day following adjournment sine die.

*Sponsored by:* Representative Doherty

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HB2656>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	02/25/2013	Pri 1	Support

Comments: HB 2656 is similar to HB 2508. It would plug a loophole in the current transient lodging tax and increase revenue for the City's Cultural Services Fund. Currently, full retail prices for lodging are not subject to the tax because fees charged by transient lodging intermediaries such as Expedia are not included. HB 2656 would make the full retail price of the lodging subject to the tax.

Michael Magee		LRCS – ADM	02/26/2013	Pri 1	Support
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Comments: LRCS defers to Finance on this bill. LRCS believes that this bill is attempting to get at a long standing issue of lodging provider clearing houses not having to pay lodging taxes on the full price paid. This being the case, and with no other changes, this could increase Transient Room Tax (TRT) revenue for the City and LRCS staff thinks the bill should be supported. This bill is the same as HB2508.

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### **HB 2780**

*Relating Clause:* Relating to sex tourism; declaring an emergency.

*Title:* Creates crime of facilitating sex tourism.

Punishes by maximum of one year's imprisonment, \$6,250 fine, or both, or, if person is 18 years of age or older at time person commits crime and victim is minor, by maximum of five years' imprisonment, \$125,000 fine, or both. Requires additional imposition of \$20,000 fine. Declares emergency, effective on passage.

*Sponsored by:* **Chief Sponsors:** Representative Gelser; **Regular Sponsors:** Representative Barton, Representative Garrett, Representative Keny-Guyer, Representative Olson, Representative Tomei

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2700.dir/hb2780.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Nathan Reynolds	Curt Newell	EPD	03/20/2013		

*Comments:* I would need more information to make an educated decision about any benefits surrounding sex tourism bill. I'm not sure if this is a lesser included charge of the one being considered above or if it's being designed to stand alone for another reason. I think a law aiding law enforcement in protecting those adult victims of sex trafficking where there is a force, fraud or coercion component is important. It seems that our state charges of compelling prostitution and promoting prostitution are very similar. Again, I would just need more information.

**HB 3145**

*Relating Clause:* Relating to application of the state building code to capital construction projects; declaring an emergency.

*Title:* Makes legislative findings regarding merits of state agency administration and enforcement of state building code for capital construction projects receiving state-supplied funding. Reserves administration and enforcement of state building code for capital construction projects receiving or expected to receive more than \$1 million in state-supplied funding to Director of Department of Consumer and Business Services. Applies to projects for which building permit is sought on or after January 1, 2014. Declares emergency, effective on passage.

*Sponsored by:* Business and Labor

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb3100.dir/hb3145.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Mark Whitmill		PDD – BPS	03/18/2013	Pri 1	Oppose

*Comments:* This bill should be opposed unless amended. While we certainly agree that it is in everyone's best interests that capital construction projects receiving state-supplied funding proceed in a timely and efficient manner, and that these projects be effectively managed and efficiently coordinated, we disagree that this cannot be accomplished by municipalities at the local level. Our primary concerns with the bill as written: • This bill takes away Eugene's ability to ensure the safety of its own citizens. Building safety regulation is a vital component of a municipality's public health, safety, and welfare

commitment to its citizens. For the same reasons that it would be bad policy to remove local control over police and fire services, it is bad policy to remove local control over public safety within the built environment. • We disagree with the bill's premise that the desired outcomes are best achieved at the state level. The City is better positioned than the State to provide efficient, effective administration of the building codes for capital construction projects. Our one-stop permitting provides streamlined services and local coordination of reviews and inspections by Building, Land Use, Fire, Public Works, and others. If the State were to assume the authority for building review and permitting, this coordination would be extraordinarily difficult and delays would undoubtedly occur. • The bill would have a significant impact on BPS funding. Permit fees for larger projects at UO, for example, would go to the state rather than the City. Total permit fees for some recent UO construction (Matt Knight Arena, Jaqua Academic Learning Center, Casanova Center Expansion, PK Park, Alumni Center, East Campus Residence Hall) were in excess of 2.3 million dollars. It is our understanding that the bill is intended to address problems with a specific state project in a smaller jurisdiction that contracts with a third party to administer the building inspection program. The bill should be amended to exclude jurisdictions such as Eugene that provide complete permitting services, and are best-equipped to oversee important capital construction projects.

IGR BILL REPORT  
APRIL 3, 2013/ IGR COMMITTEE MEETING  
CITY OF EUGENE

**HB 2857**

*Relating Clause:* Relating to offenses; declaring an emergency.

*Title:* Reduces amount payable by municipal or justice court for deposit in Criminal Fine Account from \$60 to \$45.  
Modifies priority of distribution for partial payments of fines. Provides that amounts owing to city or county have same priority as amounts owing to state. Declares emergency, effective on passage.

*Sponsored by:* Judiciary

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Text/HB2857/Introduced>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Cheryl Stone		Muni Court	03/26/2013	Pri. 1	Support

*Comments:* This bill reduces the amount per conviction the municipal court is required to send to the State. By decreasing the per case amount, the City retains the additional \$15 per conviction. The result would be an increase in revenue. The bill goes further to reprioritize the distribution priority of fines collected from citations; making the City the same priority as the State. However, the \$45 will still need to be paid first as provided in ORS 153.633.

**HB 2008**

*Relating Clause:* Relating to addressing the impacts of alcoholic beverages; declaring an emergency.

*Title:* Allows city to order temporary cessation of alcoholic beverage sales or other operations at premises licensed for full or limited on-premises sales or as brewery-public house upon reasonable belief that continued sales or operation are immediate threat to public safety. Allows Oregon Liquor Control Commission to place restrictions on activities at licensed premises if commission has grounds to believe certain conditions exist. Allows commission to refuse license if commission reasonably believes granting license would pose threat to public safety. Allows commission to suspend or revoke license upon finding or having grounds for believing continued operations at licensed premises would pose threat to public safety. Requires that one member of Oregon Liquor Control Commission have expertise in law enforcement or public safety. Declares emergency, effective on passage.

*Sponsored by:* Representative Kotek - At the request of Hayden Island Neighborhood Network

*URL:* <http://www.leg.state.or.us/l3reg/measpdf/hb2000.dir/hb2008.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Nathan Reynolds		EPD-ADM			

Comments: This bill appears to differ from HB 2702 in that this would be used for a specific location that is posing an immediate hazard, versus an alcohol impact area used for identifying long term solutions for problem areas. Could be a useful tool, but I am not sure how often we would use it. Additionally, we have a good relationship with OLCC and can utilize them if we have an immediate need.

NOTES: Committee position on HB 2702 - Priority 1, Support – 2/27/2013

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### **HB 2954**

*Relating Clause:* Provides that offense of impeding traffic is Class B traffic violation, punishable by maximum fine of \$1,000.

*Title:* Provides that offense of impeding traffic is Class B traffic violation, punishable by maximum fine of \$1,000.  
Provides that offense of failure of a slow driver to drive on the right is Class A traffic violation, punishable by maximum fine of \$2,000.

*Sponsored by:* Regular Sponsors: Transportation and Economic Development

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb2900.dir/hb2954.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Nate Reynolds		EPD – ADM	04/03/2013		Neutral

Comments:

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### **HB 3317**

*Relating Clause:* Relating to emergency communications taxes; providing for revenue raising that requires approval by a three-fifths majority.

*Title:* Extends period of applicability of emergency communications tax.

*Sponsored by:* **Chief Sponsor** - Representative Read

**Regular Sponsors** - Representatives Bailey, Barker, Boone, Buckley, Doherty, Frederick, Gallegos, Gelser, Gomberg, Goresek, Greenlick, Holvey, Hoyle, Huffman, Jenson, Keny-Guyer, Komp, Krieger, Lively, Matthews, Nathanson, Parrish, Vega Pederson, Weidner, Williamson, Witt, Senators: Starr, Thomsen

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb3300.dir/hb3317.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Pam Collett		EPD – 911	04/03/2013	Pri 1	Support

Comments: It is imperative that the 911 tax be extended. This tax funds communications specialists and technical staff who are responsible for not only answering the emergency calls from greater Lane County but also for supporting the technical backbone of the system. Without this tax our emergency services system would be tremendously impacted.

Larry Hill CS – FIN 04/03/2013 Pri. 1 Support

Comments: This bill extends the 911 tax. It is necessary if our 911 system is to continue to be funded.

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**HB 3326**

*Relating Clause:* Relating to the state building code.

*Title:* Makes legislative findings regarding structures in rural or remote areas. Authorizes Director of Department of Consumer and Business Services to limit application of specialty code provision of state building code if director considers provision unclear, duplicative, inadequate or unsuitable for structure or structure uses. Authorizes director to adopt alternative standard if director considers specialty code provision unclear, duplicative, inadequate or unsuitable for structure or structure uses. Authorizes building officials, plans examiners and department employees to provide consultation and advice regarding specific requirements to qualify project for plan approval. Allows person constructing project at location within municipality having building inspection program to request provision of building inspection program services by department instead of municipality. Authorizes department to grant request and provide services. Allows department to make project subject to state administrative standards and fees, municipal administrative standards and fees or combination of state and municipal standards and fees. Authorizes department to contract with state agencies and local governments regarding project.

*Sponsored by:* **Chief Sponsors** - Representatives: Clem, Smith, Bentz and Hoyle

**Regular Sponsors** - Representatives: Bailey, Kennemer, Richardson Williamson, Senators: Burdick Edwards, Girod, Johnson, Roblan, Thomsen

*URL:* <http://www.leg.state.or.us/l3reg/measpdf/hb3300.dir/hb3326.intro.pdf>

<b><u>Contact</u></b>	<b><u>Respondent</u></b>	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
Mark Whitmill		PDD – BPS	04/02/2013	Pri. 1	Oppose

Comments: HB 3326 should be opposed as currently written. Section 5 is of primary concern, and would allow anyone undertaking construction in Eugene to bypass our local building inspection program without cause and for any reason they choose, and instead have the state take over that application and collect the associated fees. This preempts local authority, undermines the ability to provide uniform building inspection services in Eugene, adds uncertainty to the development and construction process, and could have a significant financial impact from reduced permit fee revenue.

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**HB 3453**

*Relating Clause:* Relating to public safety fiscal emergencies; declaring an emergency.

*Title:* Provides that Governor may proclaim, in affected counties, public safety fiscal emergency, with unanimous agreement of President and Minority Leader of Senate and Speaker and Minority Leader of House of Representatives.  
Allows for consolidation or merger of units of local government and for intergovernmental agreements for purpose of providing services. Allows for imposition of income tax assessment on residents of affected counties, with maximum rate to be specified in proclamation and with approval of county governing body. Declares emergency, effective on passage.

*Sponsored by:* Rules

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hb3400.dir/hb3453.intro.pdf>

<b><u>Contact</u></b> Larry Hill	<b><u>Respondent</u></b> CS - FIN	<b><u>Dept</u></b>	<b><u>Updated</u></b>	<b><u>Priority</u></b>	<b><u>Recommendation</u></b>
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*Comments:* I reviewed this bill and concluded that we will likely have little impact on the outcome. If we were to take a position I recommend opposition since it could impose state control over local control upon the county and city.

**SB 345**

*Relating Clause:* Relating to narrow residential roadways; declaring an emergency.

*Title:* Provides exemption to offense of pedestrian with improper position upon or improperly proceeding along highway for pedestrians on narrow residential roadway under certain circumstances.  
Declares emergency, effective on passage.

*Sponsored by:* **Chief Sponsors:** Senator Burdick, Representative Tomei

**Regular Sponsors:** Senator Johnson, Senator Thomsen

*URL:* <http://www.leg.state.or.us/13reg/measpdf/sb0300.dir/sb0345.intro.pdf>

<b><u>Contact</u></b> Tom Larsen	<b><u>Respondent</u></b> PWM	<b><u>Dept</u></b>	<b><u>Updated</u></b> 04/01/2013	<b><u>Priority</u></b> Pri. 1	<b><u>Recommendation</u></b> Oppose
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*Comments:* Removes the pedestrian offense of improper position on a roadway from “narrow residential roadways” when signs are posted on each segment of the narrow roadway where ”pedestrians may be present”. We have a minimal number of roads that would qualify under the current State definition and none with the required signs. While the bill does not require narrow roadways be signed, I see potential problems with citizens requesting these signs and 20 MPH speeds and removing the role of traffic engineers from the decision making process for traffic control devices. The city should not support making the inherently dangerous activity of walking down the middle of a street easier.





IGR BILL REPORT  
 APRIL 17, 2013/ IGR COMMITTEE MEETING  
 CITY OF EUGENE

**HB 3456**

*Relating Clause:* Relating to county property tax collections; prescribing an effective date.

*Title:* Authorizes counties to withhold from taxing districts costs to county of assessing property and collecting property taxes.  
 Limits withheld amount to two percent of tax distribution to taxing district. Excludes moneys distributed for bonded indebtedness from withholding. Phases in provisions over four years. Takes effect on 91<sup>st</sup>

*Sponsored by:* Chief Sponsors: Representative Hicks  
 Regular Sponsors: Representative McLane, Senator Baertschiger

*URL:* <http://www.leg.state.or.us/l3reg/measpdf/hb3400.dir/hb3456.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	03/20/2013	Pri. 1	Oppose

*Comments:* HB 3456 would shift the cost of county assessment and taxation functions from Lane County to the taxing districts within the county. Actual costs up to a maximum of 2% of taxes collected on behalf of the City could be withheld by the County to cover these costs. This could divert close to \$1 million from the total taxes received by the City from Lane County.

**HB 3479**

*Relating Clause:* Relating to city fees; declaring an emergency.

*Title:* Includes in definition of "system development charge" certain requirements for property owner to obtain city approval of residential infill development application.  
 Removes exclusion from definition of "system development charge" for charge in lieu of local improvement district assessment. Declares emergency, effective on passage.

*Sponsored by:* Representative Huffman

*URL:* <http://www.leg.state.or.us/l3reg/measpdf/hb3400.dir/hb3479.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Fred McVey		PWE	04/09/2013	Pri. 1	Oppose

*Comments:* Priority would apply if the bill moves forward. The objective of this proposed legislation is unclear but the effect would be to confuse and complicate the long-standing separation between SDCs and local improvement requirements (exactions) and/or their associated assessments. Current statutes, and City Code, make very clear that SDCs do not include local improvement district assessments and provide very different rules and requirements

for each (assessments & SDCs). These two forms of funding infrastructure pay for very different parts of infrastructure and the requirements for collection and expenditure of funds differ greatly. It's doubtful that the existing methods we use for collecting assessments and paying for local improvements could be used when some assessments are defined as an SDC rather than, or in addition to, an assessment for local improvements.

Larry Hill CS – FIN 04/09/2013 Pri. 1 Oppose

Comments: I agree with Fred McVey's analysis.

Eric Jones PW-ADM 04/09/2013 Pri. 1 Oppose

Comments: Agree with Fred McVey that the proposed legislation is intended to weaken cities' abilities to fund growth-related infrastructure through SDCs and assessments. The language of the proposed amendments is also confusing to this reviewer; however, the recommended solution is not to improve the wording but to reject the concept behind the proposal..

**SB 0118**

*Relating Clause:* Relating to local government taxes on alcoholic beverages; prescribing an effective date.

*Title:* Removes prohibition against local government enactment of taxes on alcoholic beverages.  
Applies to alcoholic beverages manufactured or imported after effective date of Act.  
Takes effect on 91st day following adjournment sine die.

*Sponsored by:* Senator Monroe, Senator Beyer, Senator Burdick, Senator Dingfelder, Senator Shields, Senator Steiner Hayward

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/SB118>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	02/25/2013	Pri. 1	Support

Comments: SB 118 is identical to HB 2515. It would remove the current prohibition against county and city taxes on alcoholic beverages. This would open the possibility for the City to consider a local tobacco tax. LOC supports this measure. It will face strong opposition from the alcoholic beverage lobby. Nevertheless a letter of support is justified. - 02/25/2013

**SB 0670**

*Relating Clause:* Relating to property tax exemption for personal property; prescribing an effective date.

*Title:* Increases ceiling amount of total assessed value of taxable personal property for purposes of exemption from property taxation.  
Applies to property tax years beginning on or after July 1, 2014. Takes effect on 91st day following adjournment sine die.

*Sponsored by:* Chief Sponsors: Senator Tim Knopp (District 27 - Bend), Representative John Davis (District 26 - Wilsonville)

*URL:* <http://www.leg.state.or.us/13reg/measpdf/sb0600.dir/sb0670.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	03/05/2013		Oppose

*Comments:* SB 670 would double the exemption from taxation for personal property, from \$12,500 to \$25,000. I estimate the revenue loss from this change would be about \$225,000.

### **HJR 0013**

*Relating Clause:* Proposing amendment to Oregon Constitution relating to assessed value of property.

*Title:* Proposes amendment to Oregon Constitution to reset assessed value and maximum assessed value at real market value upon certain changes to property for purposes of ad valorem property taxation, except for sale of primary residence by low income senior citizens in certain circumstances.

Refers proposed amendment to people for their approval or rejection at next regular general election.

*Sponsored by:* At the request of House Interim Committee on Revenue, Pre-session Filed

*URL:* <http://www.leg.state.or.us/13reg/measpdf/hjr1.dir/hjr0013.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	03/06/2013	Pri. 1	Support

*Comments:* This is a high priority for LOC. The goal of HJR 13 is to reduce the current inequitable dichotomy between properties real market value and assessed value. This is one of LOC's highest priority issues. It would put an amendment to the State Constitution before the voters to reset taxable assessed value of property to the real market value at the time the property is sold or otherwise transferred, or the property is disqualified from an exemption. I recommend support for this concept, which is addressed in several bills this session.

### **HJR 0022**

*Relating Clause:* Proposing amendment to Oregon Constitution relating to local option land value ad valorem property taxes.

*Title:* Proposes amendment to Oregon Constitution to allow local option land value ad valorem property taxes outside certain limitations.  
Refers proposed amendment to people for their approval or rejection at next regular general election.

*Sponsored by:* Regular Sponsors: Revenue

*URL:* <http://www.leg.state.or.us/l3reg/measpdf/hjr1.dir/hjr0022.intro.pdf>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	03/05/2013	Pri. 1	Support

*Comments:* HJR 22 would amend the State Constitution to allow local option property taxes approved by the voters in an election in November of an even-numbered year to be outside the Measure 5 limits of \$10/1000 real market value, thereby avoiding compression of that revenue. It would also allow LOLs to extend for up to 10 years maximum, rather than the current maximum of 5 years. This concept is a high priority of the LOC. I recommend support for the concept, which several bills address this session.

### **HJR 0008**

*Relating Clause:* Proposing amendment to Oregon Constitution relating to local option ad valorem property taxes.

*Title:* Proposes amendment to Oregon Constitution to authorize local taxing districts to impose local option taxes not subject to compression under Ballot Measure 5 (1990) if approved by voters.

*Sponsored by:* at the request of House Interim Committee on Revenue, Pre-session Filed

*URL:* <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HJR8>

<u>Contact</u>	<u>Respondent</u>	<u>Dept</u>	<u>Updated</u>	<u>Priority</u>	<u>Recommendation</u>
Larry Hill		CS – FIN	04/09/2013	Pri. 1	Support

*Comments:* This is a high priority for LOC. HJR 8 is part of a long term strategy by the LOC and member cities to mitigate the increasingly detrimental impacts of Constitutional property tax limitations on municipal revenues. Specifically HJR 8 is a proposed Constitutional amendment that would permit voters to approve a local option property tax that would be outside the compression limits set by the 1990 Measure 5 amendments to the Constitution. However, unlike SJR 10, this bill would not extend the maximum length of Local Option Levies, which would remain at five years. This would allow the voters to approve a LOL that would not contribute to revenue loss due to compression. LOC recognizes that passage of the content of HJR 8 will likely be a multi-year effort. A letter of support will be helpful to LOC's efforts. - 03/06/2013