

2009 End of Session -- Key Legislation Review

Oregon House Republicans

(Compiled by Nick Smith, House Republican Office)

June 29, 2009

- House Republicans arrived in Salem committed to Building a Better Oregon [http://www.leg.state.or.us/press_releases/hro_agenda_071608.pdf] with an agenda to boost Oregon's economy, increase government accountability, improve education, enhance public safety, and pass additional reforms.
- During the session, House and Senate Republicans presented the Back to Basics budget plan, [<http://www.oregonhouserepublicans.org/files/backtobasics.pdf>] that funds a full school year, protects public safety and human services, and doesn't require Oregon families and businesses to send even more of their hard earned dollars to Salem.
- The Back to Basics plan forces agencies to justify increased spending requests, utilizes agency cash balances where appropriate, and freezes salary levels across state government.
- Democrats rejected our budget plan, opting to pass a budget that is backed on \$733 million in permanent, job-killing tax increases on income taxpayers and businesses.
- In total, the 2009 Legislature passed roughly \$2 billion in new taxes and fees during this economic recession.
- With the second highest unemployment rate in the nation, we will continue our efforts to put Oregonians back to work and make our state a better place to do business.

[NOTE: To read any bill listed below or to see its legislative history and current status, go to: http://gopher.leg.state.or.us/bills_laws/sessionHome.htm]

Economy and Jobs

- House Republicans proposed the Main Street Incentive Plan [<http://www.dennisrichardson.org/lu012909.htm>] to create jobs by encouraging businesses and home owners to immediately invest in property improvements through a tax credit. Though the plan would create over 6,000 jobs, Democrats refused to consider passing it (HB 3095).
- We proposed establishing a personal income tax credit of \$500 per dependent child, and reduce personal income tax rates for low income Oregonians by modifying income tax brackets, which would create over 19,000 jobs. Democrats failed to pass this plan (HB 3469).

- While Democrats rejected our job-creation ideas, they passed a borrow-and-spend “stimulus bill” that increased new government debt by \$255 million to create 200 short-term jobs.

- House Republicans supported extending Unemployment Insurance benefits to individuals who have exhausted their federal Emergency Unemployment Compensation benefits (HB 2203).

- We voted to help more Oregonians qualify for unemployment benefits and make Oregon eligible for \$91 million in federal funds under the American Recovery and Reinvestment Act (SB 462).

- House Republicans supported legislation giving the Attorney General authority to pursue legal action against debt collectors who use unlawful practices such as threatening arrest, using obscene language, or attempting to collect interest or fees in excess of the actual debt (SB 328).

- We supported legislation to allow more low-income Oregonians to take advantage of Individual Savings Accounts (IDAs), which are matched savings accounts that provide incentives to save for college, starting a small business, or buying a home (HB 2258).

- We passed legislation to help Oregonians who lose their jobs keep their health coverage by allowing them to take full advantage of provisions in the federal stimulus (HB 2433).

- House Republicans led passage of a bill to expand the Work Share program that helps businesses avoid permanent layoffs and Oregonians avoid full unemployment (HB 3140).

- We voted to protect the rights of tenants when the property they rent or lease goes into foreclosure (SB 952).

- In response to the state's rising number of foreclosures, House Republicans supported a bill to require mortgage lenders to meet with borrowers before foreclosing on their home (SB 628).

- House Republicans vigorously opposed bills allowing a state agency to stop new destination resorts, which will shut down a key tourism industry that provides jobs to rural Oregonians. With unemployment rates surpassing 20 percent in the rural counties, the Legislature’s actions will halt the development of new resorts and deny rural Oregonians of desperately needed economic activity (HB 2227 and HB 3298).

- House Republicans worked to expand the Oregon Production Investment Fund to create new jobs and make the state competitive for attracting television and movie productions (SB 621).

Business and Taxes

- With the second highest unemployment rate in the nation, we questioned the wisdom of passing billions in new permanent taxes and fees on Oregonians. House Republicans believe voters should be given a voice on income and corporate tax increases. We were unsuccessful in attaching sunset dates on the tax increases to minimize their damage to our economy in the long-term (HB 3502).
- House Republicans opposed the Legislature's decision to disconnect Oregon from the federal tax code, which denied Oregon companies the benefits of federal stimulus- including provisions that give businesses incentives to purchase machinery, equipment, software and other items for sustaining manufacturing and production operations (HB 2157).
- House Republicans voted to protect free speech by opposing a bill to silence employers and expand the influence of union bosses in the workplace. The bill prohibits employers from communicating with their employees on issues that affect their business, including the consequence of pending legislation that affects their jobs (SB 519).
- We sought to advance a bipartisan bill to promote drug-free workplaces in Oregon. The bill would have clarified state medical marijuana laws by allowing employers to prohibit its use at Oregon work sites. Just as they did in 2007, majority Democrats voted to kill the measure for the 2009 session (HB 3052).
- We opposed a bill that imposes "sunset dates" on a broad range of tax credits and incentives without requiring the Legislature to review or renew them in the future. These tax credits include helping seniors afford long-term care insurance and in-home care, as well as tax credits that help parents cope with the high costs of raising disabled children (HB 2067).
- House Republicans called on the Legislature to provide relief to Oregonians facing an unexpected tax increase related to 2008 rebate checks issued by the federal government. The rebate checks constitute a reduction in federal income taxes, requiring Oregonians to increase their taxable state income by the amount of their rebate checks. Democrats rejected giving Oregonians this tax relief.

Government Accountability and Reform

- House Republicans called on the Legislature to require state workers, legislators, political appointees and statewide elected officials to contribute to their own health insurance premiums. Oregon is the only state that doesn't require its employees to pay premium contributions or deductibles. Democrats failed to pass these accountability measures. (HB 2523 and HB 3333)

- House Republicans called on the Governor to cancel all scheduled pay increases and impose across-the-board reductions in state agency CEO salaries. However, the Governor moved forward with \$250 million in pay raises.

- We sought to pass a bill to create a Legislative Audits Office within the Oregon Legislature to conduct performance and management audits of state agencies and other state-funded programs. Though it would have increased accountability and legislative oversight of state government, Democrats rejected bringing the bill to a vote and further debate (HB 2440).

- We made changes to the 2007 ethics law that address the concerns of public officials and volunteers in Oregon's cities, counties, and special districts (SB 30).

- House Republicans developed and passed legislation to create an "Open Books Oregon" website, which would allow Oregonians to access information about state government spending and other information online (HB 2500).

- House Republicans proposed a Rainy Day Fund plan that sets aside money for future emergencies, but doesn't rely on a permanent tax increase that will threaten jobs and further slow Oregon's struggling economy. The plan works by setting aside one percent of General Fund revenue for the Rainy Day Fund every biennium. Democrats rejected our proposal (Amendment to HB 2073; HB 2900).

- We also introduced 'truth-in-campaign' bills to hold political action committees accountable when they distribute false and misleading campaign materials. The bills would have strengthened existing statutes and establish standards for awarding three times the current damages to candidates who've been harmed by materials such as malicious mailers and television ads (HB 3280).

Public Safety

- House Republicans worked to restore painful cuts to critical public safety services by assuring adequate funding to the Oregon Youth Authority and Oregon State Police Troopers and detectives (HB 5053).

- House Republicans led efforts to pass a bi-partisan bill to increase the fight against metal theft. The bill creates new crimes of unlawfully altering metal property, unlawfully purchasing or receiving stolen metal, making a false statement on metal property records and unlawfully transporting metal property. The legislation also prohibits cash payments and requires three business days before a payment check can be cashed. These measures will help prevent metal theft as a source of money for methamphetamine addiction (SB 570).

- To fight the illegal abuse of prescription drugs, we pushed for a statewide prescription drug monitoring program to prevent fraudulent prescriptions and identity theft (SB 355).

- We pushed for legislation to strengthen Oregon’s rape law and enable law enforcement to prosecute rapists regardless of how their victims became vulnerable to assault (HB 2343).
- House Republicans sponsored and passed legislation to make it a crime for sexual predators to use text messaging to lure young victims (HB 2641).
- House Republicans supported giving Oregon communities a greater voice in the placement of mental health clients of the state Psychiatric Security Review Board (PSRB). The legislation makes the process for siting halfway houses, residential treatment centers and other facilities more transparent and responsive to the public (HB 2052).
- House Republicans voted to fulfill the will of Oregon voters by outlining the legal process crime victims should follow to exercise their constitutional rights. We passed legislation to set the statutory framework for these rights to be enforced and protected (SB 233).
- House Republicans led the Legislature in passing an extension of the statute of limitations for certain sex crimes if the defendant is identified on the basis of DNA sample comparisons. Since the bill is retroactive to include many past assaults, the measure will allow law enforcement and victims to pursue justice against many dangerous sexual criminals (HB 3263).
- We supported strengthening “Karly’s Law” to require that a child receive medical attention within 48 hours if that child is found to have suspicious physical injuries in the course of a child abuse investigation (HB 2449).
- In response to the tragedy involving Heather Snively and her unborn son, House Republicans supported the bill to create the crime of aggravated murder and aggravated assault if a perpetrator harms a woman knowing that she is pregnant (HB 3505).
- We passed legislation to shift the burden of proof to sexual predators to prove that they meet the requirements to be relieved from reporting as a sex offender (HB 2972).
- We sought to advance a state constitutional amendment that would allow local governments to regulate nude dancing businesses and establishments as communities have struggled to keep these businesses away from inappropriate locations. Democrats voted to keep this measure in committee (HJR 42).
- House Republicans supported legislation to help Oregon firefighters who contract job-related cancer (HB 2420).

- House Republicans supported legislation prohibiting employers from taking certain employment actions toward victims of domestic violence, sexual assault or stalking (SB 928).

- We passed legislation to help community-based programs that serve domestic violence victims by allowing the Attorney General to use grant funds from the federal government and other sources (SB 220).

- We also passed legislation directing the Department of Human Services to utilize specialists who provide in-depth services victims of domestic violence and their children (HB 3273).

- House Republicans supported “whistleblower” protections for Oregonians seeking to report violations of state and federal laws at the workplace (HB 3162).

- We passed legislation to allow victims of crime to assert speedy trial rights (HB 2874).

- We passed legislation to toughen sentences against athletic coaches who sexually abuse their young athletes. The bill creates a presumptive sentence for sexually abusive coaches, who would now face a minimum of 16 months in prison if convicted (HB 2476).

- House Republicans led passage of a bill to strengthen Oregon’s personal privacy laws and protect victims of sexual “voyeurism.” The legislation fixes a loophole that made it legal for individuals to secretly videotape young, or “pre-pubescent,” victims, increases the penalty for those convicted to a maximum of five year’s imprisonment, a \$125,000 fine or both (HB 2477).

Education and Student Safety

- House Republicans continued to call for funding schools first (HJR 9), and to make education the top priority in the budget. The Democrats’ K-12 budget is \$245 million short of the Republican proposal- roughly the same amount of state employee pay raises that Democrats have chosen to protect in the overall 2009-11 spending plan.

- We sought to protect and expand the ability of parents to seek alternative educational opportunities for children including on-line charter schools. Unfortunately, Democrats voted to expand regulations on these alternative schools and enable state bureaucrats and special interests to eventually shut them down (SB 767).

- To protect students, House Republicans supported legislation requiring fingerprinting of employees or contractors on a school campus, increasing oversight of student teachers in the classroom, and setting standards for teachers transferring from new jurisdictions (SB 46 and SB 47).

- Further, House Republicans voted to ban secret agreements between abusive teachers and school districts; require training on how to avoid, identify and report misconduct; and facilitate the transfer of information about substantiated allegations of misconduct during the new hire process (HB 2062 and HB 2063).

- We supported allowing the Teacher Standards and Practices Commission to revoke the license and permanently bar a teacher or administrator who is found guilty by a preponderance of evidence of rape, sodomy, sexual penetration, or sex abuse of a student in grade 12 or below (SB 48).

- House Republicans supported a bill to promote health literacy for lower-income Oregon families by creating a pilot program for up to six Head Start locations. The legislation will implement a health literacy program to share information with parents about common ailments and preventative care for their children (HB 3041).

- We proposed providing tax credits and opportunity scholarships to make public, private and homeschool education more affordable for families throughout the state. The tax credit could have been used to pay for educational expenses such as school supplies, technology, tutoring and tuition. While this tax credit helps all Oregon families, it especially benefits low-income families who are struggling to help their children succeed in school. Democrats kept the proposal bottled-up in committee (HB 2754).

Natural Resources, Energy and Land Use

- House Republicans tried to pass a resolution urging the Governor to support and facilitate the speedy implementation of the Bureau of Land Management's Western Oregon Plan Revisions (WOPR). Despite the plan's potential to create 15,000 family wage jobs across rural Oregon, Democrats rejected bringing the resolution to a debate and vote on the House Floor (HR 3).

- To support Oregon farmers, House Republicans supported legislation to allow contracting agencies that buy goods for the public to give preferential treatment to Oregon-based agricultural products (HB 2763).

- To help reduce Oregon's dependence on foreign oil, House Republicans helped pass legislation to fully incorporate biomass electricity and hydrogen in the state's renewable energy standard (HB 2940).

- House Republicans voted to implement recommendations of the Big Look Task Force to make the state's land use system less cumbersome on local governments, increase regional problem solving and protect and preserve Oregon's forests and farmland (HB 2229).

- House Republicans worked to reform Oregon's ethanol mandate by allowing service stations to sell premium, higher-octane gasoline without ethanol (HB 3497).

- We supported legislation to allow more projects that invest in energy conservation, renewable energy, alternative fuels, or creating products from recycled materials to qualify for loans from the Department of Energy (HB 2182).
- House Republicans worked to give property tax relief to farmers whose lands are damaged (HB 2904).
- House Republicans led efforts to continue the personal property tax exemption for logging equipment for six more years and allow machinery dating back to 1992 to be included (HB 3112).
- House Republicans supported a bill to provide low interest, long term loans to homeowners to upgrade essential energy efficiency components in their homes or businesses, including windows, appliances, heating and cooling systems, insulation and renewable energy systems. The program will help homeowners and businesses make their properties more energy efficient and save money on their monthly energy bills (HB 2626).

Health Care and Seniors

- House Republicans fought to secure funding for vital programs and services for Oregon's seniors. Among our accomplishments, we worked to provide more stable and adequate funding for Oregon Project Independence (HB 5529) and senior transit services (SB 5548).
- House Republicans voted to empower communities to provide workers with access to health care services by forging partnerships between employers, employees and community providers (SB 862).
- We opposed the Democrats' \$433 million tax increase that will raise the costs of health care, expand bureaucracy and cause more Oregonians to lose their health insurance coverage. The plan includes a new tax on health insurance premiums paid by small- and medium-sized businesses that are already struggling to maintain and provide coverage for their employees (HB 2116).
- We proposed giving Oregonians a broader range of health insurance packages from which to choose, allowing them to find one that best fits their needs and doesn't burden them with costs for services they would not need. Democrats kept this bill locked in committee (HB 2608).
- House Republicans proposed allowing individuals and families who must purchase their own health insurance to deduct the cost of their premiums from their overall tax liability. Democrats kept this bill locked in committee (HB 2465).

- House Republicans supported legislation enabling more Oregonians to receive routine care for patients participating in FDA approved clinical trials (SB 316).
- To protect Oregon's most vulnerable, we supported legislation to include health and home-care providers as mandatory reporters for elder or child abuse (SB 670).
- We supported legislation to make it easier for uninsured and underinsured Oregonians to obtain life-saving medicine by creating a Charitable Prescription Drug Program (HB 2535).
- We passed legislation that will prevent the garnishment of certain funds that Oregon's most vulnerable citizens depend on for basic living expenses (SB 731).
- House Republicans supported legislation to allow Oregon senior citizens to take university and community college courses for free (HB 2011).
- We led House passage of a bill to allow health insurers to pay cash dividends to enrollees who participate in approved programs that promote healthy behaviors (SB 679).

Veterans

- House Republicans supported expanding eligibility to the Veterans Home Loan Program to an additional 264,000 Oregon veterans (HB 3470).
- We voted to allow survivors of servicemen and servicewomen killed or 100 percent disabled in combat to apply for open seats in courses at Oregon's seven public universities and Oregon Health and Sciences University (SB 595).
- House Republicans supported a bill to ensure that all of our returning veterans are eligible to pay in-state tuition at Oregon colleges and universities (HB 2571).
- We passed legislation to reinforce federal laws providing a wide range of protections for Oregon's active service members against outstanding credit card debt, mortgage payments, pending trials and taxes (HB 2303).
- House Republicans voted to guarantee all of Oregon's veterans a lifetime hiring priority for public sector competitive merit-based recruitment positions (HB 2510).
- To help disabled veterans in a time of economic uncertainty, we supported legislation to allow a contracting agency to prefer businesses owned by a disabled veteran when awarding a public contract in certain circumstances (SB 479).
- We voted to enable military husbands and wives to use unpaid leave to take time off from work when their spouses are home from or preparing for service abroad (HB 2744).

· House Republicans supported creating a Campus Veterans' Service Officer (VSO) program, bringing federally accredited VSOs to Oregon Universities and community college campuses to provide benefits outreach to student veterans. Democrats failed to pass this bill (HB 2178).

· We sought to assure Oregon's veterans better access to the programs and services they need to return to civilian life by requiring every county to have a Veterans Service Officer (HB 2926).