



**Staff Report**

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**File #:** 18-69  
**Version:** 1

**Date:** 2/12/2018  
**Item #:** 6.f.

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**TO:** Mayor and City Council  
**FROM:** City Council Legislative Committee

**SUBJECT:**

Legislative positions and priorities on active bills.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**ISSUE:**

Legislative positions and priorities from the Council Legislative Committee.

**RECOMMENDATION:**

Information only.

**SUMMARY AND BACKGROUND:**

The Council Legislative Committee is Mayor Bennett and Councilors Andersen, McCoid, and Nanke, with Councilor Kaser serving as an alternate member.

For bills, the Committee has provided a recommended position and priority. Bills of significant interest are assigned a priority.

1. Very High Priority - Major fiscal or policy impact. Mayor, councilors, and/or staff should work to support or oppose the bill.
2. High Priority - Moderate Impact. Staff should be involved in supporting or opposing the bill.

The Council's Legislative Committee's met February 2, 2018 to review the status of priority legislative bills and discuss recently introduced legislation with a potential impact to City operations. The Legislative Committee has tentatively set meetings for February 9 and February 16, should more discussion be needed.

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## FACTS AND FINDINGS:

For this short session, City Council has delegated the authority to adopt official City positions on legislation to the Council Legislative Committee.

### **HB 4009**

Relating to juvenile dependency proceedings; declaring an emergency.  
Heightens standard for taking child into protective custody without court order.

HB 4009 would generally require a Police officer to obtain a court order before a child, found in an unsafe or dangerous environment, could be taken into protective custody. Officers may be the first responder in many situations which may be harmful to children. This requirement of a court order prior to being taken into protective custody could result in children remaining in an unsafe or dangerous environment, or being moved from the site while a protective order is being sought.

*City of Salem position: Oppose, 1*

### **HB 4120**

Relating to transient lodging taxes; prescribing an effective date.  
Expands definition of "transient lodging intermediary" to include person that collects consideration for occupancy of transient lodging and person that receives fee or commission and requires transient lodging provider to use specified third-party entity to collect consideration for occupancy of transient lodging.

HB 4120 would create consistency with the City's code regarding Transient Occupancy Tax (TOT) and could increase compliance from intermediaries.

*City of Salem position: Support, 2*

### **SB 1531**

Relating to law enforcement officers.  
Requires law enforcement officers to meet with mental health professional.

SB 1531 would require police officers to meet with a mental health professional at least once every two years. Salem offers an extensive benefit program, including an Employee Assistance Program, and makes other services available to officers through a Trauma Team. This unfunded mandate would have a significant effect on productivity, create scheduling conflicts, and increase cost of providing service to our community through over time required to be at full staffing and cover off-duty appointments.

*City of Salem position: Oppose, 2*

### **SB 1536**

Relating to mass transit districts.  
Provides that directors of certain mass transit districts be appointed by Governor instead of elected.

SB 1536 is the re-introduced Senate Bill 10 from last session (which provides more options for transit agencies to finance construction, acquisition, purchase, lease, operation and maintenance of a mass

transit system and related facilities) with one modification: to not remove the restrictions on methods of financing until 2024.

*City of Salem position: Support, 1*

Salem has submitted written or provided oral testimony in support of this bill.

### **SB 1566**

Relating to employer contributions to the Public Employees Retirement System; prescribing an effective date.

Establishes Employer Incentive Fund.

SB 1566 could allow the City to establish a cash funded side account to offset Public Employee Retirement System (PERS) employer rates. It is not clear if the City would meet the qualifications to incentive match in the first 180 days. To qualify in the first 180 days the employer must have an unfunded actuarial liability of more than 200 percent of payroll, it does not specify if this is before or after applying current side account. The City would qualify if it was before side accounts were applied. The bill has the potential to reduce state shared marijuana and alcohol (Cider and malt beverage privilege tax) revenue as it is currently written. The bill takes any excess revenue over the state estimates and moves it to the Employer Incentive Fund, (PERS) employer rates. The bill takes any excess revenue over the state estimates and moves it to the Employer Incentive Fund, whereas if it was to be distributed as is currently in statute, the City would receive a share.

*City of Salem position: Support, with amendments, 2*

### **HB 4092**

Establishes standards for expansion of state airport on land zoned for exclusive farm use

HB 4092 circumvents standard Oregon land-use and public-process laws to create a special interest "carve-out" that permits, among other provisions, extension of the runway at the Aurora State Airport without going through the otherwise required land use and public processes. This will result in unfair competition with adjacent jurisdictions and make further development on or near Salem's municipal airport all the more challenging. It will also likely drive forward the inclusion of this Airport/French Prairie area into the UGB, which could lead to future political and process fallout that may very well complicate any possible future UGB expansion efforts.

*City of Salem position: Oppose, 1*

Salem has submitted written or provided oral testimony in opposition of this bill.

Courtney Knox Busch  
Strategic Initiatives Manager

Attachments:

1. None.

