



## **Oregon Legislative Priorities 2011**

### ***Supporting Healthy People***

- SB 349 Expand the Earned Income Tax Credit
- SB 695 Protecting Children's Health from Toxic BPA
- HB 2800 Farm to School and School Gardens
- HB 2861 Equal Pay for Equal Work

### ***Supporting Healthy Places***

- SB 519 Secure Public Subsidies in Foreclosure
- SB 520 Save on Affordable Housing Closing Costs by Expanding Allowable Master/Short Form Documents
- SB 536 Ban the Bag: Banning Single Plastic Bags at Retail Checkout
- HB 2354 Extend the Sunset of the Property Tax Exemption
- HB 2527 Extend the Sunset of the Oregon Affordable Housing Tax Credit
- HB 3531 Repeal State Ban on Inclusionary Zoning
- HJR 5 Expand Allowable Uses of the State Gas Tax for Rail, Transit, Bike, and Pedestrians
- Crosswalk Safety Legislation
- Wild Bird Conservation Act aka the Birdseed Tax

### ***Supporting Healthy Process***

- SB 97 Cultural Competence Continuing Education
- SB 654 Racial Impact Statements for the Criminal Justice and Child Welfare Systems
- HB 2467 Tax Refund Loans: Stopping Rapid Refund Rip-Offs
- Mortgage Servicing Accountability



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## *Healthy People*

### **SB 349 Earned Income Tax Credit (Oregonians for Working Families)**

Taxes and fees in Oregon's revenue system hit low-income families hardest. Oregon's working poor and near-poor families pay some of the nation's highest state income taxes; in part because Oregon's current EITC is one of the lowest among states offering the credit. A state EITC is the most targeted way to improve the tax system for working families, and Oregon's EITC has a long history of bipartisan support. Unfortunately, Oregon's current EITC, at 6 percent of the federal EITC, is not enough.

Consider the impact of increasing the state tax credit from its current 6 percent of the federal credit to 18 percent. Such a boost would:

- Cut taxes for one in seven Oregon households, approximately 220,000 households, which helps low-income, working families make ends meet.
- Boost the earnings of the average EITC household by about \$215 a year. However, for a family of four living at the poverty line (an income of about \$22,000), it would mean about \$587 extra income each year.
- EITC dollars are spent quickly and locally so this would put state tax dollars back into Oregon communities

Too many low- and moderate-income working families in Oregon struggle to make ends meet. An improved state EITC will make work more rewarding for many of these Oregon families. Oregon succeeds when all families have a chance to succeed.

For more information contact: Oregonians for Working Families at (503) 873-1201, email [info@ocpp.org](mailto:info@ocpp.org), or visit <http://www.ocpp.org/cgi-bin/display.cgi?page=EITCCoalition>.

### **SB 695 Protecting Children's Health from Toxic BPA (Oregon Environmental Council)**

Bisphenol A (BPA) is a synthetic estrogen that has been linked to breast cancer and other serious health problems. However, many of our plastic water bottles and baby bottles contain the chemical which is then absorbed into the food or drink in those containers. As a result, it was detectable in 93% of the people tested in US.



This bill prohibits several uses of the chemical, increases consumer awareness of BPA's presence in certain products, and stops harmful chemicals from being used as a substitute for BPA. Specifically, this bill prohibits the sale or manufacture of food and beverage containers containing BPA intended for children under 3, such as baby bottles, sippy cups, and infant formula cans. It will also stop the sale of sports water bottles containing BPA. In addition, the bill increases consumer information by requiring labeling for cans made with BPA, which will help pregnant women and parents make informed and safer purchasing decisions that reduce harmful prenatal, infant and childhood exposures to BPA.

For more information contact: Andrea Salinas at (503) 222-1963, email [andreas@oeconline.org](mailto:andreas@oeconline.org), or visit [www.oeconline.org](http://www.oeconline.org)

### **HB 2800 Farm to School and School Gardens (Upstream Public Health)**

Farm to School and School Gardens legislation will allocate \$22.6 million from the Economic Development Fund within the Oregon Lottery Fund, or 15 cents per school lunch and 7 cents per school breakfast, for school districts to purchase Oregon foods that are minimally processed (i.e. fresh, dried and canned single-ingredient foods). It will also create a grant program for schools to set up approximately 200 school teaching gardens around the state.

Oregon is currently one of only 4 states in the country that does not provide any state funds to school meals programs. This proposal will bring Oregon closer in line with other states in terms of their support for school meals, while increasing local food purchasing.

This legislation will achieve multiple goals including promoting local food production, reducing the carbon footprint of our food system, improving the nutritional quality of school meals, and stimulating Oregon's rural economy. It will also give schools increased flexibility to buy and provide our children more sustainably grown, local and less processed foods.

For more information contact: Mel Radar at (503) 284-6390, email [mel@upstreampublichealth.org](mailto:mel@upstreampublichealth.org) or visit [www.upstreampublichealth.org](http://www.upstreampublichealth.org)

### **HB 2861 Equal Pay for Equal Work (Urban League)**

Problem: Eliminating the wage disparity for women and minorities remains an issue on both the state and national level. For example, the income of a typical African American is \$15,052 while a typical White person makes \$33,095.



Oregon's existing equal pay law, found in state wage and hour law (ORS 652.220), prohibits wage discrimination based on gender, but does not prohibit wage discrimination against other protected classes (race, color, religion, sex, sexual orientation, national origin, marital status, and age). While wage discrimination based on any protected class is prohibited under Oregon civil rights law (ORS Chapter 659A), it is not currently also a wage and hour law violation, like wage discrimination based on sex.

Solution: This change in state law would equalize protections against pay disparity among women and other protected classes.

HB 2861 amends the existing pay equity statute in wage and hour law to also prohibit wage discrimination based on any of the protected classes found in ORS 659A.030 (race, color, disability, religion, sexual orientation, national origin, marital status, and age). Passage of this concept would make *all* forms of wage discrimination both a wage and hour violation in ORS chapter 652 and a civil rights violation under ORS Chapter 659A.

Other CLF Members Supporting This Legislation Include: AARP and AFSCME Council 75. Oregon Bureau of Labor and Industries is the lead.

For more information contact: Midge Purcell or Katie Sewicky at (503) 280-2626, or visit [www.ulpdx.org/](http://www.ulpdx.org/)  
Kate Newhall (BOLI) at (503) 467-1665, or visit [www.oregon.gov/BOLI/](http://www.oregon.gov/BOLI/)

## *Healthy Places*

### **SB519 Securing public subsidy in foreclosure (Proud Ground)**

During the current foreclosure crisis, there is a concern that affordable housing that has been created with public and non-profit support will be affected. This bill will allow public agencies and nonprofits to ensure that this significant public investment is not lost during foreclosure, while also requiring public agencies and nonprofits to follow the same process as any other foreclosure sale purchaser. It would provide statutory opportunity for Agencies—when they are junior lien holders or otherwise owning an Affordable Housing Covenant (ORS 456.270), trust deed, mortgage, security agreement, land lease, or security interest or lien—to purchase a home at foreclosure sale (in trust deed foreclosures) by matching the highest bid price.

For more information contact: Jesse Beason at (503) 493-0293, email [jesse@proudground.org](mailto:jesse@proudground.org) or visit [www.oregonhousingalliance.org/agenda.html](http://www.oregonhousingalliance.org/agenda.html)



### **SB520 Save on Affordable Housing Closing Costs by Expanding Allowable Master/Short Form Documents (Proud Ground)**

This bill will save homebuyers significant recording costs related to the documents required to implement affordable homeownership programs by explicitly expanding the allowable master-forms allowed to be referenced in short form.

For more information contact: Jesse Beason at (503) 493-0293, email [jesse@proudground.org](mailto:jesse@proudground.org) or visit [www.oregonhousingalliance.org/agenda.html](http://www.oregonhousingalliance.org/agenda.html)

### **SB 536 Ban the Bag: Banning Single Plastic Bags at Retail Checkout (Tualatin Riverkeepers)**

Around 100 billion petroleum-based plastic checkout bags are used each year in the United States, requiring an estimated 12 million barrels of oil each year. Sadly, less than 5% of these bags are recycled each year and cities, counties, and non-profit organizations must pay millions each year to clean up the resulting plastic litter.

On land, bags get caught in vegetation and blighting scenery. In addition, waste managers, recyclers have to engage in intensive labor within the sewer and storm water systems where these bags often end up. Oregon recyclers and waste management professionals reported spending up to 35% of their operating costs removing plastic bags from their systems. In our rivers and the ocean, these bags break into small pieces and are often ingested by birds, fish, and other animals that mistake the bits for food or become entangled.

A single use plastic bag ordinance makes good sense for both environmental and economic reasons. Clean rivers and streams are essential for the survival of healthy ecosystems and wildlife, for the enjoyment and well-being of citizens, and for the value of the millions of dollars plastic bags cost us each year in Oregon. Eliminating this unnecessary commodity would save taxpayers money currently spent cleaning up after plastic bags, as well as preserving natural resources they degrade.

This bill would ban use of plastic bags at retail checkout and impose a five cent mandatory fee for paper bags. The five cent fee would encourage people to use reusable grocery bags rather than moving toward paper. This bill also creates a fee waiver for Supplemental Nutrition Assistance Program recipients to avoid negatively impacting this group. This bill attempts to address the fiscal and environmental consequences of our one time use of plastic bags.

For more information contact: Email [brian@tualatinriverkeepers.org](mailto:brian@tualatinriverkeepers.org) or visit <http://www.tualatinriverkeepers.org/advocacy.html>



**HB 2354 Endorse Extending Sunset of the Property Tax Exemption** (Northwest Housing Alternatives)

This legislation enables local governments to allow non-profit organizations to receive a property tax exemption for affordable housing developments that provide housing for families making 60% or less of the median family income. This enabling statute will sunset in 2014 without action from the State Legislature. Because of this, lenders are hesitating to invest in properties now. It needs to be extended to support continuing development of more affordable housing in Oregon. This bill will extend the sunset on the enabling statute for 15 years, to 2027.

For more information contact: Martha McLennan at (503) 654-1007, email [info@nwhousing.org](mailto:info@nwhousing.org), or visit [www.oregonhousingalliance.org/agenda.html](http://www.oregonhousingalliance.org/agenda.html)

**HB 2527 Extending the Sunset of the Oregon Affordable Housing Tax Credit** (Northwest Housing Alternatives)

The Oregon Affordable Housing Tax Credit reduces percentage of mortgage interest by 4% (e.g. from 7% to 3%) for qualifying developments and significant restorations. In concrete terms, this means a reduction in the amount of rent needed over the years. This bill will extend the tax credit continuing this program. This action does not directly affect upcoming budgets because it is not set to expire until 2014. However, if it does sunset we will lose a valuable tool used to create and maintain affordable housing in Oregon.

For more information contact: Martha McLennan at (503) 654-1007, email [info@nwhousing.org](mailto:info@nwhousing.org), or visit [www.oregonhousingalliance.org/agenda.html](http://www.oregonhousingalliance.org/agenda.html)

**HB 3531 Repeal State Ban on Inclusionary Zoning** (OPAL)

**Problem:** Oregon is currently one of only two states in the nation (Texas being the other) that prohibits local jurisdictions from having the choice to implement this important affordable housing tool. In 1999 the Oregon Home Builders Association successfully lobbied for a statutory ban on Inclusionary Zoning, limiting local municipalities' access to a complete affordable housing tool kit.

**Solution:** Repeal the state ban on inclusionary zoning. Inclusionary Zoning provides safe, accessible, and affordable housing by allowing local government to require housing developers to set aside a percentage of new units at below-market rates, or contribute to an affordable housing fund. Hundreds of jurisdictions across the country are currently benefiting from this vital affordable housing tool.

For more information contact: Jon Ostar, OPAL, 503-928-4354, [jon@opalpdx.org](mailto:jon@opalpdx.org).



## **HJR 5 Expand Allowable Uses of the State Gas Tax for Rail, Transit, Bike, and Pedestrians** (Association of Oregon Rail and Transit Advocates)

The Oregon Constitution currently only allows revenue from taxes on motor vehicle fuel and ownership and use of motor vehicles to be used for road projects. This bill would refer to the voters a constitutional amendment to allow these funds to be used for transportation projects that prevent or reduce pollution and congestion created by use of motor vehicles. This legislative change would allow for greater funding opportunities for rail, transit, bicycle and pedestrian projects.

### **Crosswalk Safety** (Willamette Pedestrian Coalition)

The Willamette Pedestrian Coalition's Hand Signal Bill was first brought to the 2009 Legislature. Enforcement of Oregon's present crosswalk law is difficult because a motorist's failure to stop is not a violation unless a pedestrian actually steps into traffic. This creates a right that can only be exercised by putting pedestrians in an unsafe situation. The proposed legislation provides pedestrian's legal passage when they raise their hand to signal to drivers their intent to cross the street at both marked and unmarked crosswalks. This will address the safety concerns with stepping out into traffic to signal your intent to cross by giving drivers a clear signal from the pedestrian before stepping off the sidewalk.

The 2009 version of this bill had support from the Portland Police Bureau Traffic Division and other police departments from throughout the state. A covey of organizations including the Bicycle Transportation Alliance and the Portland Pedestrian Advisory Committee also supported the bill.

For more information contact: Steph Routh at (503) 223-1597, email [info@wpcwalks.org](mailto:info@wpcwalks.org) or visit [www.wpcwalks.org](http://www.wpcwalks.org)

### **Wild Bird Conservation Act aka Birdseed Tax** (Audubon Society of Portland)

Many of Oregon's bird populations are in trouble. Recent reports show as many as 25% of Oregon species experiencing serious long term declines. Bird lovers will have a chance to support a bill which will help ensure that conservation of native bird species in Oregon receives adequate funding in Oregon. The Wild Bird Conservation Act places a 5 cent per pound fee on birdseed--a "nickel for the birds"--to fund our state's most important bird related priorities. The Act would generate approximately \$2 million per year for wild bird conservation and education projects in Oregon. This funding would be leveraged one to one with federal matching funds effectively doubling the impact to \$4 million per year to



support bird populations.

The following are just a few examples of the types of projects that might be funded:

- Bluebird recovery projects that provide nest boxes and monitoring for western bluebirds;
- Habitat restoration for Oregon's state bird, the Western Meadowlark and other grassland species;
- Lights-out programs to reduce bird collisions with buildings during migration;
- Backyard habitat and certification programs to help residential property owners create bird friendly backyards;
- Training programs for oil spill wildlife response volunteers.

Less than \$100,000/ year would also go toward funding an Avian Conservation Coordinator at the Oregon Department of Fish and Wildlife with the rest (minus administrative costs) going directly towards funding wild bird education and restoration projects on both urban and rural landscapes across Oregon. The Wild Bird Conservation Act has a sunset clause in 2018 which would require evaluation of the program prior to renewal.

For more information contact: Bob Sallinger at (503) 292-6855 x-110, email [bsallinger@audubonportland.org](mailto:bsallinger@audubonportland.org), or visit <http://audubonportland.org/news/2011>.

### *Healthy Process*

**SB 97 Cultural Competence Continuing Education** (Oregon Health Authority, Office of Multicultural Health and Services)

Problem: People of color do not fare as well as whites on a wide range of health care quality measures. Research has shown that a lack of sensitivity and responsiveness to cultural and language needs affect quality, safety, and patient satisfaction. Health care costs associated with ineffective communication, inaccurate or late diagnosis, duplication of services and unnecessary emergency room visits due to limited provider cultural competence will persist.

Solution: SB 97 would direct health professional regulatory boards, in collaboration with the Oregon Health Authority, to define cultural competence, develop continuing education standards, and develop cultural competency continuing education options (by 01-01-2013), and to adopt rules requiring licensees to document participation in continuing education opportunities relating to cultural competency (by 1/1/2014). It would position the Oregon Health Authority to accept additional funds, such as those designated through federal health care reform, and allow the Authority to award funds to develop cultural competence continuing education options. This bill has no fiscal impact.



Other CLF Members Supporting This Legislation Include: Oregon Action and Urban League

For more information contact: Tricia Tillman at (971) 673-1240, or visit [www.oregon.gov/OHA/omhs/](http://www.oregon.gov/OHA/omhs/), Midge Purcell or Katie Sewicky at (503) 280-2626, or visit [www.ulpdx.org/](http://www.ulpdx.org/).

### **SB 654 Racial Impact Statements for the Criminal Justice and Child Welfare Systems** (Urban League)

Problem: Many people know that racial and ethnic minorities are overrepresented in our criminal justice system. However, most do not realize the scale of disparity. According to a recent Sentencing Project study, 502 per 100,000 white Oregonians were incarcerated in 2005. In the same year, 2,930 per 100,000 black Oregonians were incarcerated. This means that black Oregonians are almost six times more likely to be in prison than white Oregonians.

The over-representation of certain communities of color in the criminal justice system means we may be using criminal justice interventions in ways that are not necessary. This not only creates a resource drain for the system that impacts all Oregonians who depend on the effectiveness of our public safety system, but it creates a distressing set of consequences for specific groups of people.

Solution: Racial Impact Statements are a first step to balancing the inequities in our criminal justice system. They will help legislators predict the disparate racial impact of proposed criminal justice legislation before the bill is passed. Racial Impact Statements provide legislators the information they need to avoid unintended consequences.

For more information contact: Midge Purcell or Katie Sewicky at (503) 280-2626, or visit [www.ulpdx.org/](http://www.ulpdx.org/). Senator Chip Shields is also championing this legislation.

### **HB 2467 Tax Refund Loans: Stopping Rapid Refund Rip-Offs** (Economic Fairness Oregon)

With the majority of tax filers turning to commercial tax preparers to help them complete and file their tax return, there is a growing onslaught of misleading advertising from tax preparers selling “fast refunds.” In reality, these are high-interest, short-term loans with high fees and APRs of 50 to 500 percent. Like payday loans, these schemes, Refund Anticipation Loans (RALs), are sold through small storefront shops that often locate in working class neighborhoods.

In 2008, Oregon workers lost \$23 million in RAL and tax preparation fees. Many who received RALs also get the Earned Income Tax Credit (EITC), the government’s largest



anti-poverty program. This resulted in many of the low-income Oregonians losing millions of dollars from their EITC by being persuaded to take a high-interest RAL.

RAL Reform will put money back in the pockets of working Oregonians by:

- Ensuring taxpayers are given upfront, easy to understand information about all the costs associated with the transaction
- Prohibiting deceptive add-on fees tax preparers charge for RAL loans
- Requiring RAL facilitators be registered and bonded with the Oregon Board of Tax Practitioners.
- Providing accountability and oversight, including the consumer's right to have their case heard in front of a judge

For more information contact: Mari Gorden at (503) 239-8029, email [mari@economicfairness.org](mailto:mari@economicfairness.org), or visit [www.economicfairnessoregon.org/the-issues/tax-refund-loans/](http://www.economicfairnessoregon.org/the-issues/tax-refund-loans/)

### **Mortgage Servicing Accountability** (Economic Fairness Oregon)

We are only about half way through the foreclosure crisis, and there is still much work to be done to address its results. One of the biggest frustrations for homeowners is how difficult it is to work with mortgage servicers. Most lenders contract with mortgage servicers who process monthly payments, collect late fees and work with the borrowers when the loan is in default.

This industry lacks any significant rules or oversight in spite of the crucial role it plays in the collection and management of mortgage payments. This leads to pervasive servicing abuses throughout the industry, which ultimately contributes to the backlog of loan modifications around the country. This legislation will try to address some of these issues by compelling servicing companies to conduct business with:

- A duty of good faith and fair dealing that would require, among other things, a duty to help homeowners avoid foreclosure
- More limits on the type and amount of fees that can be charged to borrowers and require fair billing procedures
- Additional, reasonable rules about how payments are processed and how servicers respond to a borrower's request for information

Lack of oversight has also resulted in many well-documented abuses by the industry going unchecked by the government. It's time to change that in Oregon by establishing these basic standards for servicers.

For more information contact: Angela Martin at (503) 239-8029, email [angela@ouregon.org](mailto:angela@ouregon.org), or visit [www.ouregon.org](http://www.ouregon.org).