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Joint Ways and Means Committee
Public Hearing on SB 357
March 16, 2019

Committee Chairs and Members:

My name is Kathryn Olney, and I live in Bend. I am an attorney, testifying today as an individual and also as a Board Member and volunteer for the Campaign for Equal Justice. Thank you for accepting this written testimony in support of SB 357 to increase state funding for civil legal aid.

People of limited means are guaranteed the right to legal representation in criminal trials; that guarantee rests in the Federal Constitution. There is no such guarantee for civil trials. Civil legal aid helps to ensure fairness for all by providing essential services to low-income and vulnerable Oregonians.

Without legal aid, people who are struggling to make ends meet often lack legal representation and they are effectively shut out of the justice system. Their technical right to justice becomes meaningless because they cannot effectively advocate for themselves. And when we have a "justice system" which is available only to the wealthy and powerful, we have no justice at all. That undermines our communities and our democracy.

Even with legal aid, we are currently able to provide legal guidance and representation to 15% of the Oregonians who qualify. Eighty-five percent of low-income Oregonians cannot be served due to a lack of resources.

Of the vulnerable populations that Legal Aid serves, most of them are made up of women and their children. And we know that women and children are most frequently affected by domestic violence and sexual assault. DVSA survivors have legal needs that are even greater than average. They are:

- 6.2 times more likely to be affected by homelessness;
- 3 times more likely to have employment issues; and
- 2.1 times more likely to have a rental issue.

In Central Oregon, with a 1% vacancy rate, we have a crisis in affordable housing and homelessness. Legal Aid provides a lifeline to families and to the community, helping to stabilize both. It is a classic example of an up-front service that can help to prevent a cascade of problems, and of costs to the community.

I give my time and treasure to raise money for legal aid, and as a taxpayer am happy to have more of my tax dollars assigned to this program. I ask you to support SB 357. Please vote to increase Oregon's investment in civil legal aid.

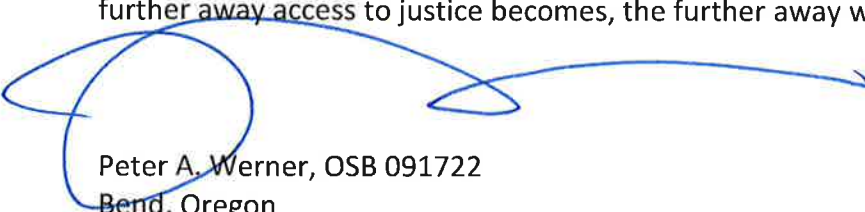
Thank you, committee members.

I provide foreclosure and landlord/tenant consultations at no charge for Legal Aid referrals. Without attorneys such as myself, our most vulnerable Oregonians are without access to ANY legal help. I am also a pro tem judge, serving as a hearing officer 3-5 times per month at Deschutes County Circuit Court where I hear traffic, eviction, and small claims cases.

- Legal aid is critical to rural communities in Eastern Oregon. This includes accessing legal services over long distances combined with the lack of affordable transportation, because there is so little Legal Aid to spread thinly across the rural areas of Oregon.
- The Civil Legal Needs Study already referenced identified that homelessness is often perceived as an urban problem; however, it actually increases in prevalence the more rural a county is. Legal aid's work to protect tenants, prevent homelessness, and stand up for the rights of homeless individuals living in rural communities' matters.
- Legal aid is a state, federal, and private partnership Hodge-podge of funding. Many of these sources of funding – most notably federal funding - can be uncertain, going up and down like a roller coaster. State funding has been a stable source of operational funding. SB357 builds on this stable foundation allowing legal aid to reach even more vulnerable Oregonians in need.
- Members of the Committee, I ask for your support of SB 357. Vote to increase Oregon's investment in civil legal aid services. This bill increases operational funding and creates a consumer price index adjustment for legal aid. Your support will give legal aid the stability it needs to continue to help low-income and vulnerable Oregonians overcome barriers to justice. I agree with the emergency clause in this bill.

Further, a properly funded judicial system, including judges and support staff, is an *essential*, not optional, branch of government and ensures that those who need access to justice receive it. I provide half of my pro tem judge hours at no cost to Deschutes County Circuit Court. An 8th judge will keep our community population even with the judicial caseload; our county population has grown 45% since we last added a judge.

I urge your support of SB357 and enhanced funding of the judicial branch of Oregon. The further away access to justice becomes, the further away we are from a society of laws.



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March 16, 2019

Oregon Joint Committee on
Ways and Means
Hearing at the Deschutes County Fairgrounds

RE: SB 357

I am a solo practitioner lawyer based in Bend who has been a long-time supporter of the Campaign for Equal Justice, and I write to urge you to vote for SB 357 to fund civil legal aid services in Oregon.

As a democracy, our country was and is founded on justice. The Bill of Rights was adopted to assure justice. Our pledge of allegiance ends with "justice for all." We cannot have justice for all and, therefore, cannot have democracy if all cannot access that justice. A justice system that allows for only those who have money to access the system damages the rule of law and our communities.

Justice for all is not just criminal justice. Justice includes the right for redress for any wrong. It includes domestic violence, child welfare, habitable housing and many other areas of the law. The various organizations providing legal services to those with low incomes provide those services by many means including legal assistance and representation, free legal clinics, pro bono assistance, and access to web-based information, publications and court forms.

The state providing funding for these services at an appropriate level is vitally important because not all lawyers in the state can or should provide such pro bono or low-cost services. Not all of our practice areas are compatible with the areas of the law needed by those with low incomes. For example, my practice areas are land use, property tax and local government. Those areas are rarely, if ever, needed by people who would access the nonprofit legal services organizations. Because I do not practice in the areas needed by those organizations, to do so puts me at a greater risk of malpractice. Instead, I choose to help fund and advocate for funding for those much-needed organizations who can employ the appropriate lawyers for their clients.

Therefore, please vote to increase this state's investment in civil legal aid services. Because SB 357 increases the operational funding and creates a consumer price index adjustment for that funding, the bill provides the vehicle for you to provide stability so badly needed for those vital services.

Thank you for giving me the opportunity to testify today and thank you Co-Chairs Johnson, Steiner Hayward, Rayfield and members of the Committee, for your ongoing support of legal aid.

Sincerely,

Laurie E Craghead

TESTIMONY OF HOWARD ARNETT
BOARD MEMBER OF THE CAMPAIGN FOR EQUAL JUSTICE
BEFORE THE JOINT COMMITTEE ON WAYS AND MEANS
REGARDING SB 357
REDMOND, OREGON
MARCH 16, 2019

Good afternoon, Co-Chairs Johnson, Steiner, Hayward, Rayfield and member of the Committee. My name is Howard Arnett. I am a partner in the Bend law firm of Karnopp Petersen LLP. I am testifying today on behalf of the Campaign for Equal Justice, as a member of the CEJ Board. Thank you for the opportunity to testify today in support of SB 357 to increase state funding for civil legal aid.

Although I joined my law firm over 38 years ago, I began my legal career four years earlier as a legal aid lawyer on the Navajo Indian Reservation in Arizona. In many ways, being a legal aid lawyer has been the highlight of my legal career. Since entering private practice I have never lost my passion for legal aid and my deep appreciation for the dedication and great work that legal aid lawyers do for their clients. I have served on the State Bar's Legal Aid Committee, served on the Oregon Law Foundation Board, including a year as President of the Board, worked to open a Central Oregon Office of Legal Aid Services of Oregon, and most recently, helped establish a "Pro Bono" clinic on the Warm Springs Reservation in a partnership between my law firm and the Native American Program of Oregon Legal Services.

Because of my experience as a legal aid lawyer on the Navajo Reservation in Arizona and my current practice in Central Oregon, including my representation of the Warm Springs Confederated Tribes, I fully understand the challenges faced by legal aid lawyers trying to serve needy clients in rural areas. Because of the barriers these clients face stemming from the great distances to a legal aid office, as well as the almost complete lack of transportation alternatives in rural areas, it

is especially challenging for legal aid attorneys to serve clients in rural areas, which encompasses almost all of Eastern and Central Oregon. Providing effective legal services to legal aid clients in rural areas requires more time and significantly greater resources than serving clients in an urban setting. The State funding promised by SB 357 offers an opportunity to try and meet the unique challenges of serving rural legal aid clients.

In considering SB 357, it is also important to remember that funding legal aid is a partnership of State, Federal and private funding sources. Having served on the Oregon Law Foundation Board, the entity that disperses the interest earned on lawyers' client trust accounts, I also want to add that many of the leading banks in Oregon are a key part of the legal aid funding partnership by providing generous, above market, interest rates on IOLTA accounts so that low income Oregonians can have true access to justice.

With SB 357, the State has an opportunity to strengthen its role in the funding partnership. State support is especially important because of the uncertainty and volatility of Federal funding. Legal aid needs to be able to rely on predictable and steadily increasing sources of funding, as the Campaign for Equal Justice has provided by annually increasing the contributions to legal aid from the State's lawyers and judges. With SB 357, the State of Oregon will have the opportunity to similarly increase its funding of legal aid. This is an opportunity that cannot be missed. Accordingly, I urge the Committee to approve SB 357 and forward it to the full Legislature for its approval.

Thank you

March 16, 2019

Re: Testimony to Joint Committee on Ways and Means

Dear Co-Chairs Johnson, Steiner Hayward, Rayfield, and members of the Joint Committee on Ways and Means:

My name is David Rosen. I am an attorney in Bend. I am on the board of the Oregon Law Foundation, which oversees the distribution of IOLTA interest for legal services and is one of the organizations that commissioned the recent Civil Legal Needs Study. I am also a former Deschutes County Bar Association President and a Founding Member and the Chair of the Deschutes County Access to Justice Committee, which created the first Lawyer in the Library program outside the courthouse and the first opportunity for members of the public to access court records in a city other than where the court resides.

I am here today in support of Access to Justice. I am here in support of Senate Bill 357; to ask that you restore court staffing levels; and to ask that you provide additional judges to the counties that are significantly understaffed. These are all Access to Justice problems, and one does not work without the other.

We – as those who can afford to feed our families, who are not living pay-check to pay-check, whose family does not go homeless when we encounter a legal problem – are failing the people of our state. The disparity in equal access to legal services is a train that has long left the station and moving down the tracks further away from the masses and with great speed. The effort to close that gap is a function of resources, which at this point feels like the equivalent of being provided a two-person handcar with one hand tied behind each persons' back trying to catch a bullet train. We need better funding for legal aid, we need to restore court staffing levels, and we need to provide additional judges to counties that are significantly under-staffed.

This not a judicial problem, this is an Oregon problem. A failure to act now is a failure to ourselves. As Chief Justice Walter said, when legal needs go unmet, "the health, safety and resiliency of individuals, families, and entire communities are impacted." A failure to fund these issues creates problems well beyond the legal problems. And many of these problems are addressed by the state in the form of significantly more expensive funding.

I've enclosed a copy of the recent Civil Legal Needs Study for your review. This study provides undeniable data that we are in crisis. I appear today as an ally and supporter. But a vote not to provide additional legal aid funding, a vote not to bring judicial resources back to normal, a vote not to provide counties in dire need of a judge with more resources, is a vote that the results in this study are acceptable.

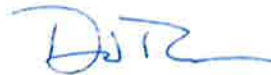
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When you look at this study, when you consider the actions to take, I ask that you ensure that Access to Justice is a part of the guiding principles for the decisions you make. A body that enacts the law but does not ensure equity among its constituents is not living up to the democratic ideals that it was founded upon. I don't say this with disrespect. I say this for those who don't have the opportunity to say it. I say this because it needs to be heard.

Thank you for your time, for your service, and for your own efforts to keep Access to Justice at the forefront of your decisions.

Respectfully submitted,



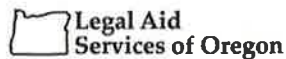
David Rosen

Enclosure



Barriers to Justice

A 2018 STUDY MEASURING THE CIVIL LEGAL NEEDS
OF LOW-INCOME OREGONIANS



Legal Problems are Widespread

75% of survey participants live in a household that experienced a legal problem in the previous 12 months.



Legal Problems Multiply

5.4 legal problems were experienced by the typical low-income household in Oregon in the last 12 months.

*Fraud Denial of Benefits
Unfair Eviction Restraining Order
Child Custody*

The Need for Legal Aid Outpaces Resources

84% of people with a legal problem did not receive legal help of any kind.



Methodology

This report is based on a survey conducted in partnership with the Portland State University (PSU) Survey Research Lab. There were 1,017 survey participants from a statewide, address-based sample of 15,000 residents of high-poverty census blocks distributed according to Oregon's population. Participants were initially contacted by mail and completed the survey by mail, phone, or internet. The paper survey was only available in English. The web and phone surveys were conducted in both English and Spanish. PSU collected surveys during the winter of 2017-2018. To participate in the survey, participants had to have a household income at or below 125% of the federal poverty line. This is the same household income limit used to determine eligibility for legal aid in Oregon. The demographic characteristics of survey participants were analyzed (race, age, gender, etc.). The data collected was sufficient to allow for analysis of civil legal needs specific to individual groups. Additionally, researchers conducted door-to-door, in-person surveying in areas of known farmworker concentration, collecting 111 migrant farmworker responses. These were analyzed separately from the rest of the survey. For more information or to view the full statistical report from PSU go to: olf.osbar.org/LNS

Date of Publication: February 2019

Why Do We Need a Legal Needs Study?



Letter from Chief Justice Martha Walters

Every day in communities around our state, low-income Oregonians seek help from their local legal aid office. These potential clients might include a tenant facing eviction, a single mother needing to file a domestic violence protective order, or a senior citizen who cannot access his food stamps. Legal aid offices take as many cases as they can, but limited resources mean they must turn away most who seek help. This report summarizes the most recent findings about the unmet civil legal needs of low-income people in Oregon.

This is not the first time Oregon has assessed the civil legal needs of its low-income communities. The 2000 Civil Legal Needs Study was the first evaluation of the unmet civil legal needs of low-income people in Oregon since the 1970s. The 2000 study found that there was a high need for civil legal services for people with low and moderate incomes, and that the existing legal services delivery network was not adequately meeting that need. The 2000 study strengthened and spurred ongoing efforts to increase resources to address the critical legal needs of Oregon's most vulnerable citizens.

With the support of the Oregon Department of Justice, the 2018 Civil Legal Needs Study was commissioned by the Oregon Law Foundation, Oregon State Bar, Oregon Judicial Department, Campaign for Equal Justice, Legal Aid Services of Oregon, and the Oregon Law Center to assess the current ability of low-income individuals to access the civil justice system. The researchers endeavored to gather reliable and useful data to help policy makers, legislators, agencies, funders, and legal aid service providers inform their investment and service decisions. This report summarizes and highlights the key findings of the study.

The study findings are stark. Legal problems are widespread, and the impact they have on the lives of low-income individuals can be life altering. People of color, single parents, domestic violence and sexual assault survivors, people with disabilities, those with prior juvenile or criminal records, and youth experience civil legal emergencies at a higher rate than the general public. This report is both an assessment and a call to action. Despite concerted efforts over the past two decades, our state's civil justice system is not meeting the needs of Oregon's poor. When these needs go unmet, the health, safety, and resiliency of individuals, families, and entire communities are impacted.

We can and must do better.

Our justice system must help every Oregonian know what their rights are and understand where to find legal help.

Our justice system must help achieve justice for Oregon's low-income communities by addressing ongoing and large-scale injustices such as racial discrimination and the cumulative effects of poverty over time.

Every Oregonian deserves a justice system that is accessible and accountable. The legitimacy of our democracy depends on the premise that injustices can be addressed fairly within the bounds of the law, no matter who you are or where you live. Let us work together in Oregon, to ensure that justice is a right, not a privilege—for everyone.



Chief Justice, Oregon Supreme Court

Civil Legal Aid

What is It?

Civil legal aid in Oregon ensures fairness for all in the justice system, regardless of how much money a person has. Legal aid provides essential services to low-income and vulnerable Oregonians who are faced with legal emergencies.

Civil legal aid connects Oregonians with a range of services—including legal assistance and representation; free legal clinics and pro bono assistance; and access to web-based information and forms—that help guide them through complicated legal proceedings. In doing so, civil legal aid helps Oregonians protect their livelihoods, their health and safety, and their families. Legal aid helps people know and defend their rights.

Civil legal aid helps Oregonians of all backgrounds to effectively navigate the justice system, including those who face the toughest legal challenges: children, veterans, seniors, persons with disabilities, and victims of domestic violence.

Who Does it Help?

Approximately one in five Oregonians (807,000 people) has a household income below 125% of the poverty level. For a family of four, 125% of the 2018 Federal Poverty Level was \$31,375 per year. Low-income households struggle to afford even basic living expenses of food, shelter, and clothing. Poverty is pervasive in both urban and rural communities. People of color, single women with children, persons with disabilities, and those who have not obtained a high school diploma are overrepresented in the poverty population.

General Study Findings

Legal problems are widespread and seriously affect the quality of life for low-income Oregonians. A vast majority of the low-income Oregonians surveyed experienced at least one legal issue in the last year. These legal problems most often relate to basic human needs: escaping abuse, finding adequate housing, maintaining income, living free from discrimination, and accessing healthcare. Even though their legal problems are serious, most people face them alone.

Problems are Widespread

The legal needs survey asked a series of questions in 18 categories intended to reveal the kind of problems people experienced in the previous year. Each question was designed to reveal an experience where it is likely that either legal help could ease a problem or legal advice could clarify rights and obligations. The goal was to determine the issues that low-income Oregonians experienced where civil legal aid could help. In this report, a yes to one of the issue-specific questions represents a civil legal problem.

75% of study participants reported experiencing at least one civil legal problem in the preceding 12 months.

Problems are Related

Low-income Oregonians rarely experience civil legal problems in isolation, with 61% of households experiencing more than one problem in the prior year. Loss of a job can lead to loss of a home, and experiencing a sexual assault or domestic violence can lead to a torrent of civil legal problems. One-quarter of those surveyed experienced eight or more problems in the last year.

The average low-income household experienced **5.4** civil legal problems over the last year.

Civil Legal Help is Needed

84% of people with a civil legal problem did not receive legal help of any kind.

The U.S. Constitution guarantees the right to legal representation in criminal cases. This right does not extend to people with civil legal problems. This leaves the majority of low-income Oregonians to face their legal problems alone, without the help of a lawyer, regardless of how complicated or serious the case is.

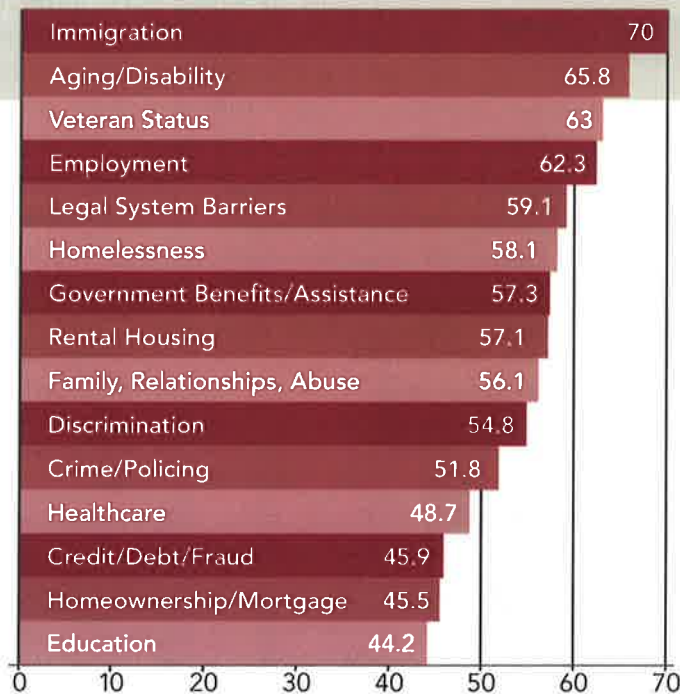
The Most Harmful and Most Common Problem Areas

Civil Legal Problems Affect People's Lives

Many of the legal problems that low-income Oregonians face relate to essential life needs: maintaining housing, protecting children, or managing a health issue. For low-income Oregonians, these are not *legal issues*. Rather, they are critical *life issues*. What is certain is that poverty absolutely has an effect on the legal problems people face, as well as how those individuals experience the justice system.

Most Harmful Issues

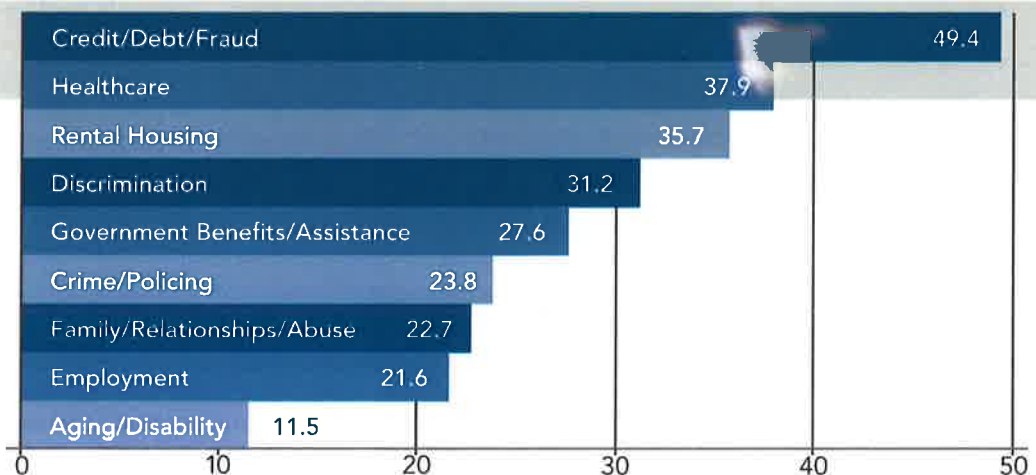
Percent of participants who experienced a civil legal problem in a given subject area, and who rated the effects of that civil legal problem as either very or extremely negative.



In order to determine which legal problems had the greatest direct impact on people's lives, participants were asked to rate how negatively an issue in a specific legal category affected them or their household. A five-level scale was used: not at all, slightly, moderately, very, or extremely negatively.

Most Common Problems

Percent of households that experienced at least one issue in a problem area in the last year.



Below we highlight some, but not all, of the most critical issues reported in the study. These are issues that are top priorities for legal aid, given the frequency that they occur and the severity of the impact these types of legal problems have on people's lives.

Housing and Homelessness

At the time of this legal needs study, Oregon experienced a housing and homelessness crisis. The fact that this study occurred in the middle of the housing crisis gives us the chance to see the housing-related problems people continue to experience in connection with the crisis. The study shows that in Oregon, many struggle to find affordable housing, many struggle to continue to afford the housing they are in, and nearly 1 in 10 households has experienced homelessness in the last 12 months. For low-income Oregonians, obtaining and maintaining affordable housing is a serious issue no matter what kind of housing is involved.

Rental Housing

The study showed that 65% of all participants were renters. Within that category, 81% of African Americans were renters, and 71% of single parents were renters. The two most common rental housing issues are related to the unaffordability of housing: 26% of participants had trouble finding an affordable place to live and 21% reported that they could not afford a rent increase.

53% of renters experienced at least one housing-related issue.

Habitability issues were common, with 18.1% of participants reporting problems related to their landlord failing to keep their home in a decent, safe, or clean condition. This includes

problems with mold or vermin; proper roof, windows, and structure; and working heat and water. 13.4% reported threats of eviction and 12.1% reported that their landlords acted aggressively. Aggressive action by a landlord includes entering without notice, turning off utilities, locking out tenants, harming a tenant's property, or threatening any of these actions.

Most Highly Reported Rental Housing Problems

Percent of households that rent that experienced each rental housing problem.



Homelessness

A staggering 10% of those who completed the survey reported that someone in their household had been homeless in the previous 12 months. That percentage bears even more weight considering that the survey was mailed to those currently residing at a physical address. These are individuals who lost their housing and regained it. Those who lost their housing and were unable to find new housing remain uncounted by this survey. Additionally, those experiencing long-term, chronic homelessness were not counted by this survey's methodology. The fact that so many experienced intermittent homelessness speaks to the depth of the housing crisis in Oregon.

Three subgroups stand out as disparately affected by homelessness. First, survivors of domestic violence and sexual assault were 6.2 times more likely to be in a household affected

Most Common Civil Legal Problems Reported by Homeless Individuals

Percent of households that reported having someone who was homeless within the prior 12 months that experienced each homelessness-related problem.



10% of survey participants reported a household member had been homeless in the last 12 months.

by homelessness than the rest of the population. Second, those with criminal and juvenile records were 4.4 times more likely to be in a household affected by homelessness than the rest of the population. Third, single parents were over 2.5 times more likely to be in a household affected by homelessness than the rest of the population.

Although homelessness is often considered an urban problem, households in the most rural counties reported being affected by homelessness at a rate more than 3 times higher than that reported in the most urban counties.

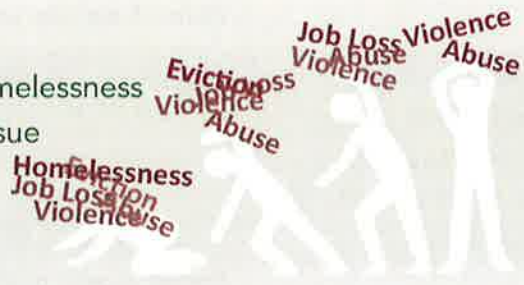
Domestic Violence and Sexual Assault

Survivors of domestic violence and sexual assault (DV/SA) suffer civil legal problems at significantly higher rates compared to the general population. Their legal problems go beyond family law and abuse issues. They experience a greater rate of legal problems in nearly all of the legal subject areas in the survey: rental housing, homelessness, financial, age and disability, veterans', tribal, employment, farm work, education, government assistance, policing, healthcare, and discrimination. Violence is pervasive, causing ripples that disrupt housing, jobs, and children's educations.

Just under 10% of survey participants reported suffering DV/SA in the previous 12 months. African Americans experienced DV/SA at 2.2 times and single parents experienced DV/SA at 2.4 times the rate of those not in these groups.

Households with DV/SA survivors were:

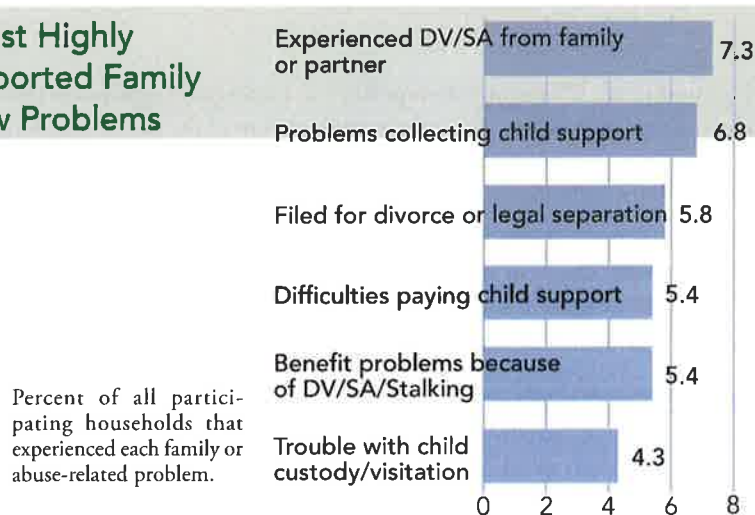
- 6.2** times more likely to experience the effects of homelessness
- 3.7** times more likely to have an education-related issue
- 3.0** times more likely to have an employment issue
- 2.1** times more likely to have a rental housing problem



Family

Family law problems were ranked highly in both severity and frequency by survey participants. Problems related to safety and financial stability were the most critical family law issues. DV/SA at the hands of a family member or partner was the most highly-reported issue, and difficulty collecting child support was the second-most reported family law problem. Single parents and people of color disproportionately experience family law problems; single parents who were surveyed were 2.8 times more likely to have a family law problem, and African Americans were 1.5 times more likely to have a family law problem.

Most Highly Reported Family Law Problems



Employment

For 62.3% of survey participants with an employment issue, the problem was very or extremely likely to negatively affect their life. Parenthood and involvement with the criminal justice system increased the likelihood that a survey participant would have an employment legal problem. The more children a participant had, the more likely they were to have an employment law problem.

Most Highly Reported Employment Law Problems

Percent of participating households that experienced each employment problem.



Single parents were 1.4 times more likely to have an issue with employment. People with criminal or juvenile records were 1.5 times more likely to have an issue. Frequency of employment issues was also a problem, as 9% of survey participants reported more than one employment issue.

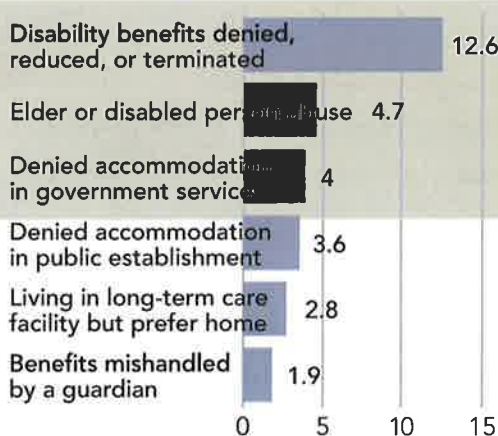
Aging & Disability

Oregon's community of people with disabilities disproportionately experiences legal problems and is disproportionately low income. Over 44% of the households surveyed included someone with a disability. The survey also highlighted the intersectionality of race and disability, with Native Americans and Asian Pacific Islander participants being 1.9 times more likely to be

affected by aging and disability-related legal problems. Single parents were 1.7 times more likely to have an issue in this area.

Most Highly Reported Aging and Disability-Related Legal Problems

Percent of households that reported having someone over 65 or having someone with a disability that experienced each aging or disability-related problem.



Immigration

As the survey was being conducted, US immigration policy was undergoing significant changes, with an impact on thousands of Oregonians. The immigration section of the survey was designed to determine the need for formal immigration help and the need for legal information to reduce fear experienced by foreign-born individuals.

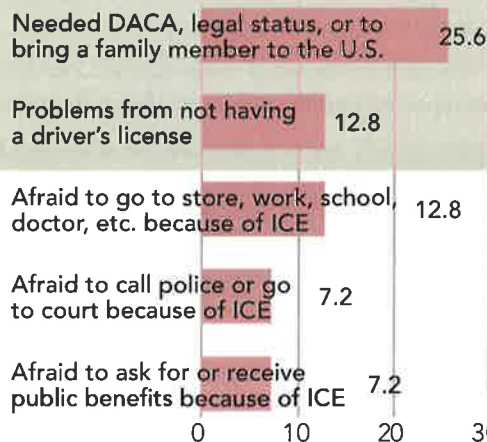
Although only 4% of all survey participants directly experienced an immigration-related legal issue, immigration problems were the most harmful of any legal problem to participants' lives. 13% of households had at least one person born outside of the US, and immigration legal issues were common in these households. For foreign-born households, immigration legal problems

were as common as rental housing problems were to the overall low-income population. It is also worth noting that there is a likelihood that under-reporting may be taking place as a result of fear of being identified as an immigrant.

12.8% of foreign-born households feared participating in the activities of daily life—work, shopping, school, seeking medical help—because of Immigration and Customs Enforcement.

Most Highly Reported Immigration Law Problems

Percent of households that reported having a foreign-born individual that experienced each immigration-related problem.



One in three foreign-born study participants had at least one immigration legal problem in their household.

50% of foreign-born/Latinx and foreign-born/Spanish-speaking participants had at least one immigration legal problem in their household.

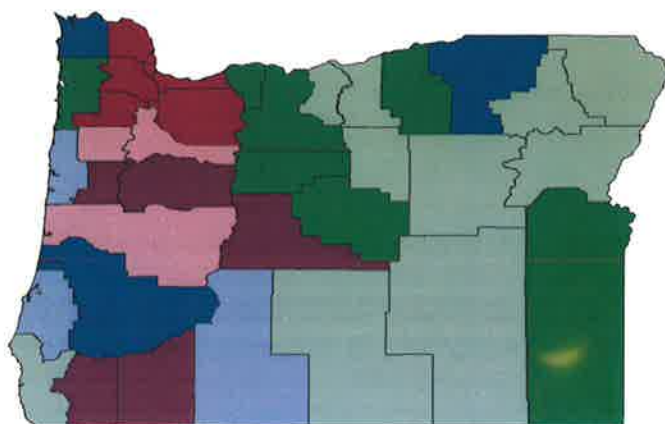
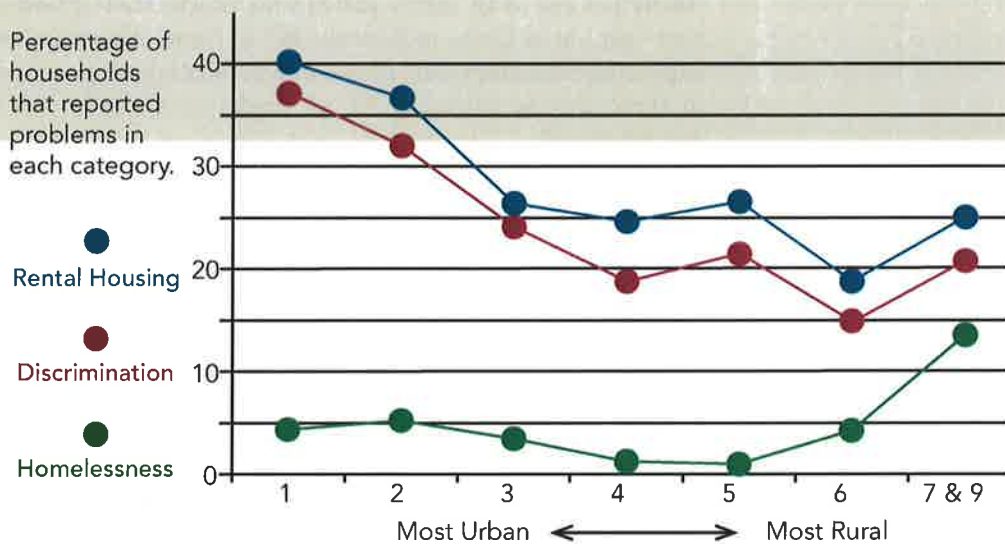
Four in five households with a foreign-born individual of African descent (from anywhere in the world) had at least one immigration legal problem in their household.

25.6% of foreign-born households needed help improving their immigration status: DACA, visa/citizenship, refugee status, etc.

Where You Live Makes a Difference

To highlight geographic differences, responses were categorized and compared based on the urbanization of the county they came from. Problems with rental housing and discrimination become more prevalent the more urban a county is. Homelessness strongly increased in prevalence as counties became more rural.

Effects of Geography on Legal Problems



Population Categories

- 1 Metropolitan county with urban population > 1 million
- 2 Metropolitan county with urban population 250k to 1M
- 3 Metropolitan county with urban population under 250k
- 4 Urban population of 20,000 or more and adjacent to a metropolitan county
- 5 Urban population of 20,000 or more and not adjacent to a metropolitan county
- 6 Urban population 2,500 to 20,000 adjacent to a metropolitan county
- 7 & 9 < 20,000 Urban population not adjacent to an urban area

Discrimination

The survey asked participants if they experienced discrimination in the prior 12 months and where and how that discrimination was experienced.

Although the type of discrimination asked about extended far beyond race and ethnicity, racial and ethnic minorities reported significantly more discrimination:

Most Highly Reported Reasons and Places for Discrimination

Percent of people who reported experiencing discrimination for each reason.



Thirty percent of all survey participants experienced at least one form of discrimination. Forty percent of Latinx individuals, 48% of Native Americans, and 51% of African Americans experienced discrimination. People with particular backgrounds also experience discrimination at elevated rates, including 38% of single parents and 51% of people with a criminal or juvenile record.

Systemic Discrimination

African Americans

Oregon's low-income racial and ethnic minorities disparately experience legal problems. The survey shows that in every legal area except one, African Americans experience higher rates of civil legal issues than non-African Americans. Additionally, African Americans reported stronger negative effects than non-African Americans from the civil legal problems stemming from rental housing, tribal membership, education, policing, discrimination, and family and abuse.

African Americans were:

- 2.3 times more likely to experience homelessness
- 2.1 times more likely to experience an education issue
- 1.8 times more likely to experience an issue with policing
- 1.6 times more likely to experience a rental housing issue

Homeownership was the only area where African Americans suffered legal problems at a lower rate than the general population. Explanations for this may include systemic racism and the historic prevention of homeownership by people of color in Oregon. Only 5.9% of African-American participants and 15.7% of Latinx participants own homes, compared to 24% of all participants.

Native Americans

Similar to African Americans, Native Americans experience many more civil legal problems. In 14 of the 17 categories surveyed, Native Americans experience problems at higher rates than non-Native Americans. Native Americans also experience more negative effects from problems connected to rental housing, aging and disability, health care, and family and abuse.

Native Americans were:

- 2.7 times more likely to experience a veteran status issue than non-Native Americans
- 1.9 times more likely to experience an elderly or disability-related issue
- 1.9 times more likely to experience a mobile home issue
- 1.5 times more likely to experience homelessness
- 1.5 times more likely to experience a health care issue

Latinx participants were:

- 15 times more likely to experience immigration issues than non-Latinx Oregonians
- 1.8 times more likely to experience homelessness
- 1.7 times more likely to experience an education issue
- 1.3 times more likely to experience rental issues

Asian Americans were:

- 2.6 times more likely to experience a homeownership issue than non-Asian Americans
- 2.4 times more likely to experience a veterans' issue
- 2.1 times more likely to experience an immigration issue

Latinx

Latinx participants did not experience issues as disparately as African Americans and Native Americans, but did experience higher rates of civil legal issues than non-Latinx individuals in 9 of 17 categories. With only 59% reporting a primary language of English, language can present a significant issue for Latinx individuals trying to find solutions in a legal system that operates in English. 53% of Latinx participants reported being foreign born, and of those who were foreign born, 48% reported an immigration issue in their household. Issues related to rental housing, healthcare, immigration, and discrimination had stronger negative effects for Latinx people.

Asian American

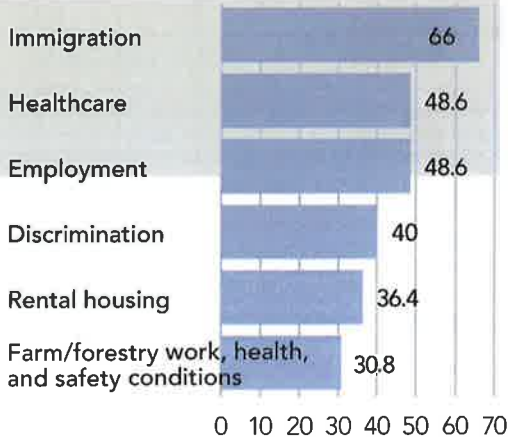
Asian American participants experienced legal problems at lower rates across most issue areas. Asian Americans did have some issue areas that stood out, including homeownership, veterans' issues, and immigration issues. However, the most significant barrier to justice was not speaking English. Only 59% of low-income Asian Americans reported English as their primary language.

The Farmworker Experience

Farmworkers stated serious concerns about working conditions, including exposure to pesticides, unsanitary conditions, and substandard wages. A substantial number of workers reported not receiving overtime pay when due or rest breaks. With no access to affordable healthcare, the physical and psychological effects of these conditions worsened. Many workers feared retaliation from their supervisors and authorities for reporting failure to provide basic, safe working conditions.

Most Common Civil Legal Problems Reported by Farmworkers

Percent of farmworker households that experienced each legal problem area.



One of the most powerful themes from the survey was the high level of fear based on immigration status. These findings show an extremely vulnerable population who, for good reason, sees itself as isolated and separate from mainstream society.

Barriers to Justice

84.2% of people who needed a lawyer were unable to obtain one.

People Do Not Know Where to Go For Help

More than half of the survey participants (52.8%) who experienced a legal problem looked for legal help. Only about half of participants (49%) had heard of legal aid. Just under a quarter of participants (23.9%) tried to get a lawyer to help them. Even fewer (15.8%) were successful in obtaining any kind of help from a lawyer, including simple legal advice. For participants who were able to obtain a lawyer, help came from three main sources: private attorneys, either paid or pro bono (49.5%); legal aid lawyers (26.7%); and other nonprofit lawyers (23.8%).

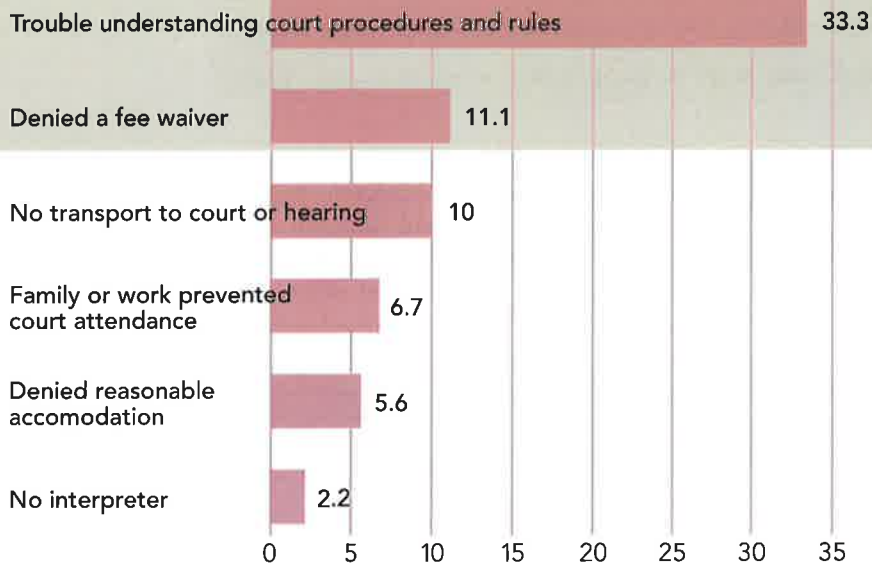
Key findings from survey participants who attempted to address their own legal problems found that: 1) white Caucasians researched legal issues at 1.5 times the rate of people of color; 2) those with internet access researched issues at 1.4 times the rate of those without the internet; and, 3) people with a bachelor's degree researched at 1.2 times the rate of those with less education. Participants who were the least likely to look for help, and arguably the least likely to know that help exists, were members of the Latinx community, particularly Spanish speakers. Latinx participants researched legal issues at 66% the rate of others, and Spanish speakers researched at 33% the rate of others.

People with Court Hearings Have Trouble Accessing the Legal System

Approximately 10% of participants had a civil or family court hearing in the previous year. Low-income participants reported several barriers to meaningfully participating in the hearing process. The largest barrier was understanding the rules and procedures in court, with more than one in three people reporting this problem. It is hard for court participants to feel a sense of just treatment when they are struggling to simply understand what is going on.

Most Highly Reported Problems Accessing the Courts

Percent of people reporting each problem with court access.



When People are Denied Access to Justice, Their Faith in the Legal System Erodes

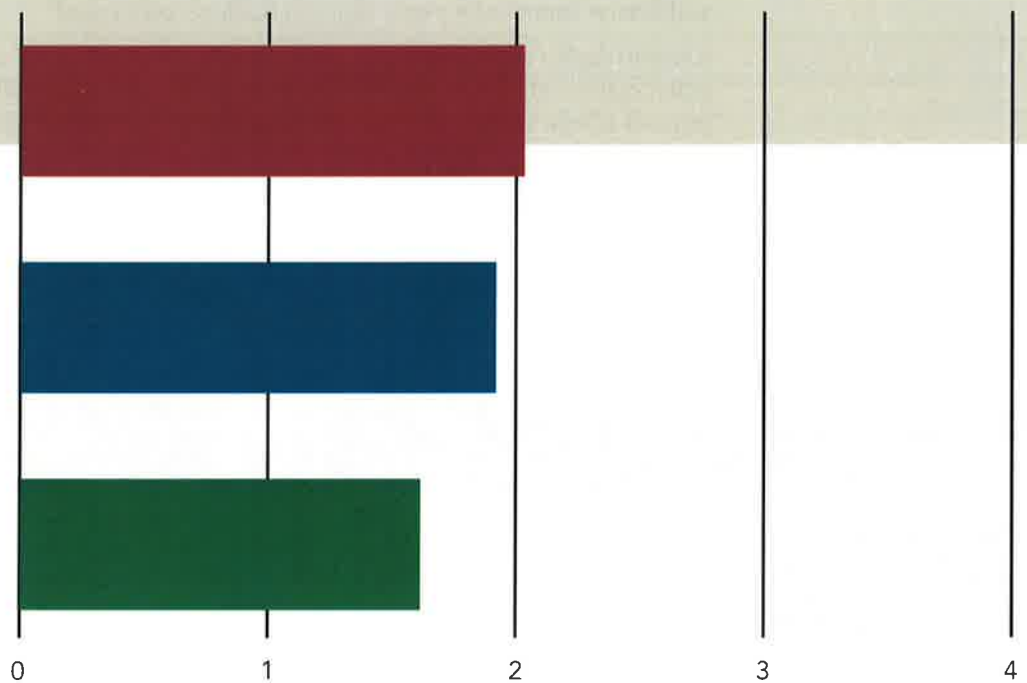
There are costs and consequences to administering a system of justice that denies large segments of the population the ability to assert and defend their core legal rights. When someone needs an attorney and cannot obtain one, they are forced to navigate a complicated civil justice system on their own. The results are most often detrimental to the people involved. This leads to cynicism and distrust of the system, as well as a likelihood that even those with a strong chance of successfully resolving their issue will choose not to engage with the system.

To get a sense of how well the civil legal system provides low-income Oregonians with a feeling of justice, participants were asked in three different ways to rank how often the courts and the civil legal system provide fair results. In the rankings, zero represented the lowest frequency of providing justice and four represented the highest.

On average, participants felt that the civil legal system treated people fairly “some of the time,” and that the civil legal system could help solve problems slightly less than “some of the time.” Participants were least likely to feel the courts could help protect them and their rights, agreeing that only “rarely” to “some of the time” was this true.

Perceived Fairness of the Civil Legal System

- 0 = “Not at all”
- 1 = “Rarely”
- 2 = “Some of the time”
- 3 = “Most of the time”
- 4 = “All of the time”



- How often do you think you or your family, friends, or neighbors are treated fairly by the civil legal system?
- How often do you think the civil legal system can help you, your family, friends, or neighbors solve the problems identified in the survey?
- How often do you think you or your family, friends, or neighbors can use the courts to protect yourself/themselves and your/their rights?

The Solution

Increased Access to Legal Aid is the Best Way to Meet the Legal Needs of Low-Income Oregonians

When Oregonians who are struggling to make ends meet lack legal representation, they are effectively shut out of the justice system. To the average person, our legal system is a maze.

Legal aid provides:

- Free civil legal representation to low-income people
- Brochures, court forms, and self-help materials to help people navigate the justice system
- A website with accessible legal information available to all Oregonians
- Legal help and representation that helps stabilize families and prevent a further slide into poverty

That is why lawyers are trained to guide their clients through the system. Civil legal aid is a lifeline—it is there to protect people with nowhere else to turn.

We must do better than meeting 15% of the civil legal needs of the poor. The biggest obstacle to legal aid playing a greater role in the community's solutions to systemic poverty is legal aid having the financial resources to reach more families when they need legal help. Oregon's legal aid programs increase fairness in the justice system, empower individuals,

and eliminate many of the barriers that block families living in poverty from gaining financial stability. Legal aid is deeply connected to the communities it serves, with established programs and diverse community partnerships to reach people in need.

Oregon's legal aid programs help more than 28,500 low-income and elderly Oregonians each year. Legal aid offices are located in 17 communities and they serve all 36 Oregon counties. Simply put, when legal aid gets involved, the lives of clients and the welfare of communities improve.

Breaking Through Barriers to Justice

According to national standards set by the American Bar Association, the “minimally adequate” level of staffing for legal aid is two legal aid lawyers for every 10,000 poor people. In Oregon we have two legal aid lawyers for every 14,000 poor people. We must recommit ourselves to

Justice Protects



Clara and Diego

Clara found legal aid after being severely injured by Rafe, her partner of 25 years. He came home drunk and started destroying the walls. He flew into a rage when Clara finally said “enough is enough.” Concerned neighbors called 911 and watched as Clara was transported to the hospital with internal bleeding, a broken arm, and irreversible back and neck injuries. Despite years of horror, Clara only sought help when she saw how Rafe's abuse was affecting her adult daughter and her young son, Diego. Legal aid helped Clara gain full custody of Diego and resolve over \$15,000 of misdirected medical bills. They also helped her assume the mortgage that Rafe refused to pay after he moved out, collecting evidence to show that Clara had been contributing all along, although Rafe's was the only name on the loan documents. After suffering at Rafe's hands for decades, Clara credits her legal aid lawyer's patience and skill for giving her the confidence she needed to overcome fear, stand up for her rights, and regain safety. She explained that her lawyer would say, “You can do this. Don't panic. Just come along when you can.” Clara and her son Diego are an inspiration, as is the legal aid lawyer who is helping her navigate this long journey.

the reasonable and necessary goal of providing “minimum access to justice.” The 2014 Oregon Taskforce on Legal Aid Funding, which included elected officials and leaders in the legal community, concluded that we need to double the resources for Oregon’s legal aid programs in order to have minimally adequate access to justice.

What Can I Do? What Can Oregon Leaders do to Address the Civil Legal Needs of Vulnerable Oregonians? Take Action!

When we say the Pledge of Allegiance, we close with “justice for all.” We need programs like civil legal aid to ensure that the very principle our country’s founders envisioned remains alive: justice for all, not just for the few who can afford it.

Educate

Talk about the importance of access to justice. Let people know that civil legal aid is there for those who need help. Share this report. The information in this report is not widely known and it is hard to solve problems that no one is talking about. Let’s amplify the conversation.

Speak Up

Oregon has broad bipartisan support for legal aid at the local, state, and federal levels. As a community, let’s continue our sustained focus on a fair and accessible legal system—a system where our neighbors can know their rights and get the help they need.

Fund Legal Aid

Legal aid is a state, federal, and private partnership. Legal aid receives funding from the State of Oregon, the federal government (Legal Services Corporation), private foundations, Interest on Lawyer Trust Accounts (Oregon Law Foundation), and private donations (Campaign for Equal Justice). The single best way to increase access to justice is to help us create more legal aid attorney positions.

Justice Heals



Noelle and Poppy

Noelle’s daughter Poppy was born with Apert’s Syndrome, a rare and complex condition that caused her fingers to be fused together. For Poppy to have full use of her hands, she needed very specialized reconstructive surgery. Noelle connected with a surgeon in Boston who specializes in this type of surgery and who was confident that he could give Poppy ten working fingers. But Noelle’s health plan provider denied the request to use this specialist, citing the cost, and insisted that Noelle use a local surgeon. None of the experienced hand surgeons in Oregon felt confident that they could give Poppy ten fingers. The cycle of requests, denials, and appeals for Poppy’s essential surgery went on for three years, despite the Boston specialist waiving his fees to make the surgery less expensive. Noelle desperately wanted Poppy to have ten working fingers before she began kindergarten, and time was running out. Luckily, Noelle found legal aid, and they began working on the next appeal together. Having an attorney step in to ask questions, request documents, and review processes made all the difference. Just before the appeal hearing, the health plan changed course and gave full permission for the surgery on the East Coast. Now Poppy is thriving with ten fully functional fingers, just in time to start school. To celebrate the one-year anniversary of the surgery, Noelle and Poppy threw a “birthday party” for Poppy’s hands and invited their legal aid lawyer to join the celebration.

Justice Unifies



A Vulnerable Community

Legal aid received a call from two community partners about the same problem: a housing complex where the tenants were suffering because the apartments were unsanitary and unsafe. Legal aid met the clients at their homes, and found that there were 8 units in this complex that all had similar problems suggesting that the landlord had not kept up on repairs: extensive mold around exterior walls of most rooms; water damage from leaking toilets; rusted heaters and ovens; leaking fridges; filthy old carpets; and extensive cockroach and spider infestation.

The families did not ask for help or complain to their landlord because they didn't know that they had a right to live in a safe home with a basic standard of livable repair. They were all refugees—an ethnic minority that was persecuted in their own country that fled to the United States for safety. For most of these clients, their only experience with anything like a landlord-tenant relationship was being in a refugee camp. Some feared that they would be attacked or killed if they complained to the landlord, and none felt they could afford to live anywhere else. Legal aid tried to work with the landlord. However, the landlord's disregard for the tenants seemed deliberate—they did not step up and do the right thing, even when they were advised of their responsibilities. Legal aid then filed suit against the landlord and reached a settlement prior to court. The families immediately got some relief from these unacceptable conditions. There is still a long road ahead for them to acclimate and to feel safe, but positive steps have started—with legal aid's help, their voices were heard and their rights respected.



March 16, 2019

Good Afternoon, members of the Joint Ways and Means Committee!

I thank you for venturing over the mountain to hear testimony from constituents from the dry side! It is a rare occurrence!

My name is Jeanine Johnson and I am not a native Oregonian but I did decide to make Oregon my home in 1981. I first saw Oregon as a child and I was awed at the beauty of the valley, the coast and the mountains. It took me another 13 years to actually move here.

The reason I am here to testify today is to encourage you to vote in favor of House Bill 257. Increased funding for the OSU Extension Statewide programs is near and dear to my heart for the following reasons:

- Both my husband and daughter are OSU graduates.
- Both of our children participated in the 4-H programs from 4th to 12th grade. It is the best youth program that I know of.
- In 2014, I realized my 25-year old dream: to become an OSU Master Gardener. Besides the remarkable depth and breathe of knowledge I received from premier OSU professors and staff, it gives me great satisfaction to provide community service in an area of passionate interest to me.

I also want to remind you of the charges placed upon OSU as not only a Land Grant university, but also a Sea, Sun and Space Grant university. There is a wealth of information about the multitude of Laws that have been passed since 1862 that have made these Land Grant institutions vital to each state. Those charges are threefold. They are in the areas of Education, Research and Dissemination of that research-based information to the public.

The OSU Board of Trustees has asked the legislature to allocate an additional \$30 million in their budget for the Statewide Public Service programs. These are the programs that interface with the public...the dissemination portion of the charge of the University. Not only would that money bring the funding levels back to the 2007 levels, it would also represent in *measurable* ways an advancement of knowledge in 6-key focus areas that are vital to Oregon's future.

With an increase in revenue this year and with the likely continued growth of the population of this state, now is the time to invest in the things that Oregonians value. That means we need to have fully staffed programs with people who are experts in their fields. We need to have all Extension positions filled across the state. And, we need to discover innovative strategies to deal with looming issues. The best path to that end is high quality staffing.

I do not envy your job of trying to measure the efficacy of one program over another. I'm glad I'm not in your shoes. But, I do ask that you look favorably on this request to fully fund the OSU Statewide Public Service Programs. These programs directly connect the best minds in research with all constituents of the state. That is what the Land Grant universities were designed to do.

Thank you for this opportunity to voice my support!

Respectfully submitted by,

Jeanine Johnson

Bend, Oregon

541-419-7734

jkjohnson@bendbroadband.com

Testimony of Brad Chalfant, Executive Director of the Deschutes Land Trust
Before the Joint Ways & Means Committee
Redmond, Oregon, March 16, 2019

RE: HB-2729

Oregon Agricultural Heritage Program

My name is Brad Chalfant and I serve as the Executive Director of the Deschutes Land Trust, based in Bend. The Deschutes Land Trust is a private non-profit conservation organization serving private landowners throughout the Deschutes River Basin. We work exclusively with private landowners on a voluntary basis, with a mission is to conserve land for wildlife, scenic views and local communities. This includes working with the private owners of "*working, productive lands*," including ranchers, farmers and timber operators.

Oregon faces a growing crisis with its agricultural lands, due to the rapid aging of our farmers and ranchers, the high cost for young farmers and ranchers wishing to begin farming or ranching and the perpetually difficult economics of farming and ranching. Additionally, in many parts of the state, growing development pressures have driven land prices well above what agriculture can economically justify. Adding insult to injury, fragmentation of productive agricultural land with new residences typically adds additional costs for existing farm and ranch operations, while also fragmenting wildlife habitat and migration corridors.

In 2017, the Oregon legislature enacted HB-3249, the Oregon Agricultural Heritage Program, though with only enough funding to initiate rule making for the new program. OAHP was the product of an historic collaboration between agriculture and conservation. Today, the rule making has been completed and it's now time to fund the Oregon Agricultural Heritage Program and put this remarkable collaboration to work. We ask that the Joint Ways & Means Committee authorize \$10 million dollars for the coming biennium to implement OAHP.

In Central Oregon, we've seen tremendous growth and for the most part, we enjoy a vibrant economy. However, not all parts of Central Oregon have benefitted from the growth we've witnessed in Bend, Redmond and now, increasingly in Prineville and Madras. In fact, these growth pressures have added to the difficulty in maintaining large-scale, productive agriculture, as new residents look outside of urban growth areas with an eye to acquiring a little acreage. The Deschutes Land Trust is particularly concerned about the pressure on ranchers in the Post-Paulina Valley on the upper Crooked River and along McKay Creek, north of Prineville. Today, we're working with ranchers in both of these areas, trying to secure funding to purchase conservation easements from these willing landowners. Easements that will allow these ranchers to continue ranching, help them monetize unneeded development rights, reinvest in their operations, maintain an economically viable scale of ranching, while also maintaining important wildlife habitat and migration corridors. However, to be successful, we need OAHP.

While we recognize this is a difficult budgetary time, Oregon agriculture is at a crossroads. Please find funding to launch the Oregon Agricultural Heritage Program and send a message that the good will and collaboration demonstrated in producing this program was not in vain. Please authorize \$10 million for the Oregon Agricultural Heritage Program. Thank you.

Brad Chalfant
Executive Director
Deschutes Land Trust
210 NW Irving Ave., Suite 102
Bend, Oregon 97703



Crook County

300 N.E. 3rd Street • Prineville, Oregon 97754

Phone (541) 447-6555 • FAX (541) 416-3891

March 19, 2019

Joint Committee on Ways and Means
Oregon State Capital
900 Court Street NE, Room H-178
Salem, OR 97301

Dear Committee Members,

On behalf of Crook County Oregon, we, the Crook County Court, are asking for your support of Senate Bill 445 as introduced by Senator Arnie Roblan. Senate Bill 445 revises membership, leadership and reporting requirements of the Oregon Invasive Species Council and provides funding necessary to accomplish baseline state-mandated responsibilities. These revisions will allow the OISC to successfully fulfill its statutory role enhancing communication, representation and capacity.

Invasive species pose a serious threat to Oregon's economy, infrastructure, food and water systems and environment impacting agriculture, forestry, hydropower, water delivery systems, outdoor recreation opportunities and tourism.

Attached is an overview of the current and revised statutory responsibilities and past and present budget information. The OISC Annual Report is also attached. The Crook County Court would hope that the Ways and Means Committee will support Senate Bill 445.

Respectfully,

Crook County Court

Seth Crawford
Crook County Judge

Jerry Brummer
Crook County Commissioner

Brian Barney
Crook County Commissioner



SB 445

OREGON INVASIVE SPECIES COUNCIL

For more information about SB 445,
contact Senator Roblan
Sen.ArnieRoblan@oregonlegislature.gov

For more information about the Oregon
Invasive Species Council, contact
Coordinator@oregoninvasivespeciescouncil.org

SB 445 revises membership, leadership and reporting requirements of the Oregon Invasive Species Council and provides funding necessary to accomplish baseline state-mandated responsibilities. If passed, these revisions will allow the OISC to successfully fulfill its statutory role by enhancing communication, representation, and capacity.

Current

STATUTORY RESPONSIBILITIES

- Maintain early detection invasive species reporting system
- Produce outreach materials concerning invasive species
- Conduct coordination meetings and educational conferences
- Develop and facilitate implementation of statewide strategic plan addressing invasive species

GRANTS AND FUNDING

- Grant program to support education and outreach projects (unfunded)
- Grant funding to eradicate or control new infestations of invasive species (one-time funding has been nearly depleted)
- State supported funding of OISC activities limited to \$50,000 LF

MEMBERSHIP

- 7 permanent voting members
- 10 appointed at-large voting members

LEADERSHIP

- Rotating Chair from 7 permanent voting members

Revised

STATUTORY RESPONSIBILITIES

- Maintain existing statutory responsibilities
- Increased communication, representation and capacity will enhance OISC ability conduct a coordinated effort
- Requires OISC to prepare and submit a biennial report to Legislature

GRANTS AND FUNDING

- Establish \$100,000 GF funding to support education and outreach grant program
- Re-invest \$200,000 GF support for rapid response capacity to invasive species emergencies
- Increase base funding support for OISC activities to \$150,000 for 2019–2021 biennium

MEMBERSHIP

- 8 permanent ex-officio voting members (adds State Parks representative)
- 10 appointed voting members representing diverse interests and populations throughout Oregon
- Revise ex-officio non-voting membership to include representatives from Legislature, Governor's office, and federal agencies

LEADERSHIP

- Elect Chair from any of the voting members

Oregon Invasive Species Council

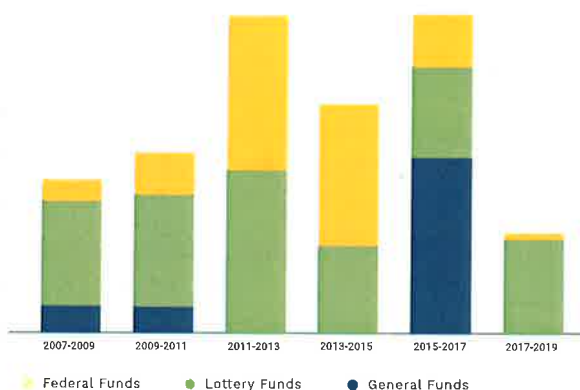
Overview

The Oregon Invasive Species Council (OISC) was created in 2001 to conduct a coordinated and comprehensive effort to prevent the entry of invasive species into Oregon and to eliminate, reduce and mitigate the effects of invasive species already present in this state.

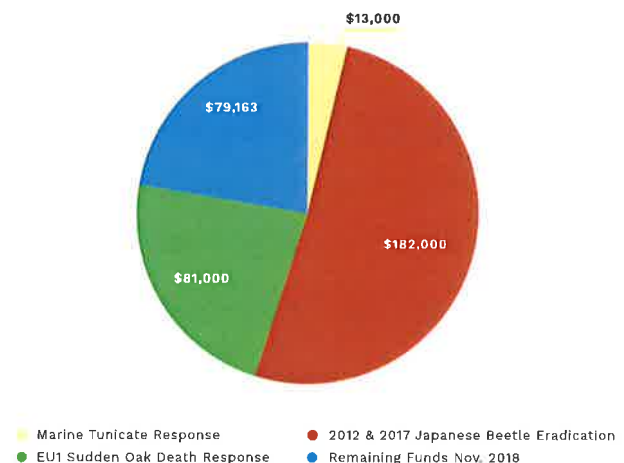
BUDGET HISTORY (2007-2018)

2007	Funding established to support OISC activities and coordination efforts (operations)
2009	One-time allocation of \$350,000 to the Emergency Control Account
2015	One-time \$100,000 allocation for operations from General Funds
2017-2019	Reduced state funding and lack of federal funds resulted in lowest biennium budget for OISC activities of past 12 years

OPERATIONS FUNDING 2007-2019



EMERGENCY CONTROL ACCOUNT 2012-2018



Proposed OISC Activities 2019-2021

- Restructure the OISC to enhance representation and stakeholder engagement
- Maintain and increase capacity of OISC to address ongoing and new invasive species threats
- Continue to develop strategic partnerships to leverage resources and enhance efficiencies to prevent, detect and manage invasive species
- Build statewide awareness of invasive species impacts and continue to improve prevention and early detection capacity
- Respond to local priorities to support implementation of innovative solutions
- Assess and facilitate progress of Statewide Strategic Plan and develop 2020-2022 Action Plan



OREGON INVASIVE SPECIES COUNCIL

ANNUAL REPORT 2018

The Oregon State Legislature created the OISC in 2001 as the state's leader to conduct a coordinated and comprehensive effort to address invasive species. Our vision is to eliminate, reduce, and mitigate the threats to Oregon from invasive species.

"Invasive species are defined by Oregon Statute as 'nonnative organisms that cause economic or environmental harm and are capable of spreading to new areas of the state.'" — ORS 570.750



Oregon Invasive Species Council Members work together through a network of cross-disciplinary partners to:

PROTECT OREGON'S NATURAL RESOURCES—AND ECONOMY

Invasive species pose a serious statewide threat to Oregon's economy, infrastructure, food and water systems, and environment impacting agriculture, forestry, hydropower, water delivery systems, outdoor recreation opportunities, and tourism.

SAVE MONEY THROUGH PREVENTION

Invasive species pressures continue to accelerate with global trade, relocation to Oregon from infested areas and the popularity of the PNW. The economic costs and damages associated with invasive species pose a serious threat to Oregon's agriculture, forests and natural resources.

KEEP OREGON'S PEOPLE AND PLACES HEALTHY

Invasive species have the potential to jeopardize public health and to transform ecosystems, resulting in widespread economic and environmental harm. Invasive species can also lead to increased pesticide use and associated human health concerns.

ERADICATE HARMFUL INVASIVE SPECIES

The potential for wide-ranging consequences has made the fight against invasive species a bipartisan issue. Eradication of invasive species is possible when detected early with adequate resources to rapidly respond.

To learn more about invasive species threats and the accomplishments of programs across the state, please visit:
www.oregoninvasivespeciescouncil.org

CONTACT THE OREGON INVASIVE SPECIES COUNCIL
coordinator@oregoninvasivespeciescouncil.org
facebook.com/OregonISC @OISCouncil

PUTTING OREGON'S STATEWIDE INVASIVE SPECIES STRATEGIC PLAN TO ACTION

A few examples of collaboration

WATERCRAFT INSPECTION STATIONS ZEBRA AND QUAGGA MUSSELS

COLLABORATION AMONG

Oregon Department of Fish & Wildlife, Oregon State Marine Board, Jackson, Klamath and Malheur Counties, Oregon State Police, Oregon Tourism, Oregon Department of Transportation, Oregon State Parks, Army Corps of Engineers, Bureau of Reclamation, Columbia River Basin Team, Western Regional Panel, U.S. Fish & Wildlife Service, Pacific Northwest Economic Region



As part of a coordinated network of inspection stations in the northwest, Oregon operated six inspection stations at entry points around the state. Two stations were open all year. Of the 28,190 watercraft inspected, 11 were intercepted with quagga or zebra mussels and 354 with other forms of bio-fouling.



Foster strong regional network through resource & information sharing at meetings, support communication and public outreach.

NEW DETECTION OF FLOWERING RUSH

COLLABORATION AMONG

Oregon Department of Agriculture, Oregon Department of Fish & Wildlife, Oregon resident



A private landowner reported a flowering rush infestation on their property in the Klamath Basin. The Oregon Department of Agriculture and Oregon Department of Fish & Wildlife quickly worked together to treat the weed before it spread. If established, this invasive aquatic weed would clog irrigation canals and reduce habitat for native animals and plants.



Build collaborative networks in Columbia River Basin and promote invasive species hotline for early detection.

NEW DETECTION OF RUSTY CRAYFISH

COLLABORATION AMONG

Oregon Department of Fish & Wildlife, Oregon Department of Agriculture, U.S. Forest Service, Bureau of Reclamation, Oregon State University Extension, Washington State University, Burns Paiute Tribe



A new detection of Rusty crayfish was found in the Malheur River Basin, at Summit Prairie Pond near Seneca, OR, and appeared to have been illegally released. Rusty crayfish competes with Oregon's native signal crayfish for food and habitat and will prey on various native species. The Oregon Department of Fish & Wildlife is actively working with partners to develop methods to eradicate crayfish where possible, to identify management solutions where eradication is not possible, and increase outreach and education.



Promote public educational materials and facilitate forum for sharing information about detections and management practices.

SOUTH COAST COOPERATIVE WEED MANAGEMENT

COLLABORATION AMONG

Coos Watershed Association, Coquille Watershed Association, Curry Soil and Water Conservation District, Coos Bay BLM District, Oregon Department of Agriculture, Oregon Parks and Recreation Department, Gorse Action Group, the noxious weed control district advisory boards of Coos and Curry counties



Noxious weeds like gorse and scotch broom pose a serious threat to working lands and natural areas. The South Coast CWMA was recently established to expand control of noxious weeds in Coos and Curry counties through shared resources, best practices and public education.



Convene partners, experts and public officials for joint meeting with the Oregon Noxious Weed Board in Coos Bay and Bandon, Oregon.

READINESS AND RESPONSE EMERALD ASH BORER

COLLABORATION AMONG

Oregon Department of Forestry, Oregon Department of Agriculture, US Forest Service, City of Portland: Portland Parks and Recreation, City of Corvallis: Parks and Recreation, Oregon State University Extension, USDA APHIS-PPQ



A multi-agency effort was concluded to publish an Emerald Ash Borer Readiness & Response Plan for Oregon. In total, 7 meetings were held over a 12-month period, including a collaborative advisory group with over 45 participants. The final plan can be found at oregonEAB.info.



Facilitate development of the plan, develop outreach materials and partnerships.

ERADICATION OF JAPANESE BEETLE

COLLABORATION AMONG

Oregon Department of Agriculture, Oregon Department of Environmental Quality, Washington County, Oregon Health Authority, Metro and dozens of supporting organizations.



The Oregon Department of Agriculture completed a second year of treatment in an attempt to eradicate the largest infestation of Japanese beetles found in the state. Community support and coordination among partners is essential to prevent this pest from establishing on the West Coast.



Outreach to interested stakeholders, build collaborative networks to share best practices and develop communication materials.

PACIFIC NORTHWEST REGIONAL HIGHLIGHTS

Select partners developing cooperative strategies to manage both pathways and species-specific threats

Columbia River Basin Team

GOAL
PREVENT INTRODUCTION
AND SPREAD OF ZEBRA /
QUAGGA MUSSELS AND
AQUATIC INVASIVE SPECIES

WA, OR, MT, ID, & BC

PNWER Northern pike cross-border committee

GOAL
STOP THE SPREAD OF
NORTHERN PIKE

WA, OR, AK, ID, MT, BC, & Alberta

Western Invasives Network

GOAL
FOSTER LOCAL DECISION
MAKING AND ON-THE-
GROUND PARTNERSHIP
EFFORTS

17 Counties in Western OR &
6 counties in SW Washington

PNW Garlic Mustard Working Group

GOAL
DEVELOP EFFECTIVE
PREVENTION AND
CONTROL STRATEGIES.

OR, WA, & BC

OISC ACTIVITIES 2018

EARLY DETECTION & INVASIVE SPECIES REPORTING SYSTEMS

- Support OISC's Invasives Hotline, which received 296 reports in 2018, including 147 reports for regulated species
- Managed Squeal on Pigs Hotline for reports of feral swine

EDUCATION AND OUTREACH ABOUT INVASIVE SPECIES

- Expanded partnerships with Tribes, local jurisdictions, industry representatives and neighboring invasive species councils
- Created new invasive species outreach materials, including a quarantine outreach flyer created for this year's American Association of Woodturners (AAW) symposium.
- Presentations to partners including Extension and CWMA events, CONNECT 2018, Government to Government Natural Resources Working Group, Society for Ecological Restoration, Society for Wetland Scientists
- Advanced the "Don't Pack a Pest" education program with International Student Programs and partner agencies
- Worked with Portland State University students to develop outreach products that highlight "watchlist" invasive species, spotted lantern fly, and Northern pike
- Launched Social Media Campaign during National Invasive Species Awareness Week
- Regular updates to website and social media accounts with relevant blog posts, upcoming events

COORDINATION MEETINGS AND EDUCATIONAL CONFERENCES

- Engaged with hundreds of people from across the state about invasive species issues, including 3 Council forums held in Salem, Charleston, and Portland to share information, leverage resources and build partnerships to address critical invasive species issues. OISC forums average 50+ attendees across agencies, disciplines, and backgrounds.
- Co-organized (with Washington Invasive Species Council) a special session on invasive species at the Oregon/Washington Chapters of The Wildlife Society meeting to distribute information about the Statewide Strategic Plan and key wildlife of concern in the region
- Coordination with the Pacific Northwest Economic Region's Invasive Species Working Group and Montana's Invasive Species Summit

IMPLEMENTATION OF STATEWIDE PLAN FOR INVASIVE SPECIES

- Published Oregon's Emerald ash borer readiness and response plan (www.oregoneab.info)
- Engaged with invasive species professionals through forums and meetings
- Established an eastern Oregon Working Group to continue building partnerships and establish local priorities for invasive species prevention and management

GRANT PROGRAM FOR ERADICATION OF INVASIVE SPECIES

- Managed reporting on past distributions from the Invasive Species Emergency Control Account (remaining funds = \$79,163)

March 14, 2019

Joint Committee On Ways and Means
Oregon State Capital
900 Court St. NE
Salem, Oregon, 97301

Dear Committee Members,

I am here to Support Senate Bill 445 introduced by Senator Arnie Roblan. Senate Bill 445 revises membership, leadership and reporting requirements of the Oregon Invasive Species Council and provides funding necessary to accomplish baseline state-mandated responsibilities. These revisions will allow the OISC to successfully fulfill its statutory role enhancing communication, representation and capacity.

Invasive species pose a serious threat to Oregon's economy, infrastructure, food and water systems and environment impacting agriculture, forestry, hydropower, water delivery systems, outdoor recreation opportunities and tourism.

Attached is an overview of the current and revised statutory responsibilities and past and present budget information. The OISC Annual Report is also attached. As a past two term member of the OISC, I have seen first hand how impactful the collaborative work of the Council can be to connect with stakeholders and address invasive species issues across the State. I urge you to support Senate Bill 445.

I do have a concern that funding for Oregon Department of Agriculture's Noxious Weed Program and Insect (IIPM) not be cut to provide funding OISC. These programs must continue and not rob funding from one program to the other. Another words robbing Peter to pay Paul. These programs are on the ground programs that must continue.

Respectfully,

A handwritten signature in black ink, appearing to read "Danny L. Sherwin", with a long horizontal flourish extending to the right.

Danny L. Sherwin
8755 NE Ochoco Hwy
Prineville, OR. 97754



SB 445

OREGON INVASIVE SPECIES COUNCIL

For more information about SB 445,
contact Senator Roblan
Sen.ArnieRoblan@oregonlegislature.gov

For more information about the Oregon
Invasive Species Council, contact
Coordinator@oregoninvasivespeciescouncil.org

SB 445 revises membership, leadership and reporting requirements of the Oregon Invasive Species Council and provides funding necessary to accomplish baseline state-mandated responsibilities. If passed, these revisions will allow the OISC to successfully fulfill its statutory role by enhancing communication, representation, and capacity.

Current

STATUTORY RESPONSIBILITIES

- Maintain early detection invasive species reporting system
- Produce outreach materials concerning invasive species
- Conduct coordination meetings and educational conferences
- Develop and facilitate implementation of statewide strategic plan addressing invasive species

GRANTS AND FUNDING

- Grant program to support education and outreach projects (unfunded)
- Grant funding to eradicate or control new infestations of invasive species (one-time funding has been nearly depleted)
- State supported funding of OISC activities limited to \$50,000 LF

MEMBERSHIP

- 7 permanent voting members
- 10 appointed at-large voting members

LEADERSHIP

- Rotating Chair from 7 permanent voting members

Revised

STATUTORY RESPONSIBILITIES

- Maintain existing statutory responsibilities
- Increased communication, representation and capacity will enhance OISC ability conduct a coordinated effort
- Requires OISC to prepare and submit a biennial report to Legislature

GRANTS AND FUNDING

- Establish \$100,000 GF funding to support education and outreach grant program
- Re-invest \$200,000 GF support for rapid response capacity to invasive species emergencies
- Increase base funding support for OISC activities to \$150,000 for 2019–2021 biennium

MEMBERSHIP

- 8 permanent ex-officio voting members (adds State Parks representative)
- 10 appointed voting members representing diverse interests and populations throughout Oregon
- Revise ex-officio non-voting membership to include representatives from Legislature, Governor's office, and federal agencies

LEADERSHIP

- Elect Chair from any of the voting members

Danny L. Sherwin

Oregon Invasive Species Council

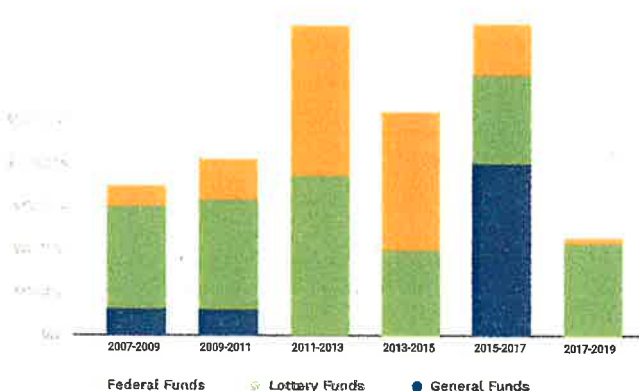
Overview

The Oregon Invasive Species Council (OISC) was created in 2001 to conduct a coordinated and comprehensive effort to prevent the entry of invasive species into Oregon and to eliminate, reduce and mitigate the effects of invasive species already present in this state.

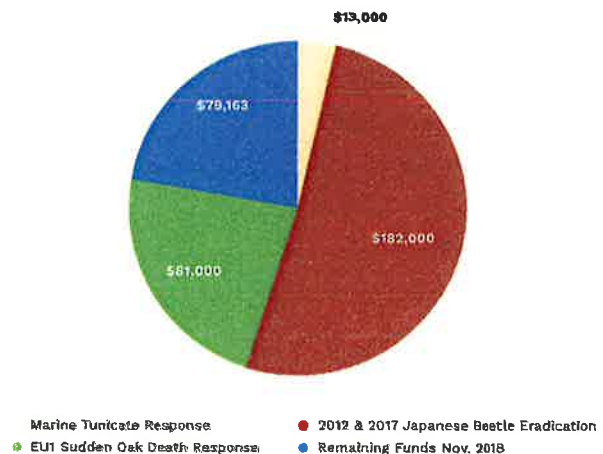
BUDGET HISTORY (2007-2018)

2007	Funding established to support OISC activities and coordination efforts (operations)
2009	One-time allocation of \$350,000 to the Emergency Control Account
2015	One-time \$100,000 allocation for operations from General Funds
2017-2019	Reduced state funding and lack of federal funds resulted in lowest biennium budget for OISC activities of past 12 years

OPERATIONS FUNDING 2007-2019



EMERGENCY CONTROL ACCOUNT 2012-2018



Proposed OISC Activities 2019-2021

- Restructure the OISC to enhance representation and stakeholder engagement
- Maintain and increase capacity of OISC to address ongoing and new invasive species threats
- Continue to develop strategic partnerships to leverage resources and enhance efficiencies to prevent, detect and manage invasive species
- Build statewide awareness of invasive species impacts and continue to improve prevention and early detection capacity
- Respond to local priorities to support implementation of innovative solutions
- Assess and facilitate progress of Statewide Strategic Plan and develop 2020-2022 Action Plan



OREGON INVASIVE SPECIES COUNCIL

ANNUAL REPORT 2018

The Oregon State Legislature created the OISC in 2001 as the state's leader to conduct a coordinated and comprehensive effort to address invasive species. Our vision is to eliminate, reduce, and mitigate the threats to Oregon from invasive species.

"Invasive species are defined by Oregon Statute as 'nonnative organisms that cause economic or environmental harm and are capable of spreading to new areas of the state.'" — ORS 570.750



Oregon Invasive Species Council Members work together through a network of cross-disciplinary partners to:

PROTECT OREGON'S NATURAL RESOURCES—AND ECONOMY

Invasive species pose a serious statewide threat to Oregon's economy, infrastructure, food and water systems, and environment impacting agriculture, forestry, hydropower, water delivery systems, outdoor recreation opportunities, and tourism.

SAVE MONEY THROUGH PREVENTION

Invasive species pressures continue to accelerate with global trade, relocation to Oregon from infested areas and the popularity of the PNW. The economic costs and damages associated with invasive species pose a serious threat to Oregon's agriculture, forests and natural resources.

KEEP OREGON'S PEOPLE AND PLACES HEALTHY

Invasive species have the potential to jeopardize public health and to transform ecosystems, resulting in widespread economic and environmental harm. Invasive species can also lead to increased pesticide use and associated human health concerns.

ERADICATE HARMFUL INVASIVE SPECIES

The potential for wide-ranging consequences has made the fight against invasive species a bipartisan issue. Eradication of invasive species is possible when detected early with adequate resources to rapidly respond.

Danny L. Sherwin

To learn more about invasive species threats and the accomplishments of programs across the state, please visit:
www.oregoninvasivespeciescouncil.org

CONTACT THE OREGON INVASIVE SPECIES COUNCIL
coordinator@oregoninvasivespeciescouncil.org
facebook.com/OregonISC @OISCouncil

PUTTING OREGON'S STATEWIDE INVASIVE SPECIES STRATEGIC PLAN TO ACTION

A few examples of collaboration

WATERCRAFT INSPECTION STATIONS ZEBRA AND QUAGGA MUSSELS

COLLABORATION AMONG

Oregon Department of Fish & Wildlife, Oregon State Marine Board, Jackson, Klamath and Malheur Counties, Oregon State Police, Oregon Tourism, Oregon Department of Transportation, Oregon State Parks, Army Corps of Engineers, Bureau of Reclamation, Columbia River Basin Team, Western Regional Panel, U.S. Fish & Wildlife Service, Pacific Northwest Economic Region



As part of a coordinated network of inspection stations in the northwest, Oregon operated six inspection stations at entry points around the state. Two stations were open all year. Of the 28,190 watercraft inspected, 11 were intercepted with quagga or zebra mussels and 354 with other forms of bio-fouling.



Foster strong regional network through resource & information sharing at meetings, support communication and public outreach.

NEW DETECTION OF FLOWERING RUSH

COLLABORATION AMONG

Oregon Department of Agriculture, Oregon Department of Fish & Wildlife, Oregon resident



A private landowner reported a flowering rush infestation on their property in the Klamath Basin. The Oregon Department of Agriculture and Oregon Department of Fish & Wildlife quickly worked together to treat the weed before it spread. If established, this invasive aquatic weed would clog irrigation canals and reduce habitat for native animals and plants.



Build collaborative networks in Columbia River Basin and promote invasive species hotline for early detection.

NEW DETECTION OF RUSTY CRAYFISH

COLLABORATION AMONG

Oregon Department of Fish & Wildlife, Oregon Department of Agriculture, U.S. Forest Service, Bureau of Reclamation, Oregon State University Extension, Washington State University, Burns Paiute Tribe



A new detection of Rusty crayfish was found in the Malheur River Basin, at Summit Prairie Pond near Seneca, OR, and appeared to have been illegally released. Rusty crayfish competes with Oregon's native signal crayfish for food and habitat and will prey on various native species. The Oregon Department of Fish & Wildlife is actively working with partners to develop methods to eradicate crayfish where possible, to identify management solutions where eradication is not possible, and increase outreach and education.



Promote public educational materials and facilitate forum for sharing information about detections and management practices.

SOUTH COAST COOPERATIVE WEED MANAGEMENT

COLLABORATION AMONG

Coos Watershed Association, Coquille Watershed Association, Curry Soil and Water Conservation District, Coos Bay BLM District, Oregon Department of Agriculture, Oregon Parks and Recreation Department, Gorse Action Group, the noxious weed control district advisory boards of Coos and Curry counties



Noxious weeds like gorse and scotch broom pose a serious threat to working lands and natural areas. The South Coast CWMA was recently established to expand control of noxious weeds in Coos and Curry counties through shared resources, best practices and public education.



Convene partners, experts and public officials for joint meeting with the Oregon Noxious Weed Board in Coos Bay and Bandon, Oregon.

READINESS AND RESPONSE EMERALD ASH BORER

COLLABORATION AMONG

Oregon Department of Forestry, Oregon Department of Agriculture, US Forest Service, City of Portland: Portland Parks and Recreation, City of Corvallis: Parks and Recreation, Oregon State University Extension, USDA APHIS-PPQ



A multi-agency effort was concluded to publish an Emerald Ash Borer Readiness & Response Plan for Oregon. In total, 7 meetings were held over a 12-month period, including a collaborative advisory group with over 45 participants. The final plan can be found at oregonEAB.info.



Facilitate development of the plan, develop outreach materials and partnerships.

ERADICATION OF JAPANESE BEETLE

COLLABORATION AMONG

Oregon Department of Agriculture, Oregon Department of Environmental Quality, Washington County, Oregon Health Authority, Metro and dozens of supporting organizations.



The Oregon Department of Agriculture completed a second year of treatment in an attempt to eradicate the largest infestation of Japanese beetles found in the state. Community support and coordination among partners is essential to prevent this pest from establishing on the West Coast.



Outreach to interested stakeholders, build collaborative networks to share best practices and develop communication materials.

PACIFIC NORTHWEST REGIONAL HIGHLIGHTS

Select partners developing cooperative strategies to manage both pathways and species-specific threats

Columbia River Basin Team

GOAL
PREVENT INTRODUCTION
AND SPREAD OF ZEBRA /
QUAGGA MUSSELS AND
AQUATIC INVASIVE SPECIES

WA, OR, MT, ID, & BC

PNWER Northern pike cross-border committee

GOAL
STOP THE SPREAD OF
NORTHERN PIKE

WA, OR, AK, ID, MT, BC, & Alberta

Western Invasives Network

GOAL
FOSTER LOCAL DECISION
MAKING AND ON-THE-
GROUND PARTNERSHIP
EFFORTS

17 Counties in Western OR &
6 counties in SW Washington

PNW Garlic Mustard Working Group

GOAL
DEVELOP EFFECTIVE
PREVENTION AND
CONTROL STRATEGIES.

OR, WA, & BC

OISC ACTIVITIES 2018

EARLY DETECTION & INVASIVE SPECIES REPORTING SYSTEMS

- Support OISC's Invasives Hotline, which received 296 reports in 2018, including 147 reports for regulated species
- Managed Squeal on Pigs Hotline for reports of feral swine

EDUCATION AND OUTREACH ABOUT INVASIVE SPECIES

- Expanded partnerships with Tribes, local jurisdictions, industry representatives and neighboring invasive species councils
- Created new invasive species outreach materials, including a quarantine outreach flyer created for this year's American Association of Woodturners (AAW) symposium.
- Presentations to partners including Extension and CWMA events, CONNECT 2018, Government to Government Natural Resources Working Group, Society for Ecological Restoration, Society for Wetland Scientists
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Oregon Department of Agriculture 2019-21 Governor's Budget

	2017-19 Legislatively Approved Budget	2019-21 Current Service Level	2019-21 Governor's Budget
General Fund	\$ 22,698,953	\$ 25,206,997	25,970,304
Lottery Fund	9,001,307	7,366,847	7,570,661
Other Funds	68,154,857	71,565,017	73,488,500
Federal Funds	17,615,623	15,857,812	17,371,337
Total Funds	117,470,740	119,996,673	124,400,802
Positions	501	475	495
Full-Time Equivalent (FTE)	375.73	359.09	378.53

2019-21 Significant Changes

Analyst Adjustments – Package 090

Includes reductions to mitigate gap in available General Fund dollars (\$904,053 Total GF):

- Elimination of special payments to fund the Predator Control Program – (\$481,840)
- Establishment of a State Natural Resource Agency Grants Coordinator position housed at ODA to assist in finding opportunities to leverage federal funds - \$294,099
- Personal Services reductions for vacancy savings – (\$546,540)
- S&S reductions in standard inflation – (\$64,812)
- S&S reductions based on 17-19 projections – (\$104,960)

Policy Packages - Recommended

- 110 - **Internal Audit Function** \$60,913 GF / \$192,896 OF / Total \$253,809: Requests to establish a Chief Audit Executive position to be responsible for ODA internal audit activities.
- 140 - **Limitation for Merchant Fees** \$200,000 OF: Requests Other Funds limitation for payment of merchant fees.
- 230 - **Food Safety Fee Increase (LC 453)** \$107,233 OF Revenue – Allows Food Safety Program to increase license fees up to 3% annually.
- 260 - **Agency Lab Consolidation Planning** \$200,000 OF: Requests Other funds to explore the opportunity to relocate the regulatory lab and to consolidate ODA laboratories.
- 270 - **Weights & Measures Fee Cap Increase (LC 450)** \$102,649 OF Revenue – Increases statutory maximum license fees to allow Weights & Measures Program to administratively increase fees.
- 280 - **Food Safety Fee Ratification** \$212,163 OF Revenue – Requests to ratify an administrative fee increase.
- 290 - **Weights & Measures Fee Ratification** \$679,780 OF Revenue – Requests to ratify two administrative fee increases.
- 295 - **Avian Influenza Limited Duration Position** \$152,486 FF: Requests to continue Federal Funds limited duration position.
- 330 - **Klamath Ag Water Quality Monitoring** \$100,000 GF: Requests General Fund to support ODA's work with partner agencies and landowners to understand and address water quality issues associated with agricultural lands around Klamath Lake.
- 340 - **CAFO Fee Increase (LC 455)** \$171,899 OF Revenue – Increases annual permit fee caps in statute for Confined Animal Feeding Operations (CAFO) and increases new application fees for individual NPDES CAFO permits.
- 350 - **Lower Umatilla Groundwater Monitoring and Coordination** \$250,000 GF: Requests General Fund to provide leadership and facilitation to stakeholders in the Lower Umatilla Basin Groundwater Management Area (GWMA), develop measurable objectives, and identify monitoring needs.
- 370 - **Worker Protection Standard Training** \$204,203 OF: Requests an Other Funds position for education, training, and technical assistance under the federal Worker Protection Standard and related state laws.
- 385 - **Align Pesticide Stewardship Prgm Funding** (\$7,792) GF / \$7,792 OF / Total \$0: Aligns budget categories for the Pesticide Stewardship Partnership program to ensure activities are split 50-50 General Fund and Other Funds.
- 390 - **Fertilizer Registration Staffing** \$202,741 OF: Requests a position in the Fertilizer program to continue providing customer service and consumer protection.

Danny L. Sherwin

Policy Packages – Recommended continued

- 410 - **Market Development & International Marketing** \$371,983 GF: Requests General Fund for a Trade Development Specialist position to develop and promote market access for Oregon products and maintain relationships with Oregon trading partners
- 430 - **Food Safety Modernization Act** \$1,400,000 FF: Requests to continue Federal Funds and four limited duration positions related to the Food Safety Modernization Act (FSMA).
- 450 - **Certifications Fee Ratification** \$325,232 OF Revenue – Requests to ratify an administrative fee increase.

Policy Packages - Recommended as Modified

- 240 - **Laboratory Equipment Replacement & Operations** \$846,224 GF / \$419,826 OF / Total \$1,266,050: Requests equipment replacement, preventative maintenance, audit and performance testing associated with ISO accreditation requirements, and software licensing fees. The package also requests to add an Operations Manager.
- Modified to fund the equipment component only \$600,000 GF
- 310 - **Strategic Implementation Area** \$1,700,000 GF: Requests General Fund and four positions to expand ODA's work with partner agencies and organizations to achieve water quality goals in small agricultural watersheds.
- Modified to \$463,609 GF including two positions
- 320 - **Japanese Beetle Eradication Funding** \$2,403,742 LF: Requests to continue one-time M76 Lottery Funds and 13 limited duration positions to continue Japanese Beetle eradication efforts.
- Modified to fund \$141,278 LF due to available resources
- 380 - **Invasive Species Council Base Funding** \$100,000 LF: Requests additional M76 Lottery Funds to support Invasive Species Council activities and contracting for the Invasive Species Council coordinator.
- Modified to fund \$99,881 LF
- 395 - **Plant Program Staffing** \$370,196 OF: Requests additional staffing in the plant programs.
- Modified to remove requested position reclassification in the Hemp Program - \$361,762 OF
- 440 - **Shipping Point Staffing** \$569,822 OF: Requests three Shipping Point Assistant Manager positions.
- Modified to remove requested position reclassification in the Shipping Point Program - \$565,098 OF
- 461 - **Legal Cost Limitation** \$252,000 GF / \$354,000 OF / Total \$606,000: Requests additional General Fund and Other Funds for Attorney General costs.
- Modified to remove (\$252,000) GF and reduce (\$21,064) OF

Policy Packages - Not Recommended

- 120 - **IT Security & Investments** \$215,709 GF / \$683,083 OF / Total \$898,792: Requests three positions, a business analyst, a project manager, and an IT security analyst, to fill gaps in solution development processes and procedures.
- 130 - **Administrative Overhead Parity** \$766,534 GF / (\$766,534) OF / Total \$0: Requests General Fund for the administrative program area to maintain parity with the various funds sources of the programs it supports.
- 210 - **Food Safety Funding** \$1,470,431 GF / (\$1,470,431) OF / Total \$0: Restores General Fund support for the Food Safety program.
- 220 - **Cannabis Funding** Placeholder
- 250 - **Food Safety Data Analyst** \$236,113 OF: Requests Other Funds to support a new Food Safety Data Analyst position to reduce inspection backlog and better track and analyze data to inform decisions.
- 360 - **Strengthening State Noxious Weed Program** \$949,495 GF / (\$106,040) OF / (\$581,060) FF/ Total \$262,395: Proposes to partially shift the Invasive Noxious Weed Control program from Federal Funds to General Fund, and adds one Invasive Aquatic Weeds Specialist.
- 420 - **Oregon Promotion and Branding** \$250,000 GF: Requests General Fund to work with stakeholders to discover, develop, create, and implement a brand for the Oregon food and agriculture industry.
- 471 - **Agency Position Changes** \$202,106 GF / (\$191,825) OF / Total \$10,281: Requests permission to reclassify positions.
- 481 - **Deferred Maintenance** \$43,540 OF: Requests at least two percent of the current replacement value of ODA state-owned buildings and infrastructure.

Statewide Adjustments

- Package 091 represents changes to State Government Service Charges and DAS pricelist charges for services made for the Governor's Budget. It reduces (\$169,646) GF, (\$37,252) LF, (\$318,125) OF, and (\$38,744) FF for a total reduction of (\$563,767).
- Package 092 reduces Attorney General rates by 5.95 percent to reflect changes in the Governor's Budget. It reduces (\$1,707) GF, (\$93) LF, (\$25,820) OF and (\$217) FF for a total reduction of (\$27,837).

Legislative Education Day

March 3-4, 2019 • State Capitol • Salem, Oregon



House Bill (HB) 2676

Special education funding

Problem: Funding for special education is significantly less than what's needed to provide an appropriate education to all identified students while providing training and other resources to the staff who work directly with these students. Oregon's school funding formula caps the additional weighting for special education students at 11 percent of the district's population — even for a district with a higher percentage of its students needing special education services.

Solution: HB 2676 raises the cap on the proportion of students qualifying for additional weight in the state school funding formula. The new cap should be the current statewide average of 13 percent of the student population.

Background: Over time, federal funding to states for special education has been consistently inadequate and special education enrollment has been increasing. Oregon school districts have been forced to spread their special education resources more thinly as a result, jeopardizing the quality of education for students and, in some cases, even endangering staff and student safety. Oregon districts now have special education populations averaging 13 percent of their enrollment, with a number of districts reporting 15 percent. But the cap on additional weight in the school funding formula for students in special education has remained at 11 percent for at least 20 years.

As districts remain challenged to meet educational goals and ensure the safety of students and staff, it is past time to update the school funding formula to reflect the realities of Oregon's schools today.

Sponsors: Chief sponsors: Rep. Doherty and Sens. Roblan and Knopp. Sens. Gelser and Wagner and Reps. Bonham, Evans, Gorsek, Piluso, Salinas, Schouten and Sollman.

Zone VI Director

Monica McCanna

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Oregon School Employees Association

4735 Liberty Rd S • Salem, OR 97302-5036 • 800-252-6732



Revised: Jan. 22, 2019

Legislative Education Day

March 3-4, 2019 • State Capitol • Salem, Oregon



House Joint Memorial (HJM) 3

Calling on Congress to meet the promise of IDEA funding

Problem: Funding for special education is significantly less than what's needed to provide an appropriate education to all identified students while providing training and other resources to the staff who work directly with these students. With the mandate of a free and appropriate public education for all students, the Individuals with Disabilities Education Act (IDEA) called for federal funding of 40 percent of average per-pupil expenditures.

Solution: HJM 3 calls for passage of congressional legislation to fully fund the IDEA commitment of 40 percent.

Background: With the mandate of a free and appropriate public education for all students, IDEA called for federal funding of 40 percent of average per-pupil expenditures for special education students. Federal IDEA funding to states has varied over time, but has been as low as 8 percent for years and reached only about 18 percent at its peak. In 2016, federal IDEA funding covered 16.3 percent of average per-pupil expenditures. For more than 30 years, federal funding has been well below the promised 40 percent, and states and school districts have been wrestling with the gap. At the same time, special education enrollment has been increasing. Unfortunately, districts have been forced to spread their special education resources more thinly as a result, jeopardizing the quality of education for students and, in some cases, even endangering student and staff safety.

As districts remain challenged to meet educational goals and ensure the safety of students and staff, it is past time for Congress to make good on its promise to fund 40 percent of average per-pupil expenditures for special education.

Sponsors: Chief sponsors: Sen. Roblan and Reps. Doherty and Sollman. Sens. Gelser, Knopp and Wagner and Reps. Evans, Gorsek, Piluso, Salinas and Schouten.

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Revised: Jan. 22, 2019

Chair Woman, Co Chairs Co Vice Chairs and Members

Thank you for your time and allowing me to the ability to address my concerns. I am here in regards to HB 3063, the bill removing all non medical vaccine exemptions.

Upon examination I cannot see how this bill would be fiscally wise for our state or be in line with the guiding principals you have published on government website. The principals that apply to my testimony are:

- Align spending with the desire to meet critical needs and provide long-term budget stability.
- Prioritize K-12 education funding and the Oregon Health Plan. Evaluate all other expenditures based on their short-term and long-term outcomes.
- Maintain a prudent level of resources to guard against program and service reductions in the event of economic downturns in future biennia.

In the opening statement of your : 2019-21 Co-Chair Balanced Budget – A Multi-Biennial Plan

It states: Oregon continues to face a structural deficit for the 2019-21 biennium that is projected to worsen in the 2021-23 and 2023-25 biennia. No matter the cause, these deficits threaten vital services to vulnerable Oregonians, education funding, the Oregon Health Plan, and ensuring our workforce has the tools and supports they need to succeed. We cannot continue to provide the same level of service or meet future critical needs by staying on the same course we have been on for over a decade.

So knowing that our state is in very murky economic water begs some greater perspective on the impact of HB3063 under the education category.

- If 31,000 students are forced to leave the public school system \$403,000,000 million dollars goes with them.
- Our special ed, head start, charter and magnet school programs would see the greatest impact from this bill as percentages of unvaccinated children are higher in these types of programs
- Using only our charter and magnet schools as examples In Bend we would see a loss of over 10 million dollars to public education
- HB 3063 also includes all school/student sponsored activities. This impacts all afterschool programs, daycare facilities (public and private) Our Parks and Rec centers, our libraries our non-profits organizations like to Boys and Girls Club.

The provision for HB3063 for non/under vaccinated children is online education. Again you have publically stated that your goal is to have a budget plan that spends resources wisely to meet the needs of all. How does segregating a small group of children meet this goal. The required resources to educate, provide health/meal services, meet the needs for those requiring special education. So many underprivileged families rely on resources available through the school to meet some of these basic needs.

The comments from legislators in support of HB3063 when confronted with the economic impact is that funds will just be re-allocated. But my greater concern is from where?

The other issues to be examined are the bearings on private business. Throughout our State there are thousands of childcare, early learning programs, private and parochial schools. Every single one of these business will be impacted. As private businesses or non-profits they receive zero funding from the state or federal government for childcare or education.

As an example my children attend the Waldorf School of Bend in Bend that is a 501 c 3 non profit Independent school.

- Of their student population PreK-8th grade 48% of the student population would be impacted by this bill. This translates into OVER A HALF OF A MILLION DOLLAR LOSS to the school.
- This represents over half of their operating budget. The school is funded solely by tuition and donations they receive from the community. The school presently fundraises 20% of its operating budget. There is no endowment fund at WSB .
- The passage of this bill would essentially close the doors to the school and jeopardize the employment of over 30 fulltime/part time employees.

The other factors to consider that this bill will impact are:

- Loss of taxable income due to parents leaving the workforce.
- Loss of citizenship as people leave the state due to the
- Loss of revenue from private business effected by this bill.

The question I leave you with is this: Is passing HB3063 going to contribute to the financial health of our beautiful state? Are you willing to support legislation that will devastate public education and potentially drive the structural deficit you face into the ground? I urge you to oppose HB3063.

Erin Hansen

Bend, OR

A handwritten signature in cursive script, appearing to read "Erin Hansen", with a long horizontal flourish extending to the right.