

Government Relations Update

October 27, 2009

Issue No. 3



Committee approves ballot titles and explanations for January 26 tax vote

Last week the Secretary of State issued two ballot titles and explanatory materials written by a special joint legislative committee for the January 2010 referendum vote on whether to accept or repeal income and corporate taxes approved during the 2009 legislative session. During the committee's consideration of the ballot measures, and subsequently, tax opponents have objected to wording that was ultimately adopted on a party line vote by the four Democrats and two Republicans who serve on the committee.

Last week's deliberations were a change from the process historically followed when petitioners succeed in putting legislative measures on the ballot. Normally the Attorney General drives the process. This time, bills approved during the 2009 session determined the timing and process to be followed in the event that petitioners were successful in referring the tax measures to the ballot.

Under the legislatively adopted provisions for the tax measures, now that the materials have been approved and submitted to the Secretary of State, those who object to the wording have until October 28 to appeal either or both the ballot title and the explanatory statements to the Oregon Supreme Court. As reported in the *Oregonian* opponents of the measures have indicated they will appeal.

One objection to the measure titles is that they exceed the normal 15 word limitation. Opponents object to the measure explanations because they presume the legislature will cut budgets if the measures fail. While there is

Jock Mills, Director
jock.mills@oregonstate.edu
541.737.0725

Kate Sinner, Federal Relations Director
kate.sinner@oregonstate.edu
503.891.3332

Heather Bené, Government Relations Associate
heather.bene@oregonstate.edu
541.737.4514

524 Kerr Administration Building
Corvallis, Oregon 97331-2128
<http://oregonstate.edu/government>

Oregon State
UNIVERSITY

nothing in the provisions under consideration that require budget cuts to specific programs if the measures are rejected by voters, the combined failure of both measures will create a \$733 million shortfall in the state's budget for the current biennium.

The legislature could presumably act to blunt the effect of the shortfall by enacting other taxes when it meets in February, but there have been no deliberations among leadership in either chamber that would indicate an alternative tax plan is under consideration for February. Presumably, any legislative conversations now regarding an alternative tax plan would merely fuel the opposition to measures on the January ballot.

Meanwhile back at the Oregon Supreme Court, the justices can choose to uphold the ballot titles and explanations or order the Attorney General to rewrite them. In any case, to meet the deadline for getting ballots to the voters in time for the January 26 election, the Secretary of State must provide final language to county elections offices by Tuesday, December 1.

To see the measure titles and explanatory materials:

- [Measure 66](#): personal income tax increase
- [Measure 67](#): corporate tax increase

For a complete treatment of the issue, here is a link to a [Jeff Mapes](#)' story in the *Oregonian*.

And for an *Oregonian* [editorial critical of the process](#), here is a piece from Friday's *Oregonian*.

Senate Judiciary Committee moves to establish working group to address campus safety issues

In a hearing on Wednesday, September 30, Committee Chair, Sen. Floyd Prozanski (D-Lane/Douglas Counties) indicated he would move to establish a working group to study the issue of "campus safety." The task force members may be identified at the Senate Committee's next meeting in November, but the group will likely not meet until January or later.

The working group is expected to address the issue of what authorities education institutions have to regulate weapons on campus, including the use of concealed handgun permits.

The working group is expected to include a campus safety director and attorney from one or more of the OUS campuses. Other members may include representatives of community college and/or university students, Second Amendment and gun safety advocates, school administrators, and local law enforcement officers.

Some of the issues to be considered by the group may be clarified (or not) by at least two court cases, including a case involving a teacher who sought to carry a concealed weapon in school, and an appeal of the current OUS rules that prohibit concealed weapons on campuses.

Any legislation that may address the issue is not expected to be considered until the 2011 legislative session.

Westlund announces cancer has returned

Last week, Oregon Treasurer Ben Westlund announced that in a routine exam doctors detected the return of cancer for which he was treated in 2003. "As part of my regularly scheduled exam, my doctor discovered that cancer has returned and I am working with several of Oregon's finest doctors to undergo treatment to fight it," he said. "Like thousands of Oregonians who live with cancer every day, I continue to work and I continue to work hard to make the Treasury better and to benefit the lives of all Oregonians."

If you are interested in contacting the Treasurer, we can provide you with an address.

Atkinson puts gubernatorial bid on hold

State Sen. Jason Atkinson (R-Central Point) has announced that he is suspending his bid for the Republican nomination for Governor. Atkinson, who ran unsuccessfully four years ago for the nomination, issued a statement that cited continuing health issues stemming from an accidental gunshot wound to his leg in 2008. Earlier that year, Atkinson had announced that his wife, Stephanie, had been treated for thyroid cancer. We can also provide you with contact information for Atkinson.

Other Republicans who have announced are Allen Alley and John Lim. Former Trail Blazer Chris Dudley and State Sen. Frank Morse are said to be considering a run at the nomination. The primary election is scheduled for Tuesday, May 17, 2010.



Multnomah County Commission taps Lew Frederick for vacant House seat

In an action that completes the round of musical chairs begun when Margaret Carter left the Senate over the summer to take a job with the Oregon Department of Human Services, the

Multnomah County Commission appointed Lew Frederick to Oregon House District 43. That seat was vacated when Chip Shields took Carter's seat in the Senate. Frederick, a long-time Portland activist and former KGW reporter, ran unsuccessfully for the Multnomah County Commission in 2007, and currently serves on the state Board of Education. Here is a link to a story in the [Oregonian](#).



Congress this week

The Senate is considering two appropriations bills, the Commerce, Justice, Science bill and the Military Construction, VA bill. The Senate is also scheduled to consider a second continuing resolution (CR) that will keep the government funded after the current CR expires on October 31.

The House is scheduled to consider the Interior-Environment appropriations conference report and a second CR.

Policy updates

Health Care Reform: America's Affordable Health Choices Act (HR 3200)/ America's Healthy Future Act (S 1796)

Senate committees continue to negotiate health reform and hope to bring legislation to the floor next week.

The House is working to reconcile a number of committee-passed versions of health reform.

Climate Change: American Clean Energy and Security Act of 2009 (HR 2454)/ Clean Energy Jobs and American Power Act (S 1733)

Last week, the Senate Environment and Public Works (EPW) Committee released the chairman's mark of climate change legislation, S 1733. The committee is scheduled to hold hearings on the legislation this week. No markups have been scheduled.

The Senate bill includes the following provisions:

- Specifies distribution of emissions allowances;
- Includes provisions to address clean coal technology;
- Increases investments in energy efficiency and renewable energy;

- Reduces greenhouse gas emissions and increases investments in the transportation sector;
- Enhances agriculture and forestry provisions;
- Directs assistance to rural communities;
- Includes greater assistance for small and medium refineries;
- Enhances the role of tribes;
- Increases the size of the market stability reserve; and
- Promotes advanced renewable fuels.

For more information on the [Senate bill](#). The House passed its version of Climate Change legislation, HR 2454 in June.

Oregon Congressman sick with swine flu

Representative Greg Walden (R-OR) last week posted on his facebook account that he was diagnosed with an apparent case of the H1N1 virus. Walden is said to be resting in seclusion in his Washington, DC home. Walden is the first Member of Congress to reportedly contract the illness.



Budget and appropriations update

While we are nearly a month into the fiscal 2010 federal budget year, the US government is currently funded on a CR primarily at last year's budget level. The CR runs through October 31. To date, Congress has cleared only 4 of the 12 annual appropriations bills and the President has signed only two such bills into law (Legislative Branch and Agriculture).

While Congress continues to work to move the remaining appropriations bills through the process, it is clear that another short-term CR will be necessary. Lawmakers are expected to pass a second CR that will extend through December 15 to allow more time to complete individual spending bills. Congress is expected to adjourn for the year by December 18.

Congressional leadership last week acknowledged that a "minibus" spending measure will likely be necessary by the end of the year to fund programs through the remaining nine months of the federal fiscal year. Such a measure would package the remaining appropriations bills together for approval.

On October 21, the President signed the FY2010 Agriculture Appropriations bill into law. The bill provides enhanced funds for USDA's National Institute for Food and Agriculture (NIFA), funding the agency formally known as the Cooperative State Research, Education and Extension Service (CSREES) at \$121 million over FY2009. The largest increase to the NIFA budget was for the Agriculture and Food Research Initiative (AFRI), NIFA's competitive grants program. AFRI received a \$60 million increase over the FY2009 funding level. In addition, other land grant priorities also received budget increases in the bill.

FY 2010 lines targeted for enhancement – final results (\$ millions) as of Sept. 30:

Targeted Enhancements	FY 2009	APLU	House	Senate	Final
Agriculture and Food Research Initiative	201.504	300.000	213.000	295.181	262.482
Smith Lever 3(b) and 3(c)	288.548	300.000	295.000	300.000	297.500
Hatch Act	207.106	225.000	215.000	215.000	215.000
Evans-Allen Program (Research)	45.504	49.000	48.000	49.000	48.500
McIntire-Stennis Cooperative Forestry	27.535	30.000	28.000	30.000	29.000
Expanded Food & Nutrition Education Prog.	66.155	68.000	68.000	68.139	68.070
Children, Youth, and Families at Risk	8.182	10.000	8.396	8.427	8.412
New Tech. for Ag Extension (eXtension)	1.500	5.000	1.500	2.000	1.750

Chart: Targeted enhancements of interest to OSU from the FY 2010 Agriculture Appropriations bill signed into law by President Obama on October 21.

A belated, but heartfelt thanks to Betsy Hartley in the College of Agricultural Sciences for the Round Up pictures we ran in the last issue.

U.S. Rep. David Wu visits OSU

U.S. Representative David Wu (D-OR) visited OSU on Saturday October 10. Wu, and staff members John Trull and Brian Plinski spent time at the Fryer Salmon Disease Research Lab where they met with Jerri Bartholomew from the College of Agriculture Sciences and learned about the research she leads on Klamath River salmon diseases. Wu also toured the O.H. Hinsdale Wave Research Lab where he was briefed on tsunami research, wave energy and alternative energy and transportation initiatives by College of Engineering Dean Ron Adams and others from Engineering including Dan Cox, Bob Paasch, Meleah Ashford and Belinda Batten. Wu then joined President Ed Ray in his box for the OSU Stanford football game.



From left to right: OSU President Ed Ray, U.S. Rep. David Wu and OUS Chancellor George Pernsteiner.



U.S. Rep. David Wu and his son Matthew "gear up" for the OSU football game vs. Stanford on October 10.