

## FEDERAL, STATE AND TRIBAL AFFAIRS LEGISLATIVE AGENDA

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Date: 11/18/21  
Department: GAPD  
Meeting Date: 12/7/21

Presenters: Tyler Frisbee, Deputy  
Director, Anneliese Koehler, State and  
Regional Affairs Advisor and Katie  
McDonald, Tribal Liaison

Prepared by: Tyler Frisbee, Deputy  
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Length: 45 minutes

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### **ISSUE STATEMENT**

This work session is the second opportunity to discuss the Metro Council's objectives for the 2022 Federal Legislative Agenda, the 2022 Oregon legislative session and to introduce the Tribal Affairs Agenda which is framed as a program work plan. Proposed legislative priorities and work plans will be discussed; final adoption of Federal and State legislative agendas is scheduled for January and final adoption of Tribal Affairs Agenda is slated for February.

### **ACTION REQUESTED**

The Council may wish to discuss specific legislative concepts, principles or direct staff to develop additional concepts before adopting its federal and state legislative agendas for 2022 or the Tribal Affairs agenda for FY2022-2023.

### **IDENTIFIED POLICY OUTCOMES**

Support Metro's policy goals through engagement with Congress, federal agencies, the State Legislature, and sovereign Tribal Governments.

### **POLICY QUESTION(S)**

- Does the Council wish to confirm previous policy direction, updated per the Council discussion in October, under which staff is currently operating with respect to federal issues that are likely to surface in 2022?
- Does Council wish to adopt additional topics and/or request additional changes to the state legislative positions?
- Does the Council wish to request changes to the Tribal Affairs agenda as outlined in the attachments?

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

See attachments for Federal Affairs Legislative Agenda, State Legislative Principles, State Legislative Priorities, and Tribal Affairs Agenda. These are drafts that reflect Council's initial discussion in October and are here for further refinement before final approval in January and February of 2022.

## **STAFF RECOMMENDATIONS**

See attached Federal Affairs Legislative Agenda, State Legislative Principles, State Legislative Priorities and Tribal Affairs Agenda.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The Metro Government Affairs and Policy Development group is bringing all three of our government legislative agendas to Council in order to give Council an opportunity to see the full spectrum of our government to government work. This presentation includes our federal legislative agenda, state legislative agenda, and proposed work to develop a Metro Tribal Affairs program.

Over the course of the fall, we met with Metro Departmental leadership to discuss our federal and state legislative agendas and our tribal affairs agenda. In addition, Metro Council had a work session in October to discuss the initial drafts of these agendas. We have incorporated all of this feedback into our presentation to you today and will continue to work closely with you and staff leadership as we work to refine our legislative priorities and work plans for 2022.

Staff are also working to share the draft Tribal Affairs Agenda with Tribal Government partners for their review and discussion with Metro so that priorities identified in the agenda are aligned with the Tribes' desires for Metro's program and relationship building efforts. These efforts are aligned with feedback from Metro Council to ensure the Tribes' priorities are reflected with the work that is approved and advanced in FY2022-2023.

We are also continuing to work with our regional governmental partners and community partners to discuss their priorities for 2022 and look for opportunities for partnership and collaboration.

### Federal Affairs

Council approved Metro's first comprehensive federal agenda in February of 2021. In general, staff will intend to bring an updated federal agenda to Council every two years, in order to align with the Congressional calendar. However, given the interest in aligning all of our legislative agendas and the flurry of activity in DC, staff are bringing this updated agenda to Council for a brief check-in.

With the passage of the American Rescue Act and the Bipartisan Infrastructure Bill and possible passage of the Build Back Better bill, many of Council's urgent priorities due to the economic impacts of the pandemic have been addressed. The Zoo and the P5 Performing Arts Venues have cumulatively received \$18 million from the Shuttered Venue Grants program and the Metropolitan Planning Organization has also received increased funds to

address emergency operations shortfalls. Future opportunities to pursue federal funding due to the Bipartisan Infrastructure Bill and possible Build Back Better bill may include increased capital funding for transit projects, safety projects, and trail projects, and additional workforce funding programs and conservation efforts to advance climate goals. The updated document reflects the accomplishments Council has already achieved and the new landscape due to changing legislative opportunities, as well as feedback received from Council during the October worksession.

### State Legislative Affairs

The 2022 Legislative session is a short session lasting roughly a month. Unlike long sessions, short sessions focus on small, necessary budgetary tweaks and passing technical fixes and a few pieces of policy legislation. It is uncommon for large, controversial pieces of legislation or significant budget changes to occur. Many parties approach the short session with only one or two minor bills, and the session is set up to be limiting: legislators are only allowed two bills.

Similar to the 2021 Legislative Session, we anticipate that COVID-19 response – both public health and economic recovery -- to be top line priorities. While the situation remains fluid, we anticipate that much of the short session will be virtual. The Capitol will be open to the public, but many hearing rooms and offices will be closed because of earthquake retrofitting.

In addition, we anticipate that it will be a particularly political and partisan session. The combination of redistricting, an open seat for Governor, and a new Congressional seat creates a heightened political environment over the next year, including short session. Noncontroversial bills will become instantly controversial because of their sponsors, there will be highly partisan parliamentary maneuvering in committee and on the floor, and the rumor mill will be vigorous.

While it will be a unique short session, normal preparation are already under way. Bill concepts are being discussed and circulated and people are meeting to advance policy priorities. Similar to previous short sessions, staff expects to propose a modest legislative agenda that reflects well-established Council policy and/or legislative priorities that have previously been included in the Council's agenda.

### Tribal Affairs

Metro Council desires to establish meaningful and mutually beneficial relationships with Tribes with interests in the greater Portland metropolitan area. These desires stemmed from increasing internal and external requests for Tribes involvement in Metro's work and recognition by the Metro Council that tribal relations should be part of Metro's work. Through this work, Metro seeks to recognize tribal sovereignty, respect tribal rights and explore opportunities to incorporate tribal interests and priorities into Metro's work wherever practicable

The Metro Council Tribal Affairs Agenda lays out the principles, priorities and areas for policy and program development for Metro to advance a Tribal Affairs program in fiscal

years 2022- 2023 coordinated by the Government Affairs and Policy Development team with Metro Council, leadership and staff. Presently, more opportunities for Tribal Affairs program development exist than there is internal capacity to support. Additionally, it is recommended that consultation and engagement efforts initiated with Tribes are sustainable, transparent and meet the guiding principles proposed in the agenda. This agenda identifies how Metro should lead successful intergovernmental relations while Metro builds additional internal capacity and leadership through staff training, department-specific annual planning, and proposing a five year Tribal Affairs strategy.

This is a new and unique body of work in addition to federal, state and local affairs therefore it will take time to build relationships with the Tribes and internal capacity to lead and integrate this work. Coordinated external relationship building, focused policy development and sustained internal support across departments from the staff level to senior leadership and the Metro Council are imperative to success.

Metro's priorities should be informed by and consider the Tribes' priorities for Metro's Tribal Affairs program development. We propose to work with representatives from Tribes to present and discuss our Tribal Affairs agenda and incorporate their feedback. We plan to present updates to the Tribal Affairs agenda to Metro Departmental leadership and Metro Council in December or January for further refinement before final approval in February of 2022.

## **BACKGROUND**

Council has previously adopted the Federal Affairs Legislative Agenda and Principles in February 2021. This updated agenda is rooted in the principles Council supported at that time and features slightly updated priorities given the new legislative landscape.

Council updated the State Legislative Principles in January 2021 in advance of the long session. Council's state legislative agendas are rooted in these principles.

Council has not previously adopted a Tribal Affairs Agenda. The potential adoption of the Tribal Affairs Agenda in February will be the first of its kind for consideration by Metro Council.

## **ATTACHMENTS [Identify and submit any attachments related to this legislation or presentation]**

- Federal Legislative Affairs Agenda
- State Legislative Affairs Principles
- State Legislative Priorities
- Tribal Affairs Agenda

[For work session:]

- Is legislation required for Council action? ☐ Yes ☒ No
- If yes, is draft legislation attached? ☐ Yes ☐ No
- What other materials are you presenting today? [INSERT]