

STATE LEGISLATIVE AFFAIRS UPDATE

Date: November 21, 2022
Department: GAPD
Meeting Date: December 13, 2022
Prepared by: Anneliese Koehler,
Legislative Affairs Manager and Jenna
Jones, State and Regional Affairs Advisor

Presenter(s) (if applicable): Anneliese
Koehler, Legislative Affairs Manager and
Jenna Jones, State and Regional Affairs
Advisor
Length: 30 minutes

ISSUE STATEMENT

This work session is an opportunity to discuss Metro Council's objectives for the 2023 Oregon legislative session. The current political climate and proposed legislative priorities will be discussed. This will be the final Council work session before adoption of Council's agenda and legislative principles in early January.

ACTION REQUESTED

The Council may wish to discuss specific legislative concepts or principles or direct staff to develop additional legislative concepts before adopting its legislative agenda prior to the start of the 2023 legislative session.

IDENTIFIED POLICY OUTCOMES

Support Metro's policy goals through engagement with the Oregon State Legislature.

POLICY QUESTION(S)

- Does the Council wish to confirm or change previous policy direction under which staff is currently operating with respect to issues that are likely to surface in 2023?
- Are there additional topics which the Council would like to adopt legislative positions?
- Are there particular legislative positions that the Council would like staff to prioritize in 2023?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

See issue sheets, 2023 State Legislative Agenda and 2023 Legislative Principles

STAFF RECOMMENDATIONS

See individual issue sheets.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Elections

As staff prepares for the 2023 legislative session, the 2022 General Election provided much clarity. Prior to the election, an open seat for Governor with a viable third-party

independent candidate and recent redistricting fueled a lot of uncertainty. While in the months leading up to the election, there was significant conversation about the Republicans taking both the Senate and the governorship, unofficial elections results show Democrats maintaining the governorship and both chambers. However, as is often the case in a redistricting year, there will be many first-time legislators in Salem. And, because of the pandemic, second term legislators have only participated in remote committee hearings and work sessions; nearly two-thirds of the Oregon House will have served one term or less when they gavel into session in February.

Along with legislative races and local property tax measures, there were a few statewide ballot measures for voters' consideration, notably Measure 113. Measure 113 would change the state's constitution to bar any lawmaker from running for re-election if they have 10 or more unexcused absences from a floor session during a single legislative session. Currently, the Oregon Constitution requires two thirds of a legislative chamber to be present in order to conduct chamber business and pass bills. Over the past decades, minority parties have used this requirement to deny quorum and therefore prevent the passage of bills. Most recently, it was used in the 2020 short session. The unofficial election results have the measure overwhelmingly passing, and its passage will change the legislative dynamics and result fewer walkouts that disrupt legislative business.

The Capitol Building

For the past few years, because of the pandemic, Oregon's Legislature has primarily operated remotely. In 2022, for the short session, it was open to the public, but the Capitol was under construction and committee rooms and members' offices were significantly limited. It is anticipated that the Capitol Building will be open to the public for 2023 and unlike previous sessions, we anticipate that this will be the first session that will be primarily in person, although construction may make moments challenging.

Legislative Makeup and Power Shifts

While the final election results need to be certified, Democrats will likely control both chambers with the House being 35 Democrats and 25 Republicans and the Senate being 17 Democrats, 11 Republicans and 2 Independents (who have historically caucused with the Republicans). In a shift from previous sessions, the Democrats have lost their supermajorities, the threshold for tax votes.

This session will also mark significant leadership change in Salem. Last short session, longest serving Speaker of the House Tina Kotek (D-Portland) stepped down to run for Governor. During 2022, House leadership moved south down the Willamette Valley with Rep. Dan Rayfield (D-Corvallis) becoming Speaker of the House and Rep. Julie Fahey (D-Eugene) becoming the House Majority Leader. Shortly after the election, House Democrats nominated Rep. Rayfield to be Speaker and re-elected Rep. Fahey as Majority Leader.

The longest serving lawmaker, Senate President Peter Courtney, did not seek re-election. Oregon will have a new Senate President for the first time in twenty years. In the weeks following the election, Senate Democrats nominated Sen. Rob Wagner (D-Lake Oswego) as Senate President and Sen. Kate Lieber (D-Beaverton) as Senate Majority Leader.

Legislative Outreach

With so many changes anticipated, staff has been working to ensure that current and incoming legislators are aware of Metro's priorities and understand the various areas of interest. For example, we've been partnering with local jurisdictions to create a land use 101 for legislators and lobbyists to increase their expertise and understanding of this complex issue. In addition, we've reached out to legislative candidates to ensure they know about Metro and our role in the region and the state. We also continue to meet with current legislators, jurisdictional partners, culturally specific organizations, and community organizations to discuss our priorities.

State Legislative Priorities

Unlike prior sessions, we anticipate that this next session will not be dominated by COVID-19 response. Barring any significant public health changes, it will certainly continue to be a topic, but it is unlikely to be the focus of session. We think that housing and homelessness, climate resiliency, infrastructure and economic recovery will likely be main primary conversation drivers this upcoming session. In addition, budget will also be top of mind for many in the building. The current economic forecast for the upcoming biennium is rosy, but that does not consider the significant infusion of one-time federal funds that are unlikely to be repeated. The state funded a significant number of "one-time" programs that many would like to become permanent.

For Metro, it is likely that land use will be a dominate focus during session. There are currently active conversations around land use for both housing and industrial land. We anticipate that there will be a significant number of bills targeting the land use system, including our authority.

Next Steps

This is the final time that we will be before Council prior to Council's adoption of its State Legislative Agenda and State Legislative Principles. The drafts before Council encompass multiple conversations with Council, Metro staff, local jurisdictional partners, state partners and our community-based partners.

BACKGROUND

Council adopts a State Legislative Agenda and State Legislative Principles annually. This is the third meeting to discuss the next iteration of Council's legislative priorities and principles.

ATTACHMENTS

Legislative issue sheets on:

- Leading with Housing Production
- Industrial Land Readiness
- Draft 2023 State Legislative Principles
- Draft 2023 State Legislative Agenda

[For work session:]

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