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Bills battle for life as key deadline looms in Oregon Legislature

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Gov. Tina Kotek testified Monday, March 13 before the House Education Committee in favor of a swiftly moving reading reform plan that could start in summer schools this year. With over 2,800 bills jockeying for action in the final 100 days of the 2023 session, advocates - including Kotek - are increasingly going vocal in support of legislation they back.

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The approach of the first "witching hour" at the end of this week has injected the Oregon Legislature's session with a "do-or-die" attitude among lawmakers, lobbyists and activists.

Most of the more than 2,800 bills and resolutions introduced since January must have a scheduled date for a vote in a committee by Friday. When the clock strikes midnight, the vast majority of measures without an appointment are dead for 2023.

"There are bills that aren't going to make it," House Speaker Dan Rayfield, D-Corvallis said during a press call on Tuesday.

"Nothing earth-shattering" among Democratic leaders' priorities or backed by Gov. Tina Kotek will make an exit from the agenda. But Rayfield said the feeling will be "vastly different from people who care about the bills" that don't survive.

Nearly all bills in the 15 House and 12 Senate committees are subject to the rule.

"In order for a bill to move forward in this session, it needs to be scheduled for a Work Session by this Friday (March 17th) and it needs to be voted out of committee no later than April 4th," Senate Minority Leader Tim Knopp, R-Bend, said in an e-mail to constituents.

Legislation in the 11 joint committees - whose members are from both the Senate and House are exempt from the calendar countdown. Each chamber's rules and finance committees are also off the clock.

Late Tuesday night, the Legislature's website showed hundreds of bills with "No Meetings Currently Scheduled."

Legislation live or let die

Among the almost certain casualties is Senate Bill 754, a bipartisan bill to restore recreational liability waivers ruled unenforceable by a 2014 Oregon Supreme Court ruling.

The bill is backed by 100 businesses, groups, and cities with links to Oregon outdoor and indoor activities that generate \$16.75 billion in annual economic activity.

A hearing was held Feb. 15 by the Senate Judiciary Committee, but has not been scheduled for a work session by Sen. Floyd Prozanski, D-Eugene, the panel's chairman.

Among the bills that will survive the deadline are House Bill 3101, which would require most schools to create an emergency "panic button" system in every for classrooms and other buildings.

The bill by chief co-sponsors Rep. Emerson Levy, D-Bend, and Rep. Ben Bowman, D-Tigard, received a work session on Monday. It's been sent to the Joint Ways & Means Committee for possible state financing recommendations.

The potato would be designated the official Oregon state vegetable under Senate Concurrent Resolution 3, authored by Sen. Bill Hansell, R-Athena.

Hansell has championed the spud since coming to the Senate in 2013. But other lawmakers from agricultural areas in Oregon want the onion to received the official designation.

The resolution is in the Senate Rules Committee and therefore exempt from Friday's deadline.

Hansell announced early this month that he would not seek re-election in 2024, ending a 40-year career in local and state politics. The Senate Rules Committee has scheduled a Thursday hearing on the measure.

Senate President Rob Wagner, D-Lake Oswego, said the hearing means Hansell will get to see a public debate on the potato. Whether there will be a vote on the resolution remains up to the committee chair, Sen. Kate Lieber, D-Beaverton.

Legislation on substantial issues proposed with only minority party Republicans as chief sponsors make up a large chunk of the bills that are unlikely to receive a work session date by Friday.

An exception is Senate Bill 644, which would remove a state requirement that the state Department of Forestry publish an Oregon Wildfire Risk Map. The chief co-sponsors are both Republicans - Knopp and Sen. Lynn Findley, R-Vale. The bill had a public hearing in the Senate Natural Resources Committee on March 1 and is set for a work session Wednesday.

The state withdrew a proposed wildfire risk map released in September 2022 amid a surge of opposition from residents of forested and rural areas. Property owners said the map would drive up or dry up insurance coverage for swath of the state.

A new map is supposed to be released this year. Democrats have favored Senate Bill 82, by Sen. Jeff Golden, D-Ashland, which calls for the release of a new map, but bars insurance companies from using it as the basis to raise rates. However, the state insurance commissioner said in August that insurance companies had no plans to use the wildfire map to set rates.

The bill passed the Senate Natural Resources Committee earlier this month and is awaiting a vote from the full Senate.

Budget battles about to begin

Kotek has proposed a 2023-25 state budget. As early as Sunday, the chairs of the budget-writing Joint Ways & Means Committee will release a legislative framework for the budget that must be passed by the end of the session.

The past two budgets were approved with Democrats holding a three-fifths "supermajority" in the House and Senate allowing budgets, taxes and other finance legislation to pass without any Republican votes.

While Democrats retained majorities in both chambers in the 2022 election, they fell below the supermajority mark.

Democrats are one vote short in each chamber, with a 35-25 majority in the House and the Senate made up of 17 Democrats, 12 Republicans and one Independent.

Republicans are aware of their new-found ability to stall Democratic spending plans not just by parliamentary delays but on actual votes.

Rep. E. Werner Reschke, R-Klamath Falls, sounded a frequent GOP theme on Monday, when he spoke from the House floor against any plan to jumpstart spending of state reserves — called the "Rainy Day Fund" — without a fuller reckoning of the shape of the Oregon economy.

"We're in volatile times", Reschke said. "Therefore, I recommend we proceed with extra caution."

Referencing the "Rainy Day Fund," Reschke used a meteorological analogy to make his political point.

"It concerns me greatly that we're about to spend large sums of money this early in session before knowing how well our roof will hold up under the storms ahead," he said. The opportunities to spend are plenty but we should do it in the right order. I advocate doing it later in session when the economic climate and the amount of revenue the state will receive would be better understood. Let's be wise. Let's go slow. Let's stay dry."

Democrats will have to find at least a few allies across the aisle to get the budget across the finish line.

Controversial bills loom

The key legislative packages are moving along, including a \$200 million plan to address housing and homelessness, and a \$200 million boost to retain and attract computer semiconductor businesses.

But bills likely to ramp-up partisan tensions are coming soon. Unlike financial bills, policy bills only require a majority vote for approval.

Rayfield said legislation on abortion access and gun control will be moving through House committees in the next two weeks. Republicans have said they will oppose the legislation.

Republicans in the Senate have already slowed the pace of legislation by requiring all bills be read in their entirety before final passage, a time-consuming parliamentary move. House Republicans used the same tactic in 2021, but current House Minority Leader Vikki Breese-Iverson, R-Prineville, has not taken the same tactic so far.

Rayfield said Breese-Iverson knows the abortion and gun control bills will be coming up and could opt to join Senate Republicans in the parliamentary slow-down.

If Republicans in both chambers invoke a slowdown, Rayfield said it is the job of Democratic leaders to prioritize and pace the amount and size of legislation coming up for votes.

"We have to manage the calendar," Rayfield said. "Making decisions a little sooner."

One impact could be that more bills that aren't at the top of the Democrats' agenda could die as more "witching hours" come up.

Most bills face deadlines every three to four weeks. Most bills must be voted on by committees no later than April 4. If passed by the first chamber, they moved to the chamber for consideration.

Committee work sessions in the second chamber must be posted by May 5 and held by May 19.

On Tuesday, the Legislature has 100 days remaining of the maximum 160-day session allowed by the Oregon Constitution. All legislative activity must end by June 25.

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