



Memorandum

Date: October 8, 2018
To: Mayor Lucy Vinis and City Manager Jon Ruiz
From: Ethan Nelson, Intergovernmental Relations Manager

Subject: Tentative 2019 Legislative Priorities

Over the course of the next few months, the IGR program will be developing the 2019 Eugene Legislative Priorities to share with the IGR Committee and City Council. Based on the current 2018 Priorities, the following legislative concepts were either submitted on Eugene's behalf to the Legislative Counsel office to develop pre-session bills for discussion in the 2019 Legislature.

Local Control over Speed Limits on City Residential Streets (submitted by Senator Beyer)

Introduce legislation that allows Oregon cities to opt-in (voluntarily) to adjust their speed limits on residential streets 5 mph lower than the statutory speed limit.

Background: HB 2862 (enacted in 2017) allows the city of Portland to establish by ordinance a designated speed for a residential street under the jurisdiction of the city that is five miles per hour lower than the statutory speed provided the street is not an arterial highway. This authority should be extended to all cities and be considered permissive (not required).

Speed Cameras (submitted by Senator Beyer)

Introduce and/or support legislation authorizing cities to use fixed speed cameras at locations other than intersections.

Background: Currently, cities have the authority as a result of HB 2409 (enacted in 2017) to issue a speeding citation from the same camera and sensor system used to enforce red light compliance at intersections. In 2015, the Oregon Legislature granted the city of Portland the authority to implement a fixed speed safety camera program (HB 2621), operating on urban high crash corridors. The comparison of before and after speeds near the fixed photo radar system is indicating that the automated enforcement is positively influencing speed reduction. This legislation would extend the authority to all Oregon cities to implement fixed speed safety camera programs.

PERS Death Benefit (submitted by Representative Holvey)

Introduce a bill to correct the unintended consequence of the death benefit employer match by providing a lifetime benefit to the spouse of the deceased Tier 1 or Tier 2 member. While members will not receive the exact benefit they may have anticipated, the result will be closer to the original expected benefit.

Background: When the 2003 PERS reform changes were enacted, the Tier 1 and Tier 2 death benefit provisions were not changed to take into account the fact that all future Tier 1 or Tier 2 PERS member contributions would be redirected into the Individual Account Program (IAP). Since this was not changed, the amount of the Tier 1 or Tier 2 PERS member accounts do not reflect the actual Tier 1 or

Tier 2 PERS member contributions since those contributions are now going into the IAP and have been since 2004. The impact of this on Tier 1 or Tier 2 PERS members is significant since the employer is no longer required to match the entire amount of contributions a Tier 1 or Tier 2 PERS member has made. This is resulting in the beneficiaries of Tier 1 or Tier 2 PERS members receiving a death benefit amount that is significantly lower than originally anticipated by those members.

Tiny Homes (submitted by Representative Holvey)

Introduce legislation that requires the Oregon Building Codes Division to adopt the International Building Code Appendix Q as a locally adopted option to the Oregon Residential Specialty Code and remove any provisions from the Oregon Reach Code for local municipalities to inspect or permit the R-5 'tiny homes on wheels' products.

Background: Structures currently regulated by the building codes are improvements to real property, and do not include mobile vehicles. The Reach Code creates a new occupancy type for tiny homes on wheels, for temporary, seasonal, emergency or recreational residential use. The new R5 occupancy definition is the same as the ORS 446 definition of recreational vehicle. The new R5 occupancy definition is the same as the ORS 446 definition of recreational vehicle. Reach code Part II would require every jurisdiction in the state to create a program for RV's. The 130 + local jurisdictions in Oregon should not be developing their own differing programs to attempt to administer building code standards to mobile vehicles, this creates an undue hardship for both the jurisdictions and the owner of the mobile unit.

Finance/Taxation (multiple)

Property Tax Exemptions:

1. Introduce legislation that extends the property tax exemption provided under ORS 307.515 to July 1, 2030. ORS 307.515 provides enabling legislation for local jurisdictions to adopt property tax exemptions for affordable housing, and is used by Eugene to support affordable housing through the Low-income Rental Housing Property Tax Exemption (LIRHPTE). This exemption sunsets on July 1, 2020. Representative Keny-Guyer is the sponsor.
2. Introduce legislation that repeals the property tax exemption for high speed internet service providers (aka, 'Gigabit Exemption'). The original bill, SB6111, creating the exemption for qualified projects was passed in 2015, based on the recent settlements between the Oregon Department of Revenue (DOR) and Comcast, and the 2018 negotiations with Frontier Communications, this repeal should be straightforward. Representative Nosse is the sponsor.

Transient Room Taxes:

The League of Oregon Cities (LOC) is leading efforts to increase the ability of local jurisdictions to monitor and enforce the operation of lodging intermediaries (e.g. Airbnb, HomeAway, VRBO), as well as support efforts at the state level to implement existing laws. Legislative concepts submitted by LOC include: clarify state and city subpoena powers and ability to share data, require state lodging tax return filings to identify each property address and no longer permit lump sum regional tax return filings with potentially multiple properties, clarify the requirement the disclosure of the address of each transient lodging unit if required by local governments, provide start-up funding to DOR for collection of local lodging taxes for local governments that sign agreement with DOR to handle collection, require state to improve audits and enforcement of lodging taxes via purchase of software to scrape online data of short-term rental listings through 2021 to capture the Track and Field World Championships, and revise definition of tourism promotion to include 'events' to provide clarity for cities that have restricted lodging tax revenues. Representative Marsh is the sponsor.