



# BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon  
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## DESCHUTES COUNTY LEGISLATIVE UPDATE

8:00 AM

FRIDAY, FEBRUARY 23, 2024

ZOOM MEETING

A legislative work session was held on Friday, February 23, 2024 at 8:00 a.m. via Zoom Virtual Meeting Platform.

### Deschutes County Attendance:

x	Commissioner Patti Adair, Chair	x	Nick Lelack, County Administrator
x	Commissioner Anthony DeBone, Vice Chair	x	Erik Kropp, Deputy County Administrator
x	Commissioner Phil Chang	x	Whitney Hale, Deputy County Administrator
x	Kristie Bollinger, Property Manager		Tim Brownell, Director Solid Waste
x	Sara Crosswhite, Director 9-1-1		Steve Dennison, County Clerk
x	Chris Doty, Director Road Department	x	David Doyle, Legal Counsel
	Charles Fadeley, Justice of the Peace	x	Janice Garceau, Director Health Services
x	Stephen Gunnels, District Attorney	x	Peter Gutowsky, Director Community Development
	Geoff Hinds, Director Fair & Expo	x	Kathleen Hinman, Director Human Resources
x	Deevy Holcomb, Director Community Justice	x	Bill Kuhn, Treasurer
	Scot Langton, Assessor		Keith MacNamara, Manager Veteran's Services
x	Tania Mahood, Director Information Technology	x	Kevin Moriarty, Forester
	Shane Nelson, Sheriff	x	Elizabeth Pape, Internal Auditor
x	Lee Randall, Director Facilities	x	Robert Tintle, Chief Financial Officer

x	Heather Kaisner, Director Public Health	x	Holly Harris, Director Behavioral Health
x	Tom Kuhn, Public Health Program Manager	x	Jen Patterson, Strategic Initiatives Manager
x	Angie Powers, Administrative Assistant		Kim Riley, Assistant Legal Counsel
<b>Others Present:</b>			
x	Doug Riggs, Director NW Policy Advocates		
<b>Legislators Present:</b>			
x	Sen. Tim Knopp	x	Rep. Jason Kropf
x	Reagan Knopp, Chief of Staff to Sen. Knopp		

### 1. Welcome & Introductions

Chair Adair called the meeting to order at 8:01 a.m.

### 2. Updates and Priority Briefing from Legislators

Sen. Knopp said that the legislature is on-track to finish a couple of days early. He's fighting for Deschutes County funding and is optimistic for funding towards housing and behavioral health. Responding to Nick Lelack, Sen. Knopp stated that housing infrastructure is included, but it's unclear as to the specifics. There will be less money available than the Governor wanted. Sen. Knopp said this is a very full session with much engagement. Doug expressed his gratitude to Sen. Knopp for his open-door policy.

Reagan Knopp, Chief of Staff for Sen. Knopp's Office, believes the investments Deschutes County is hoping for relative to HB 4002 deflection and diversion programs will be there at the end of the day, and they are committed to making this work. Ultimately, the bill will not work without adequate funding for these programs. Rep. Kropf added there will be funding for community corrections and the aid-and-assist population.

### 3. NW Policy Advocates Update

Doug Riggs provided an update. We are maybe ten days out from the likely end of the session. The constitutional deadline is March 10. Ways and Means Co-Chairs have narrowed down their list. He is confident they are in a good place with community corrections and aid-and-assist funding. The big news is the unveiling of the updated **BM 110** recommendations, which reflect significant changes from the first version. Changes included are the creation of a new unclassified misdemeanor or misdemeanor U and the structure of diversion/deflection program giving local communities more flexibility. The funding amounts are uncertain, as are the costs to counties.

Responding to Commissioner DeBone, Rep. Kropf shared that "deflection" is a term defined in the 135-page amendment. It will be *optional* for a city or county to

participate in deflection. This is a shift from the initial version which included a Class C misdemeanor with mandatory participation in deflection.

Doug shared that he's been working hard on housing infrastructure. There will ultimately be three buckets of funding for housing infrastructure that will come out of Ways and Means.

1. The first pot of money includes two bills. **HB 4128** (water infrastructure projects) and **HB 4134** (includes 13 infrastructure projects). Central Oregon is well represented in both bills.
2. The second pot of money is a revolving loan fund. This will be a low to no interest loan program.
3. The third pot of money will be available funding which will be given to Business Oregon (BO). BO would put forth an RFP for cities and counties.

The one-time expansion of UGB for housing projects was discussed. Redmond expressed interest in this expansion. The City of Sisters is on the fence and La Pine has said they don't have a use for this tool. Responding to Commissioner Chang about clarifying the parameters, Doug said there are twelve sections in the bill related to complicated parameters, and Ways and Means has been asked to simplify these provisions. He expects to see the final bill next Tuesday or Wednesday. A discussion of prior one-time UGB expansions ensued, which stressed the importance of cities and counties working together on these efforts.

#### 4. Bill Tracker Review Report

**A. District Attorney** – Steven Gunnels believes the current **BM 110** proposal is improved. The manner that delivery of controlled substances may be prosecuted is much improved. The initial draft of **HB 4002** was unworkable with no accountability. Many of the DA and law enforcement requests have been addressed in the current bill. He believes "it's as good as it's going to get and it's not that bad". They'll be able to set up diversion that works with functional probation with meaningful consequences. He hasn't seen any red flags relative to technical issues. Responding to Commissioner Adair, DA Gunnels described the process. At the initial arrest or citation, the person will be deflected and sent to a treatment program. Should they fail to follow through with the initial deflection, the DA will charge them with possession and the case will go to court. They will be sent to a diversion program and on supervised probation, to be paid for by the state. If they violate, they can get up to 30 days in jail. If they again fail to follow through the court can impose up to 180 days on a revocation. This should be a meaningful motivator for most people to follow through.

Holly Harris is pleased that the current legislation allows counties to custom build a program that works for their communities. She questioned the purpose of a task force which was mentioned as a next step. She stated that Behavioral Health is supportive of **HB 4002** in its current form. Janice Garceau echoed her support and believes this bill is a step in the right direction. Holly expressed some hesitation related to the amount of funding they'll receive to set up the required programs. Rep. Kropf stated they are committed to funding these treatment programs and the legislature wants this to be successful. They want systems in place for those with addiction to get the help they need. The package is comprehensive and will be responsive to the needs of our community.

Commissioner Chang said there must be adequate treatment capacity for deflection and diversion programs, and he asked Rep. Kropf about the funding towards these programs. Rep. Kropf said there are some direct allocations in the bill, including those for Medication Assisted Treatment (MAT) and youth primary prevention, adding that there will be a separate funding bill. \$1.5 million was requested for stabilization center funding. The current framework provides a level of local flexibility for deflection programs. Progress reports will go to the Criminal Justice Commission. Rep. Kropf highlighted that this will not be one-size-fits-all, and since Deschutes County's mobile response team has proved successful, it will continue to be utilized. Rep. Kropf stated the state will try to get the money out the door as quickly as possible to those counties interested in commitment to deflection program participation.

Responding to Commissioner Adair, DA Gunnels stated that the bill recriminalizes drug possession at the user amount, and as there are consequences for those unwilling to go to treatment, he believes **HB 4002** will be successful. DA Gunnels is committed to following through with the items included in the bill.

Doug applauded Rep. Kropf and the subcommittee for the current version which gives counties flexibility to put together a program that works for their communities. He hopes that the OHA process will become more streamlined with less micro regulation. The money needs to get to the communities in a timely manner. State agencies must be responsive to the crises at hand. Janice concurred, adding that reducing administrative burden is critical as well as providing more incentives for the BH workforce. Financial resources and staffing must be addressed. Rep. Kropf echoed the frustration with the time it takes for dollars to get out the door and agreed that they must increase efficiency, adding that all levels of government have a role and it is a shared responsibility.

Responding to Heather Kaisner, Rep. Kropf said there will be youth substance use prevention program funding. The Alcohol and Drug Policy Commission has been tasked with developing a strategic plan for the treatment infrastructure. Doug flagged **HB 4070**, the school-based health center bill providing for mental and substance health interventions. Rep. Kropf has been briefed on this bill and is supportive.

Janice Garceau and Commissioner Chang spoke of the two distinct ways in which they reach youth: school-based health centers and broad-based prevention programs. They are distinct in their programs and goals.

- B. Human Resources** – Kathleen Hinman spoke briefly about **HB 4045**, which provides that District Attorneys qualify as police officers under PERS. She said was a bill to amend the Oregon Equal Pay Act to include some options for bonuses, but this bill hasn't made it through this session. Another bill adds first-line supervisors into the union, for departments such as the Sheriff's Office.
  
- C. Forester** – Kevin Moriarty shared that **HB 4016** makes changes to the Prescribed Fire Liability Pilot Burn Program. There are areas that still wouldn't be covered under the liability program, so Kevin is not in full support of this bill.

## 5. Other Items

CHANG:	Move Board approval and signature on letter of support for HB 4002
DEBONE:	Second
VOTE:	CHANG: Yes
	DEBONE: Yes
	ADAIR: Yes. Motion carried

Jen Patterson stated there is an active request by AOC and others to add the County logo to a letter of opposition of **SB 1575**. This bill changes a common clause in design and engineering contracts, and Lee Randall expressed concern for unintended consequences. Dave Doyle concurred, adding that we don't have a problem with this locally. Doug said this bill would hold the county legally liable for mistakes made by a professional designer, adding that counties must be able to rely upon their professional knowledge on design and safety. Chris Doty stated the letter is well written and to the point.

DEBONE: Moved Board approval of inclusion of County's logo on the letter in opposition to **SB 1575**

CHANG: Second

VOTE: DEBONE: Yes  
CHANG: Yes  
ADAIR: Yes. Motion carried

DEBONE: Moved Board approval of the **Connect Oregon 9** funding request letter for the Redmond Airport

CHANG: Second

VOTE: DEBONE: Yes  
CHANG: Yes  
ADAIR: Yes. Motion carried

**Next Meeting:** The next virtual legislative update meeting is scheduled for Friday, March 1 at 8:00 a.m.

**Adjourn:** Chair Adair adjourned the meeting at 9:07 a.m.

*Respectfully Submitted by:*

  
**Angie Powers, Administrative Assistant**