

Hugo Neighborhood Association & Historical Society

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August 16, 2013 Email Attachment

Nathan Rix, Strategic Initiatives Project Manager
Office of the Chief Operating Officer
Department of Administrative Services
State of Oregon
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Subject: HB 3453 Inquiry

Dear Mr. Rix:

Thank you for your August 13, 2013 email responding for Governor John A. Kitzhaber to our August 5, 2013 snail mail letter to him (Attachment 1). Please thank the governor for making you our information contact for HB 3453 inquiries.

We understand you work closely with the Governor's Office in addressing county and state operations and policy issues. Thank you for offering to assist us in understanding the 2013 Enrolled Oregon House Bill 3453. We would like to better understand the following topics (Attachments 2 - 4).

1. Public Safety Fiscal Emergency (PSFE)
2. Minimally Adequate Level of Public Safety Services (MALPSS)
3. Intergovernmental Agreement
4. Intergovernmental Agreement Entity
5. Designated Intergovernmental Agreement Officer

Our first question to Governor Kitzhaber was where information on HB 3453 was located on his web page. After all, as we understand it, he is the one that may proclaim a PSFE using certain threshold criteria¹⁻³ of whether there is a MALPSS, or not, in one or more Oregon counties.

HB 3453, SECTION 2. (1) If the Governor determines that fiscal conditions exist or are imminent in one or more counties that compromise the ability of the affected counties to provide a minimally adequate level of public safety services, the Governor may proclaim a public safety fiscal emergency.

1. Oregon Secretary of State. May 2012. *Oregon's Counties: 2012 Financial Condition Review*. Secretary of State Audit Report Kate Brown, Secretary of State Gary Blackmer, Director, Audits Division. Salem, OR.
2. Gaid, Dawn Marie, October 2009. *Changing Federal County Payments and Rural Oregon Counties: Analysis of Policy Impacts and Responses from Loss of Secure Rural School Funding in Selected Oregon Counties*. RSP 09-04. (134 pages). OSU's Rural Studies Program. Working Paper Series. Corvallis, OR.
3. Oregon Governor's Task Force. Final Report January 2009. *Governor's Task Force On Federal Forest Payments And County Services*. Governor Theodore R. Kulongoski. 148 pages. Salem, OR.

Our interest is a public safety issue in Josephine County, Oregon. We identify this problem by the title “Josephine County Justice System & Public Safety Services” issue (JO CO JS&PSS issue). The 2012 expiration of the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) funding for Josephine County, used mostly for public safety services, resulted in Josephine County proposing two tax levies as solutions. They both failed.

1. May 2012 JO CO-wide Measure 17 - 43, Criminal Justice System Operations Four Year Local Option Tax (i.e., \$1.99 per \$1,000 of assessed value), failed 57 - 43 percent.
2. May 2013 JO CO-wide Measure 17 - 49, Criminal Justice and Public Safety Three Year Local Option Tax (i.e., \$1.48 per \$1,000 of assessed value), failed 51 - 49 percent.

The mission of the Hugo Justice System Exploratory Committee is to independently research the JO CO JS&PSS issue and publicly provide its analysis through web page publications. Objectives not proposed for the Committee are for it to conclude there is a right or wrong answer or to recommend how the citizens should vote on any new ballot pertaining to the issue. Its mission is limited to educating the public the best it can through web publishing. Our task is best summarized in the draft evolving August 15, 2013 *Justice System & Public Safety Services Issue Scope Of Work* (Attachment 5).

Our narrow information request to Governor Kitzhaber was for the identification of any publications pertaining to HB 3453 and the above five identified topics, especially the definition of a PSFE and the standards for defining a MALPSS (Attachment 1). We still have this request as it is broadly related to Oregon Senate Bill 77 (2009), Oregon House Bill 4176 (2012), and Oregon House Bill 3453 (2013) as these bill have resulted in new law and/or changes in the law (e.g. ORS 203.095, OAR 213-070-000, etc.).

We have made significant progress in our research even though we are in the beginning stages of web publishing as our Web Master has been ill (Appendix A; Attachment 5).

At this point our interest is the historical facts, analysis documents, current policy, and law as they relate to the JO CO JS&PSS issue and HB 3453. I sense that we could overwhelm your interested capacity to respond to a detailed list of questions that are presently being generated by implementation of our scope of work and its resulting list of educational brochures (Attachment 5, pages 6 - 19). Therefore, our initial information request to you is presently focused on documents and web links that you think might be applicable to our issue. We are comfortable with bureaucracy and comprehensive detail in government documents, including research by committees, academia, and private organizations.

Thanks again for being our information contact for HB 3453.

Sincerely,

Mike :)

/s/ Michael L. Walker

Michael L. Walker, Chair

Hugo Justice System Exploratory Committee

Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

Appendix A. Research by the Hugo Justice System Exploratory Committee

- Oregon Governor's Task Force. Final Report January 2009. *Governor's Task Force On Federal Forest Payments And County Services*. Governor Theodore R. Kulongoski. 148 pages. Salem, OR.
- Oregon Secretary of State. May 2012. *Oregon's Counties: 2012 Financial Condition Review*. Secretary of State Audit Report Kate Brown, Secretary of State Gary Blackmer, Director, Audits Division. Salem, OR.
- OSU's Rural Studies Program. Working Paper Series.
(<http://ruralstudies.oregonstate.edu/history-rural-studies-program>)
 - *Economic Impacts on Oregon of the Termination of Secure Rural Schools Payments to Counties: 2011 Update*. Bruce Weber, Paul Lewin and Bruce Sorte, November 2011. RSP #11-01. (8 pages).
 - *Changing Federal County Payments and Rural Oregon Counties: Analysis of Policy Impacts and Responses from Loss of Secure Rural School Funding in Selected Oregon Counties*. Dawn Marie Gaid, October 2009. RSP 09-04. (134 pages).
 - *Economic Impacts on Oregon Counties of the Termination of the Secure Rural Schools and Community Self-Determination Act: An Update*. Bruce Sorte, Paul Lewin and Bruce Weber, February 2009. RSP #09-03. (11 pages).
 - *Local Government Responses to Fiscal Stress: How do Oregon Counties Compare?* Vince Adams, March 2009. RSP # 09-02. (19 pages).
 - *Economic Impacts on Oregon Counties of the Termination of the Secure Rural Schools and Community Self-Determination Act (P.L. 106-393)*. Bruce Sorte, Paul Lewin and Bruce Weber, December 2008. RSP #08-05. (16 pages).
 - *A Guide to Oregon Community Indicators: Social, Economic and Environmental*. Nick Beleiciks and Bruce Weber, August 2006. RSP # 06-04. (24 pages).
 - Gaid, Dawn Marie, October 2009. *Changing Federal County Payments and Rural Oregon Counties: Analysis of Policy Impacts and Responses from Loss of Secure Rural School Funding in Selected Oregon Counties*. RSP 09-04. (134 pages). OSU's Rural Studies Program. Working Paper Series.
(<http://ruralstudies.oregonstate.edu/history-rural-studies-program>)
- Senate Bill 77 (2009)
- Oregon House Bill 4176 (2012)
- Oregon House Bill 3453 (2013)
- Oregon Revised Statutes 203.095
- Oregon Administrative Rule 213-070-000 (2011)

Attachments

- Attach. 1. August 5, 2013 Letter to Governor John A. Kitzhaber from Mike Walker, Chair of Hugo Justice System Exploratory Committee
- Attach. 2. Educational Brochure III.E.1.7.3 (1 of 2) *Enrolled Oregon House Bill 3453: 2013*
- Attach. 3. Educational Brochure II.A - *Hugo Justice System Exploratory Committee*
- Attach. 4. Educational Brochure III.A.1 - *Justice System Public Safety Service Issue*
- Attach. 5. August 15, 2013 *Justice System & Public Safety Services Issue Scope Of Work*

Email copies:

- HNA&HS Officers
- Hugo Justice System Exploratory Committee
- Hugo Land Use Committee
- North Valley Community Watch
- Interested Citizens
- Cheryl Walker, Vice Chair, Josephine County Board of County Commissioners
- Gil Gilbertson, Josephine County Sheriff