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Sen. Betsy Johnson, co-chair of the Joint Committee on Ways and Means, outlines spending challenges confronting lawmakers in the 2019 legislative session

The hallways of the state Capitol are buzzing with lobbyists, activists, citizens and legislators all pursuing good intentions for the 2019 legislative session.

Get ready to lower your expectations.

Or, in the words of that other Gov. Brown (Jerry, not Kate): *nemo dat non habet*.

My mother taught Latin, so I can appreciate the former California governor's use of that ancient language to communicate without political spin. He was saying: No man gives what he does not have.

In other words, the state cannot give what it does not have.

Brown used that Latin phrase in 2011 after he entered office and faced a \$27 billion deficit. He retired recently, and the national media reviewed his career. In particular they noted that while he inherited a deficit, he left his state with a \$14.5 billion "Rainy Day" reserve fund and a \$14.8 billion discretionary surplus.

"The first test of all of us, and government is no exception, is to live within realistic limits," Brown has said of his budgeting philosophy.

A budget is an articulation of where priorities rest. The centerpiece of Oregon's 2019 legislative session will be its 2019-2021 state budget.

Gov. Kate Brown submitted an aspirational budget of \$23.6 billion. The co-chairs of the Joint Ways and Means Committee — myself, state Sen. Elizabeth Steiner-Hayward, D-Portland/Beaverton, and state Rep. Dan Rayfield, D-Corvallis — will submit ours.

In one day last month in Salem, state Sen. Steiner-Hayward and I sat in a conference room and heard budget requests from various groups. In total, on that one day, those requests added up to about \$750 million. That's three-quarters of a billion dollars. In one day.

Legislature

So many people want so much stuff, and they want the government to pay for it. To give you an example of how this translates in the budget process, representatives of a beloved Portland nonprofit came to us and asked for \$500,000 to fix their boiler.

The organization educates deaf students and does laudable work, but it was fair to ask them: Why didn't you save in anticipation of fixing your boiler? Can you raise funds for a matching grant? What about your alumni and their families — can they contribute?

This is not to single out one institution. It is representative of the kinds of requests and expectations we receive. Many times it's as if those with the need haven't considered any other alternative besides asking the state.

Looming over the 2019 legislative session is the approximately \$25 billion unfunded liability of the Public Employee Retirement System (PERS). And looming over that is the volatile nature of the

investment world, which is linked to many retirement accounts. Yet the requests for government funding keep coming.

Shortly after Gov. Kate Brown was re-elected in November, she announced work would begin on developing tax and fee increases to raise billions of dollars. Unless there are accompanying restraints in spending, there will be no change in Oregon's financial condition.

Aside from the budget, thousands of bills will be introduced this session. Only a fraction will pass, but proposed bills consume much time. A few that stand out:

Guns — One bill would require Oregon residents to have a permit before obtaining a gun; another would require gun owners to secure their firearms in a locked container or with a gun lock; still another would restrict ammunition purchases to 20 rounds every 30 days. There are many others, but expect the focus to be on those bills pushed by a group of urban high school students inspired by the protests following a school shooting in Parkland, Florida. I hope these high-schoolers take time to talk to their rural counterparts about the legitimate uses of firearms.

Housing — Because of the enormous pressure to do something about housing, there is a proposal to institute rent control across the state. Variations also include restricting no-cause evictions. Tenant groups and landlords are already haggling over details. To increase variety and availability of rental units, there is a proposal to end single-family zoning and allow duplexes, triplexes and similar multi-family units to be built in residential neighborhoods.

Cap and trade — This issue has been debated for several sessions, yet it is unknown how it will impact Oregonians. Cap and trade attempts to control carbon emissions by setting a cap on the amount of pollution a business or organization may produce — but allows a trade by which a business or organization can purchase more capacity for carbon emissions elsewhere. Ultimately, it increases the cost of energy and presumably reduces the demand. It sounds worthy but runs counter to a concept currently popular — equity. The poor and working class will likely be hit harder with higher fuel and energy costs.

Criminal justice reform — There will likely be an attempt to eliminate the death penalty by redefining aggravated murder. At the same time, there will likely be legislation to elevate hate crimes to a higher level of offense and increase punishment. Meanwhile, there will be various bills with the intent to keep more convicted felons out of prison. A big-picture look at these bills will reveal disturbing contradictions. Many of these proposed reforms sympathize with criminals who steal, assault and kill and give law-abiding residents more reason to arm themselves.

It's a reminder that all lawmakers need to weigh the unintended consequences of bills before we pass them. The day the legislative session officially opened, the state of Oregon was hit with a lawsuit alleging that students with behavioral problems were being excluded from class.

In 1975 Congress, acting with the most compassionate of intentions, passed a law called the Education for All Handicapped Children Act. Who could be opposed to helping the handicapped? Later the law was renamed the Individuals with Disabilities Education Act with the catchy acronym IDEA. All children considered disabled would be guaranteed a public education.

Over the years this law has been manipulated and litigated to the point where the definition of disabled has been enlarged. A child deemed disabled who hurts others or destroys property still has a right to an education. The schools must find a way. Some states are now spending billions trying to meet the requirements of a law that has mutated into something unrealistic and harmful to all students.

There's a lesson here for lawmakers. Be careful which laws you pass. Your constituents will be forced to live with — and pay for — the consequences.