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April 20, 2015

Opposition to SB 814: State Interference in Local Control  
Senate Committee on Workforce

My name is Andrea Paluso, Executive Director of Family Forward. I come before you today in strong opposition to SB 814, which would strip local government of their ability to set policies on any matter related to workers. **The sweeping preemption contained in SB 814 would be unprecedented in Oregon and effectively tie the hands of localities to determine policies that work best in their own communities.** SB 814 is a serious overreach by the state and major interference in local decision-making and local control.

Oregon has a strong tradition of home-rule and protecting local jurisdictions' ability to settle matters of local concern. Since 1906 localities have had home-rule authority granted explicitly in the Oregon constitution. Local governments have used this authority to set health, safety and workplace standards for their residents and are often at the forefront of setting policy and responding to emerging issues. Several historic Oregon laws were first enacted on the local level, including non-discrimination legislation and clean indoor air protections. In many ways, local jurisdictions are the testing ground for new ideas and proposals that are later taken up by the Legislature. **SB 814 would undermine the constitutional power of localities in a broad and unjustified way.**

Obviously, not every community in Oregon is the same; local control protects the ability of each community to determine its own standards and the legislature should respect the priorities set by local governments for the welfare of their residents. Local governments work in very close proximity to the people they serve and can best determine the right policies for their residents. Communities should be allowed to create new laws or build and improve upon minimum standards set by state law in order to meet the needs of local residents and businesses. The legislature should support this basic level of local democracy – it is a long-held Oregon value – and not override it, as is proposed in SB 814.

State interference in local control, as ascribed in SB 814, is not a uniquely Oregon idea, either. This increasingly-prevalent strategy that stops the people of a local community from passing their own laws and that strips local governments of their law-making authority is being promoted nationally by the American Legislative Exchange Council (ALEC), a right-wing group that drafts and distributes models for state level legislation written to benefit large corporations and industries. In fact, the language in SB 814 closely mirrors much of the language written by ALEC in bills emerging across the country. Our legislature should stand up against national corporate special interests and keep democracy thriving at the local city and county level in our state.



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Additionally, this bill would have potentially grave unintended consequences beyond just private employment matters. SB 814 would negatively impact a locality's ability to set policies to ensure parity and equity in public contracting and to encourage workforce development. We know policies like this are used quite effectively by some cities to ensure apprenticeship utilization in public works contracts that promote expanded representation of women and minority in workforce participation. The City has also set policies to increase women and minority-owned businesses participation in public contracting. When the city is investing dollars in public contracting, it should be able to require standards that benefit the community and achieve its workforce diversity goals. This is an innovative and practical way to ensure that public dollars are spent in a manner consistent with the community's values. SB 814 would restrict localities ability to promote workforce development goals and achieve diversity standards in public contracting.

Another innovative local approach that would be precluded under SB 814 are Transit Benefit Ordinances, which encourage the use of public transportation to reduce traffic congestion. Both employers and employees can enjoy significant tax savings through transit benefit programs. As a result, localities across the nation are beginning to consider transit benefit ordinances to require employers to take advantage of this tax off-set by offering a transit incentive to their employees. Employers in Oregon can qualify for both the federal credit and a Business Energy Tax Credit offered through Business Oregon, which means this may be an attractive option for cities looking to reduce congestion in the future – if it is not precluded by SB 814.

We can never know what policy a local government may want to enact in the future to promote its community's goals and values. The state should not take away local government's tools to innovate and try creative solutions in their own communities.

SB 814 sets a dangerous precedent in Oregon, a state with a long history of protecting home rule, and seriously limits the ability of local governments to set standards that work for their individual communities. Localities should be able to create solutions and promote policies that work for their community.

**SB 814 is broad and over-reaching. It will undermine local control, erode our democracy, and preclude advancement of workplace protections for Oregonians.**

**We urge you to oppose SB 814.**