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SB913: Good intentions, no effect, unintended consequences

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by Sen. Jeff Kruse (R-Roseburg)

Every Session we deal with a few issues that seem to be designed to make some people **feel good**, but actually accomplish nothing. We had a hearing on just such a bill this week; it was [Senate Bill 913](#) which would **ban the sale of ivory** (among other things) in Oregon. I am bringing this up now because I have received several hundred emails on the subject. Specifically the bill bans the sale of ivory in any form from elephants, hippopotamuses, mammoths, narwhals, walruses, and whales. It also bans the sale of products from rhinoceros horns. The first thing that strikes me is the fact mammoths are extinct, but we will let that go for now.

I can understand the passion of the people who are writing in support of the bill, I would agree that the illegal poaching activities in Africa should be stopped. The question is how to go about making this happen? The first place to look would be at the source. In some countries in Africa these activities are not even a crime and that should be step one and we clearly can't make that happen from Oregon.

But the real question for us should be what the impact of passing this bill will have on these activities in Africa, and we would suggest there will be no impact what so ever. For those who would disagree with this statement, it is simply a matter of looking at the numbers. The vast majority of the illegal trade takes place in China, and when one simply looks at the population numbers Oregon's population is nothing more than a rounding error by comparison. Simply stated, the ban in Oregon would be symbolic at best. Some would suggest that we should be setting an example, but I don't think China looks to Oregon for its policy decisions.

One of the things we should always pay attention to are the unintended consequences of any legislation we pass, and this bill clearly has some as it bans **all** of these activities. This includes all of the legal activities involving these products that have been going on for centuries. This would include musical instruments, knives, silverware and many other uses. I will give you one hypothetical example. If I were to receive an ivory inlaid set of silverware from a relative's estate and chose to sell it I could go to jail for 30 days. So, we would potentially making criminals out of honest people for a symbolic gesture that would have no impact on the targeted issue.

I know this is probably upsetting those who are supporting SB 913, but if you are still reading my hope is you will get past the sound bites and look at the big picture. **One of my duties as a state senator is to not react to issues on an emotional basis, but rather to look at the facts and implications.** The similarities to this issue and the low carbon fuel standards bill are interesting in the fact that they both put a burden on Oregonians, but will have no real impact on the global situation. The phrase "we need to do something" shouldn't prevail if that something is nothing more than an empty gesture.

K-12 funding from Dems not enough – Dems will push for tax increases or keeping kicker later

Yesterday the Full Ways and Means Committee passed out the funding bill for the K-12 system. The number in the bill was 7.255 billion dollars, which everyone knows is insufficient as the "break even" number is 7.5 billion dollars. We have heard from the majority party that this is the best we can do, and that is patently untrue.

We have shown them a way to actually get to a 7.75 billion number within existing resources, but they are clearly not looking for that type of solution. Our prediction that we know will come true is that in a couple of months the majority party will propose things like tax increases and keeping the Kicker to adequately fund education. In fact the Kicker legislation has already been drafted and is currently in the education committee. At that point our refusal to increase taxes will be portrayed as being anti-education and nothing could be further from the truth.

The pace of activity here has slowed some, at least on the surface. These "calm" times can be a real worry because we don't know for sure what is coming next. One of the frustrations of serving in the Senate in a

super-minority position is the fact the majority party doesn't need our votes to pass whatever they want and therefor are not necessarily forthcoming with information. I guess we will just have to wait to see what the next big deal is; keeping in mind we will not be distracted from what is **not** happening currently in education.