

HB 3115 Deficiencies

I do not agree that the state should superimpose upon the local governments how they can and cannot manage their own publicly-owned lands and buildings, nor do most local governments have the resources or budget to conduct the removals and HazMat clean ups necessitated by the historically irresponsible behavior of most homeless. However, I also believe there are those that will try to push this bill through anyway, and I want to point out what I believe are flaws and gaps in HB 3115 as introduced.

- Based on the reference to ORS 131.705 the public lands include buildings, and the bill does not define “open to the public.” This could be at any time of the day, even if the building is not open to the public overnight. The homeless could come in while the building is open to the public and stay overnight or for weeks or months. How are city and county governments supposed to conduct business with people living in their halls and bathrooms? Buildings should be removed from the bill. The local governments do not have the resources to employ or contract for HazMat clean-ups of their facilities.
- As mentioned above, the bill does not define what “open to the public” means for public properties. It would be best to remove buildings from the “public property” definition, but at a minimum the bill should clarify that “open to the public” means they can stay only during the hours posted as being open to the public.
- Based on the reference to ORS 131.705 the public lands include leased properties. This is unfair to the property owners who did not sign up for homeless to live on and damage their properties when the leases were negotiated or may not know in the future that is a risk to them. Often, there are clauses in state contracts that leave little recourse to sue the state for damages and losses, and responsibility for the removal and clean-up may fall to the property owners. Leased properties should be removed from the bill.
- HB 3115 does not protect Oregon’s natural resources, environment, wildlife preserves, bodies of water, forests, etc. It is our responsibility to protect our natural resources. These should be carved out of the bill, and minimum distances from these areas from which homeless may park or camp to spend the night should be established in the bill.
- HB 3115 does not protect our public schools and children. It is not safe for children to play on playgrounds where human urine, feces, and other body fluids are left, where drug paraphernalia is left behind, etc. Community college enrollment has had a harsh decline during COVID, and if people are afraid to enter the campuses due to homeless camps in the parking areas and grounds, they will not be able to survive. Public school lands and facilities should be excluded from the bill.
- HB 3115 should provide a definition for what constitutes an overnight sheltering need, and limit the bill’s restrictions on local governments to that, instead of also covering and allowing homeless to establish short-term or even long-term residence. By not limiting the amount of time a homeless person may stay in or return to a location, HB 3115 does not protect the safety of our children, families, or elderly. It becomes no longer safe to walk our neighborhoods or parks. The bill should give the local governments the ability to establish time limits and how often individuals may return.

A better solution - If the purpose of HB 3115 is to love our “neighbor” enough to ensure none suffer through exposure on cold nights, then we should also love them enough not to allow them to remain homeless. If you’re forcing the tax-paying citizens of our state to support a socialist government, then you should do so more responsibly and with purpose of creating a better future for those affected. My neighbor had a great idea. Instead of just providing the “fish” each day, we need to teach them to fish for themselves. A much better resolve than the “let me help

you continue as you are” free-for-all proposed by HB 3115 would be to create housing for homeless-possibly in closed or closing hotels and motels and/or the state buildings being closed (prison and mental health facilities recently slated for closure by Gov. Brown as well as other state buildings that will close due to the number of state employees telecommuting full time now). The housing would include three meals a day. This would eliminate their need for a significant portion of state assistance (and help fund the facilities) and, more importantly, ensure their children are fed instead of their moneys being spent on drugs and alcohol. Substance use disorder treatment and mental health services would be provided for those in the homeless shelters, and job skills training resources for those who are determined able, to prepare them for jobs. Except for those determined unable to live independently, the period of housing should be limited to ensure people move on to self-sufficiency instead of expecting the state to continue to provide for their needs.