

HOUSE COMMITTEE ON GENERAL GOVERNMENT

April 14, 2005 Hearing Room B

8:30 A.M. Tapes 40 - 41

MEMBERS PRESENT: Rep. Vicki Berger, Chair

Rep. Peter Buckley, Vice-Chair

Rep. Mac Sumner Vice-Chair

Rep. Kevin Cameron

Rep. Sal Esquivel

Rep. Larry Galizio

Rep. Brad Witt

STAFF PRESENT: Caralyn Fischer, Committee Administrator

Jania Zeeb, Committee Assistant

MEASURES/ISSUES HEARD:

HJR 32 – Public Hearing

HB 3265 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 40, A		
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003	Chair Berger	
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Calls the meeting to order at 8:34 a.m. and opens a public hearing on HJR 32.

HJR 32 – PUBLIC HEARING

- 008 Rep. Brad Avakian House District 34. Testifies in support of HJR 32. Talks about the historical documents that are contained in the State Archives building.
- 043 Rep. Cameron Comments on his tour of the State Archives building.
- 055 Chair Berger States that she is a member of the Capitol Foundation. Comments on what she is envisioning the exhibit to be like.
- 063 Rep. Avakian Responds that Chair Berger is describing the vision for the exhibit well.
- 065 Rep. Buckley Comments that this is a fantastic idea.
- 070 Dave Henderson Legislative Administrator. Comments that the Capitol Foundation has had discussions about having a historian in the capitol. States that HJR 32 would fit well with the mission of the foundation.
- 081 Chair Berger Closes the public hearing on HJR 32 and opens a public hearing on HB 3265.

HB 3265 – PUBLIC HEARING

- 085 Cara Fischer Committee Administrator. Summarizes HB 3265.
- 110 Amanda Rich Special Districts Association of Oregon. Testifies in support of HB 3265. Submits prepared testimony with informational material regarding HB 3265 (**EXHIBIT A**).
- 179 Rich Gives the example of the Tualatin Valley Fire District.
- 195 Rich Discusses the fees charged by the boundary commission.
- 205 Rich

Comments on the services from the Lane County Boundary Commission. Discusses why the special districts brought HB 3265 to the legislature.

- 225 Rich Talks about the changes Tri-Met wants, and states that the Special Districts support those amendments.
- 239 Rep. Galizio Asks about the policy implementation and comments on the language used.
- 246 Rich Responds that language is understood in the context of the entire set of policies. Gives an example.
- 260 Rep. Galizio Comments on the debate in his district. Asks if she is arguing that the status quo where there is no boundary commission is fine.
- 270 Rich Responds that she does not think the status quo is working. Comments that she is a part of the group that is working on what is happening in Rep. Galizio's district.
- 286 Rep. Galizio Asks if in the Lane County area there have been difficult annexation issues.
- 295 Rich Answers that she is not sure if you can draw that conclusion. States that they have run into opposition.
- 313 Rep. Buckley Wants clarification on the process a district would have to go through. Asks if she can explain the hierarchy involved.
- 325 Rich Answers that the process is complicated. Gives an example of Junction City.
- 350 Rep. Buckley Inquires if there is a person from the League of Oregon Counties or from Lane County to testify on HB 3265.
- 353 Chair Berger Responds that we do not, but states who is at the meeting to talk. Asks about the fees and if there are fees for both the boundary commission and the county.
- 364 Rich Answers that there are fees from both from the boundary commission and the county.

- 386 Rep. Debbie Farr House District 14. Testifies in opposition to HB 3265. States that she has concerns with the boundary commission, but that the commission should be allowed to deal with the problem on their own.
- 420 Rep. Terry Beyer House District 12. Testifies in opposition to HB 3265. Comments on how this has effected her district. States that the commission serves its purpose and has helped in the community

TAPE 41, A

- 013 Rep. Buckley Asks if she can briefly explain the benefits of the boundary commission.
- 015 Rep. Beyer Answers that she cannot get into the details, but comments on her personal experience with the boundary commission.
- 026 Rep. Paul Holvey House District 8. Testifies in opposition to HB 3265. Comments on the need for the boundary commission. Comments that the boundary commission is something that the people of the area want to have.
- 070 Rep. Esquivel Asks who the commission is accountable to.
- 074 Rep. Holvey Answers that they are accountable to the county, the city and the local people, but they are appointed by the governor.
- 077 Rep. Esquivel Inquires if local people participate in the selection of the boundary council.
- 080 Rep. Holvey Concurr.
- 095 Rep. Esquivel Comments that he is trying to figure out how this works, because most counties do not use this system.
- 100 Rep. Holvey Discusses the history of the boundary commission.
- 114 Rep. Beyer States that she thinks the best person to answer these questions is the representative of the boundary commission. Comments on how the boundary commission members are chosen.
- 125 Chair Berger

Comments on how the Salem Keizer area is handling these kinds of issues without a commission.

- 138 Rep. Holvey Acknowledges that there is more than one way to handle these issues.
- 152 Paula Taylor Executive Officer, Lane County Boundary Commission. Discusses the commission, and how the fees are determined. States that the county does not collect any fees, and is not involved unless it is a major boundary change. Submits a letter for the Hazedell Rural Fire District in opposition to HB 3265 (**EXHIBIT C**).
- 248 Taylor Comments on the example Ms. Rich gave of the people in the park district and how she has been involved in the process.
- 274 Taylor Talks about how the boundary commission reviews proposals.
- 281 Taylor Gives information on what the boundary commission determined in the Springfield fire district annexation.
- 293 Rep. Buckley Asks who is responsible for the development of this comprehensive plan.
- 295 Taylor Responds that the plan was developed and adopted by Lane County, the City of Eugene, and the City of Springfield; it is also acknowledged by the State of Oregon.
- 300 Rep. Esquivel Inquires about the smaller communities in the area.
- 308 Taylor Explains that each city has its own comprehensive plan.
- 330 Taylor The boundary commission acknowledges that things have changes and that the administrative rules might need some review.
- 339 Taylor Explains how the process of formation works in Lane County and how the boundary commission is a part of that process.
- 392 Taylor Comments that the boundry commission has not taken a position on HB 3265.
- 398 Rep. Buckley Inquires if there is an appeals processes.

- 403 Taylor Responds that the decisions are appealed to the court of appeals.
- 406 Rep. Esquivel Asks if the municipalities determines their urban growth district (UGB) or if the boundary commission determine it.
- 410 Taylor Answers that the boundary commission has no authority over UGB establishment, discusses the way the boundary commission deals with the UGB.

TAPE 40, B

- 008 Rep. Esquivel Inquires if with annexations this goes through the boundary commission and then goes to the city for a vote.
- 011 Taylor Explains the annexation process, and discusses the cities role and the boundary commissions role.
- 023 Chair Berger Asks about assessments. Inquires if Ms. Taylor is paid, and how many people work for the boundary commission.
- 033 Taylor Answers that the boundary commission is a state agency, and gives information of who they contract with for their services. States that there is only one staff.
- 049 Chair Berger Inquires if the commissioners are paid.
- 050 Taylor Responds that they are not. Gives information about the budget.
- 066 Chair Berger Asks what the approximate yearly budget is and if the income is derived from assessments and fees.
- 067 Taylor Answers that the budget is around \$100,000 and about 60 percent of the budget is from assessments, 40 percent is from fees.
- 070 Rep. Sumner Asks if she believes that she could do the job she is doing, with the same level of quality, if she was a county employee.
- 077 Taylor Responds that it would be difficult to provide the same level of service through the county structure with its financial difficulties.

093	Jason Heuser	City of Eugene. Submits prepared testimony in opposition to HB 3265 (EXHIBIT B). States that the City of Eugene has gotten good service from the boundary commission. Comments on a study by Congress on boundary commissions.
139	Chair Berger	Comments on a bill regarding a library district in Lane County
149	Kurt Yeiter	City of the Eugene. Testifies in opposition to HB 3265. Comments on the good service from the boundary commission. Discusses the case regarding the Springfield fire district and how the boundary commission provides a neutral forum for discussions.
197	Yeiter	Comments on special districts.
205	Yeiter	Discusses the part in the bill that would send some of the documents to the State Archives building and the impact that has on the City of Eugene.
217	Chair Berger	Asks if that information is provided by the Lane Council of Governments.
219	Taylor	Answers that it is not.
202	Chair Berger	Asks if the boundary commission keeps all public records.
223	Taylor	Comments on the information that is kept by the boundary commission.
233	Chair Berger	Inquires if the county is responsible for keeping track of boundary lines inside the county.
237	Taylor	Concurs.
241	Yeither	Comments on the process for annexation.
251	Rep. Esquivel	Asks if the commission allows multiple annexation to property owners for one fee.
256	Yeiter	Responds that the city charges one fee per annexation.

260	Rep. Esquivel	Asks if they have to pay two fees.
261	Yeiter	Concurs.
263	Rep. Buckley	Asks in the case of conflicting comprehensive plans who is responsible to work out the conflicts.
266	Taylor	Responds that she is trying to think of when they have had conflicting plans. Gives an example of the Lane Library special district.
270	Rep. Buckley	Inquires if they have encountered that situation.
280	Taylor	Concurs.
284	Rep. Sumner	Inquires if the Boundary Commission has an active role in determination of public policy.
292	Yeiter	Responds by discussing the role of the Boundary Commission in public policy.
310	Fischer	Questions impact of property tax compression on local school districts.
320	Yeiter	Answers that he might have misspoken, and it is a special levy for after-school programs that was referred to.

The following material is submitted for the record without public testimony.

	Joan Lowe	McKenzie Fire and Rescue. Submits prepared testimony in opposition to HB 3265 (EXHIBIT D).
	Nam Heim	Tri-Met. Submits prepared testimony regarding HB 3265 (EXHIBIT E).
329	Chair Berger	Closes the public hearing on HB 3265 and adjourns the meeting at 11:06 a.m.

EXHIBIT SUMMARY

- A. **HB 3265, prepared testimony and informational material, Amanda Rich, 10 pp**
- B. **HB 3265, prepared testimony, Jason Heuser, 2 pp**
- C. **HB 3265, letter, Paula Taylor, 1 p**
- D. **HB 3265, prepared testimony, Joan Lowe, 1 p**
- E. **HB 3265, prepared testimony, Nan Heim, 1 p**