

CONFERENCE COMMITTEE ON SB 125

JUNE 15, 1999 ñ 3:15 P.M. - HEARING ROOM A - STATE CAPITOL BUILDING

Members Present: Senator Tom Hartung, Chair

Senator Ginny Burdick

Senator Thomas Wilde

Representative Ken Strobeck

Representative Anitra Rasmussen

Representative Bill Witt

Staff: Paul Warner, Legislative Revenue Officer

Lizbeth Martin-Mahar, Economist, Legislative Revenue Office

Joan Green, Committee Assistant

TAPE 002, SIDE A

004 Chair Hartung Meeting called to order at 3:21 p.m.

Noted that there are six amendments, (-B11 through ñB16), before the Committee for consideration. (Exhibits 1-6)

WORK SESSION ON SB 125 B-ENG.

012 Rep. Strobeck "I believe the (-17) amendment is the only one that we can agree on." (Exhibit 9)

- 013 Sen. Burdick "I want a vote on one the (-B13) amendment, (Exhibit 3) because I feel so strongly on exempting Ms. Attebury from the back taxes. We are also prepared with another amendment that represents a compromise, (Exhibit 9)."
- 023 Lizbeth Martin-Mahar The (-B13 and ñB17) amendments would address the issue of the one taxpayer in Multnomah County. (Exhibits 3 and 9)
- The (-B11) amendment would eliminate conflicts with SB 246 and needs to be adopted. (Exhibit 1)
- Reviewed each of the amendments and the revenue impacts, one by one. (Exhibits 7-8)
- Discussed the (-B17) amendment, which would allow Multnomah County's portion of additional taxes that is attributable to the property to be waived. This amendment would have a rough revenue impact of \$4 per \$1,000 of assessed value, approximately 25% of the total \$7,000 for the particular taxpayer in Multnomah County. (Exhibit 9)
- 084 Sen. Burdick The waiver of the County's share is in addition to the relief from the interest that the bill already allows?
- 086 Martin-Mahar Concurred.
- 088 Sen. Burdick The \$7,000 includes the interest that would be corrected?
- 089 Martin-Mahar` Concurred.
- 091 Sen. Burdick MOTION: MOVED (-B13) AMENDMENT TO SB 125 B-ENG. BE ADOPTED.
- 096 Sen. Burdick Spoke to the motion:
- The Senate voted unanimously to grant this particular relief to this individual taxpayer.
 - Multnomah County testified that this was a county error.

- 099 Rep. Witt Will oppose the motion because it is inequitable to other County taxpayers.
- 111 Rep. Rasmussen Spoke in support of the motion because it is fair in this particular case.
- 119 Rep. Strobeck Spoke in opposition to motion; the (-B13) amendment returns to the original A-Eng. measure. The House felt taxes should be paid without creating an undue hardship on the individual taxpayer and without any penalty.
- 129 Sen. Wilde Spoke in support of the motion. Referenced Rep. Witt's comments yesterday on the legal responsibility of an underpaid bill, regardless of error on the part of either party, however that applies to a single payment or occurrence. Discussed the legal theory based on "course of performance" and how it relates to this situation.
- 151 VOTE
 ROLL CALL VOTE: MOTION FAILED 4-2-0
 MEMBERS VOTING AYE: Rep. Rasmussen, Sen. Burdick, Sen. Wilde, Chair Hartung
 MEMBERS VOTING NAY: Rep. Witt, Rep. Strobeck
 MOTION TO ADOPT THE (-B13) AMENDMENT FAILED.
- 159 Sen. Burdick MOTION: MOVED (-B17) AMENDMENT TO SB 125 B-ENG. BE ADOPTED.
- 163 Martin-Mahar Reviewed the (-B17) amendment, which would allow the additional County tax to be waived; the remaining taxes would be placed on the following year's tax role in the year 2000. The B-Eng. version of the measure allows the interest to be waived.
- 174 Rep. Strobeck The remaining taxes placed on the role would fall under the same provision of the B-Eng. version of the bill and not become due, under mandatory circumstance, except when the property is sold, correct?
- 178 Martin-Mahar Concurred, the same would be true with foreclosure.
- 179 Rep. Strobeck The foreclosure notice that has been issued would be invalidated?

- 181 Martin-Mahar Concurred.
- 182 Rep. Strobeck "I still support the principal that the taxpayer should pay the taxes. Concurred with Sen. Wilde's comments and feels the (-B17) amendment, (Exhibit 9) is a reasonable compromise. Supports the County's taxes being waived since it was their error, but the remaining taxes will remain to be paid at the convenience of the taxpayer and without penalty."
- 190 Rep. Witt "The (-B17) amendment, (Exhibit 9) is an improvement over the (-B13) amendment, (Exhibit 3), however I will oppose the motion in principal. It is not the County that will be hurt when the taxes are not paid, but the people who live in the County. In spite of the County's error of omission I don't feel it justifies waiving the taxes due to the County."
- 197 Rep. Rasmussen Spoke to various tax cuts in far larger amounts. Spoke in support of the motion; prefers this solution to no solution, but it is a second-best solution.
- 209 VOTE
 ROLL CALL VOTE: MOTION PASSED 5-1-0
 MEMBERS VOTING AYE: Rep. Rasmussen, Sen. Burdick, Sen. Wilde, Rep. Strobeck, Chair Hartung
 MEMBERS VOTING NAY: Rep. Witt
 MOTION TO ADOPT THE (-B17) AMENDMENT CARRIED.
- 245 Sen. Burdick MOTION: MOVED (-B11) AMENDMENT TO SB 125 B-ENG. BE ADOPTED.
- 248 VOTE
 ROLL CALL VOTE: MOTION PASSED 6-0-0
 MEMBERS VOTING AYE: Rep. Rasmussen, Rep. Witt, Sen. Burdick, Sen. Wilde, Rep. Strobeck, Chair Hartung
 MOTION TO ADOPT THE (-B11) AMENDMENT CARRIED.

255 Rep. Strobeck Requested clarification that the amendments and the bill that is being moved forward are the B-Eng. version.

256 Chair Hartung Concurred.

268 Chair Hartung MOTION: MOVED THAT THE SENATE CONCUR IN THE HOUSE AMENDMENTS DATED APRIL 16 AND THAT THE BILL BE FURTHER AMENDED BY THE (ñB11 AND ñB17) AMENDMENT AND REPASSED.

275 VOTE ROLL CALL VOTE: MOTION PASSED 5-1-0

MEMBERS VOTING AYE: Rep. Rasmussen, Sen. Burdick, Sen. Wilde, Rep. Strobeck, Chair Hartung

MEMBERS VOTING NAY: Rep. Witt

MOTION CARRIED.

SEN. BURDICK AND REP. STROBECK WILL CARRY THE BILL IN THEIR RESPECTIVE CHAMBERS.

289 Chair Hartung Meeting adjourned at 3:41 p.m.

Submitted by, Reviewed by,

Joan Green Kim T. James

Committee Assistant Revenue Office Manager

Exhibit Summary:

1. SB 125, Martin-Mahar, (-B11) amendment, (DJ/ps) 06/15/99, 4 pages
2. SB 125, Martin-Mahar, (-B12) amendment, (DJ/ps) 06/15/99, 4 pages
3. SB 125, Martin-Mahar, (-B13) amendment, (DJ/ps) 06/15/99, 1 page
4. SB 125, Martin-Mahar, (-B14) amendment, (DJ/ps) 06/15/99, 3 pages

5. SB 125, Martin-Mahar, (-B15) amendment, (DJ/ps) 06/15/99, 4 pages
6. SB 125, Martin-Mahar, (-B16) amendment, (DJ/ps) 06/15/99, 3 pages
7. SB 125, Martin-Mahar, Handout describing effects of amendments (-B11 through ñB16), 1 page
8. SB 125, Martin-Mahar, Revenue impact statements for amendments (-B11 through ñB16), 1 page
9. SB 125, Sen. Burdick, (-B17) amendment, (DJ/ps) 06/15/99, 1 page