

PUBLIC HEARING & WORK SESSION: HB 2047  
LOSS ALLOCATION ISSUES  
TAPES 42, 43 A/B  
HOUSE REVENUE COMMITTEE  
FEBRUARY 13, 1997 8:30 AM HEARING ROOM A STATE CAPITOL BUILDING

MEMBERS PRESENT: Rep. Tom Brian, Chair  
Rep. Lee Beyer, Vice-Chair (arrived 8:36 a.m.)  
Rep. Tony Corcoran (arrived 8:36 a.m.)  
Rep. Randall Edwards (arrived 8:41 a.m.)  
Rep. Leslie Lewis (Excused, arrived 9:00 a.m.)  
Rep. Anitra Rasmussen  
Rep. Lane Shetterly (arrived 8:32 a.m.)  
Rep. Mark Simmons  
Rep. Ken Strobeck (arrived 8:39 a.m.)  
WITNESSES PRESENT: Robert Cantine, Association of Oregon Counties  
Carol Samuels, League of Oregon Cities  
STAFF PRESENT: James Scherzinger, Legislative Revenue Officer  
Barbara Guardino, Committee Assistant

TAPE 042 SIDE A

005 Chair Brian Called meeting to order at 8:30 a.m. Recessed to wait for a quorum.  
Reopened meeting 8:40 a.m.

PUBLIC HEARING - HB 2047- LOSS ALLOCATION WORK SESSION - MEASURE 47  
PROGRESS SUMMARY

019 Jim Scherzinger Introduced Measure 47 Progress Summary (EXHIBIT A)  
Began review with "Decisions Made:"  
053 Scherzinger ACCELERATION OF LITIGATION (HB 2050):  
\_ Constitutional cases  
\_ Construction cases  
\_ 180 day deadline for direct appeals  
057 Scherzinger SHIFT RESTRICTIONS:

**I These minutes paraphrase and/or summarize statements made during this meeting. Text enclosed in quotation marks reports the speaker's**

**| exact words. For complete context of proceedings, please refer to the tape recording.**

I  
House Committee on Revenue  
February 13, 1997  
Page 2

\_ Definitions - HB 2047 (40)

\_ Classificationprocess(41-49)

080 Chair Brian CHAIR ASKED FOR ANY OBJECTIONS FROM MEMBERS CONCERNING THE ABILITY OF A JURISDICTION TO SEEK VOTER APPROVAL UNDER DOUBLE MAJORITY PROVISION FOR INDEXING OF A FEE. THERE BEING NO OBJECTIONS, CHAIR SO ORDERED.

086 Scherzinger \_ Appeal process (50-52)

\_ Shifts before effective date (53-55)

127 Scherzinger ELECTION/ALLOCATION:

\_ 50% turnout HB 2047 - (20-21)

\_ Contents ofballot

154 Scherzinger "To Go:"

ELECTION/ALLOCATION:

\_ Operating taxes inside cut and cap

Require 50 % turnout? (no provision)

School/non-school allocation (no provision): Amount of loss, Tax competition provisions

336 Scherzinger Among non-school allocation HB 1047 (1-19):

Definitions for public safety, public education. Bill has no provision

for defining public education.

354 Bob Cantine Committee needs a uniform definition to be used with formula approach.

His organization working on one.

374 Scherzinger Concerning public education definition, presumes all of schools is public

education. Issue is if anything non-school is defined as public education.

380 All Questions and discussion concerning public education definition

#### TAPE 043 SIDE A

030 All More questions and discussion concerning public education definition,

school vs. non-school allocation.

109 Chair Brian Asked if committee wants to define public education, or let M5 and common understanding prevail.

119 Rep. Rasmussen Wants to more information, including Governor's Task Force on Education, before committee creates a definition.

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129 Chair Brian Delayed consensus vote until committee receives more information.

133 Scherzinger Will look for the definition used for M5.

146 Chair Brian ASKED IF CONSENSUS IN MAKING A **DISTINCTION**  
BETWEEN SCHOOL AND NON-SCHOOL ALLOCATION.  
HEARING NO OBJECTION, CHAIR SO ORDERED.

154 Scherzinger Continued election/allocation presentation:

Local process HB 2047 (11-12) (Geographic area, participants, voting, ...)

172 All Questions and discussion concerning local process, voting.

192 Scherzinger Scope of power - bill say adopt different formula factors and  
different

public safety prioritization. HB 2047 Section 11 (1)

Deadline

239 Cantine Clarified setting up formula with 2/3 of taxing entities having 2/3 of  
taxes

imposed. Raises threshold level to provide broad consensus for  
change.

250 All Questions and discussion whether schools are excluded from M47.

300 Scherzinger HB 2047, Section 7 definitions, talks about post-reduction amount  
and

pre-reduction amount of taxes. Non-school property tax subject to  
M5.

Formula is only allocating operating non-school taxes. Using M5  
definition.

Nothing in the bill that distinguished between school and non-  
school

allocation.

338 Carol Sarnuels Among smaller communities, concern about how bill drafted. Draft  
is not

final version of what LOC would like to see.

363 Scherzinger Continued non-school allocation discussion:

Formula - (HB 2047 (6-10)

Tax Competition restrictions (no provision)

Spending restrictions

Information to calculate (HB 2047 13-15)

420 Scherzinger \_ Operating levy outside cut and cap

Prohibit or allow

#### TAPE 042 SIDE B

030 Scherzinger Existing levy approvals

Limits (no provision) - Combination with inside levies Election  
dates or number of elections

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1

- House Committee on  
Revenue  
February  
13, 1997

Page 4

057 Scherzinger Allocation of tax to property (no provision)  
Information and estimates on ballot

077 All Questions and discussion concerning Progress  
Summary

104 Chair Brian Summarized what committee will cover Feb. 14.

165 Chair Brian Adjourned meeting at 9:45 a.m.

Submitted by, Reviewed by,  
Barbara Guardino Kim James  
Committee Assistant Revenue Office Manager

EXHIBIT SUMMARY:

A. HB 2047, Scherzinger, Measure 47 Progress Summary, 5 pp.

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