

HOUSE COMMITTEE ON
HOUSE REVENUE AND SCHOOL
FINANCE
PROPERTY TAX SUBCOMMITTEE

MARCH 29, 1993 8:00 AM HEARING ROOM A STATE CAPITOL
BUILDING

Members Present: Representative Tom Brian, Chair
Representative Mike Burton
Representative Margaret Carter
Representative Fred Girod
Representative Delna Jones
Representative Jim Whitty
Witnesses Present: Douglas Hutchinson,
Executive Officer,
Commission of Indian Services
Chief Bill Brainard, Confederated Tribes of
Coos, Lower Umpqua, and Siuslaw

Staff: James Scherzinger, Legislative Revenue Officer
Terry Drake, Legislative Revenue Office
Paula McBride, Committee Assistant

TAPE 60 SIDE A

006 CHAIR BRIAN called the meeting to order at 8:12.

008 CHAIR BRIAN opened the Public Hearing on HB 3288.

012 DOUGLAS HUTCHINSON testified in support of HB 3288. He gave a brief history~land issues as related to the Oregon Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, and also of current issues. The land that would be exempt from property taxes under HB 3288, until it is put into Federal trust, was obtained from Coos County for back taxes. He cites the reasons for this request. He believed the fiscal impact would be only about \$700 a year, which he said was not significant to the State but is to the tribe. His testimony was based on a handout given to the members. Exhibit 1
098 DOUGLAS HUTCHINSON cited a word he believed had been left out of HB 328 8, as follows: On line 11, instead of "land of an Indian or Indian Tribe acquired by gift or without consideration" the language should read "land of an Indian or Indian Tribe acquired by

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House Committee on

Revenue and School Finance Property Tax Subcommittee March 29, 1993 Page 2

language should read "land of an Indian or Indian Tribe acquired by purchase, gift, or without consideration."

Questions and discussion interspersed

129 CHIEF BILL BRAINARD stated that about 2 million acres had originally been set aside for the tribe in the middle 1800's.

Questions and discussion

150 DOUGLAS HUTCHINSON described the process of putting land into the Federal Trust.

Questions and discussion

194 DOUGLAS HUTCHINSON explained the Federal Trust, stating that it is

based on a perceived relationship that the Federal Government assumed with the Confederated Tribes around 1832. Almost invariably the Tribes move the land into the Trust to protect themselves from the burden of State taxes and to avail themselves of Federal programs and support.

Questions and discussion interspersed

257 DOUGLAS HUTCHINSON discussed the definition of the term "Indian" as related to HB 3288. Between each Indian Nation, there are many differences in this definition, and he mentioned some of these.

Questions and discussion with DOUGLAS HUTCHINSON and CHIEF BILL BRAINARD concerning the term "Indian."

326 REP. WHITTY read language changes he believed should occur on page 11 of HB 3288, as follows: "Land acquired by purchase, gift or without consideration by an Indian Tribe is exempt...", suggested by DOUGLAS HUTCHINSON (see meter 098, Tape 60 above).

Discussion

369 DOUGLAS HUTCHINSON related that the property purchased by the Confederated Tribes about 1 1/2 years ago.

285 CHAIR BRIAN related that the effective date currently in HB 3288 would not cover the land that was purchased 1 1/2 years ago. He suggested that the date be changed to the purchase date, which DOUGLAS HUTCHINSON will provide.

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House Committee on

Revenue and School Finance Property Tax Subcommittee March 29, 1993 Page 3

Discussion of possible amendments to HB 3288

TAPE 61 SIDE A

002 Discussion continued about possible amendments to language in HB 3288.

017 CHAIR BRIAN closed the Public Hearing on HB 3288

019 CHAIR BRIAN recessed the meeting at 9:42 and reconvened at 9:51.

020 CHAIR BRIAN opened a Work Session on SB 277A, and he stated there is interest from the Committee to draft amendments that would eliminate the part of SB 277A that would continue third-party subpoenas. He stated he would invite the Department of Revenue (who support the subpoenas) at the time the amendments are presented.

Discussion

055 CHAIR BRIAN closed the Work Session on SB 277A.

056 CHAIR BRIAN adjourned the meeting at 9:54.

Paula K.McBride, Committee Assistant

Kimberly Taylor , Office Manager

EXHIBIT SUMMARY

1. Testimony of Douglas Hutchinson, Executive Officer, Commission of Indian Services.

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