

Work Session: SJR40A
Tapes 207 A/B
208 A

HOUSE COMMITTEE ON
REVENUE AND SCHOOL
FINANCE

JULY 26, 1993 8:00 AM HEARING ROOM A STATE CAPITOL BUILDING

Members Present: Representative Delna Jones, Chair
Representative John Schoon, Vice Chair
Representative Ron Adams
Representative Tom Brian
Representative Mike Burton
Representative Tony Federici
Representative Fred Girod
Representative Gail Shibley
Representative Greg Walden
Representative Jim Whitty

Members Absent: Representative Margaret Carter

Witnesses Present: Senator Joan Dukes, Senate District 1 Representative Tim Josi, House District 2 Warren Nakkela, President, Association of Lower Columbia River Flood Control Districts Don Rice, Secretary-Treasurer, Association of Lower Columbia River Flood Control Districts

Staff: James Scherzinger, Legislative Revenue Officer
Steve Meyer, Legislative Revenue Office
Paula McBride, Committee Assistant

TAPE 207 SIDE A

005 CHAIR JONES called the meeting to order at 10:41.
006 CHAIR JONES opened the Public Hearing on SJR40.
017 STEVE MEYER explained SJR40, which was a constitutional issue dealing with diking and drainage districts. The bill would allow these districts to have levies outside the limits of Measure 5, and this constitutional change would be voted on in May of 1994. Exhibits 1-4

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.

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Questions and discussion

035 SENATOR JOAN DUKES talked about the issues diking and drainage districts have had since the implementation of Measure 5, including opinions on exemption from this measure from assessors and from the Department of Revenue (DOR). She discussed what she thought was important about SJR40 for farm land and homes, roads, utility poles, and other things near dikes. She described how drainage districts currently function and how they relate to property taxes. She believed that the people in these districts would possibly lose their homes and property if not granted this exemption from Measure 5. SENATOR DUKES stressed that SJR40A would not cost anything to persons living outside the diking and drainage district, and she outlined the procedure whereby a levy in these districts could pass. Another related bill, that was passed by both the House and Senate, would allow these districts to become "private water improvement" districts; but she stressed this was not an option for all the diking and

drainage districts want to pursue, for a variety of reasons, some of which she described. She referred to letters of support for SJR40A. Exhibits 5-8
Questions and discussion

138 REP. TIM JOSI testified in support of SJR40, and he mentioned HB 3146 related to this subject. He discussed problems diking and drainage districts would have trying to meet the accommodations of that bill, and he thought SJR40 was necessary and, at the very least, a "companion measure" to HB 3146. He believed it was not the intent of Ballot Measure 5 to allow "diking and drainage districts to erode to the point that land and homes would be at risk.

183 CHAIR JONES asked the witnesses if there was a way to accomplish the goals of SJR40 without effecting the property tax roll as SJR40 would.

Discussion of this issue, specifically involving information from the Attorney General's Office and from the DOR concerning diking and drainage districts.

229 WARREN NAKKELA testified in support of SJR40. He reviewed land use by diking and drainage districts in the state, and he talked about problems of getting membership together to take care of the problems on a district basis compared with implementation of a constitutional change. He mentioned previous bond measures used to fund drainage districts, and the problems he believed Measure 5

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caused. (see Exhibit 8)

287 DON RICE asked members to support ~ , and he spoke about the differences between irrigation districts and diking/drainage districts relevant to SJR40, especially as related to collection of fees or taxes. He reviewed problems diking and drainage districts have, and the complications that have occurred since the passage of Measure 5. Exhibit 8

Questions and discussion of the operation of diking and drainage districts.

375 DON RICE explained why it would be easier to rely on the county process, through the property tax system, than it would be to rely on other provisions that might be possible under the Oregon Revised Statutes and based on individual intent.

Discussion

TAPE 208 SIDE

A

002 Discussion continued with the witnesses about the concept of achieving the goals of diking and drainage districts by relying on individual "good will" in the districts to maintain and operate them.

027 Questions and discussion of other aspects of SJR40 between members and the witnesses.

037 DON RICE addressed the issue of how much it costs to run diking and drainage districts, which varies throughout the state and depends on the size of the district.

Questions and discussion

117 VICE CHAIR SCHOON closed the public Hearing on SJR40.

118 VICE CHAIR SCHOON adjourned the meeting at 11:17.

Paula K. McBride, Committee
Assistant

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Kimberly Taylor James, Office Manager

EXHIBIT SUMMARY

1. Staff Measure Summary, SJR40A, Steve Meyer, Legislative Revenue Office.
2. Staff Measure Summary, SJR40A, Catherine Fitch, House Committee on Natural Resources.
3. Revenue Analysis of Proposed Legislation, SJR40A, Steve Meyer, Legislative Revenue Office.
4. Fiscal Analysis of Proposed Legislation, SJR40A, Roz Shirack, Legislative Fiscal Office.
5. Letter from Virginia Beemer, Clatsop County Diking District No. 14, Senator Joan Dukes.
6. Letter from Marie & Joe Gadotti, Scappoose, Oregon.
7. Letter from Tim Hayford, Manager, Multnomah Drainage District 1, Portland.
8. Letter from Donald E. Rice, Association of Lower Columbia River Flood Control Districts.

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