

Senate Government Operations April 15, 1991 Page These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

April 15, 1991Hearing Room "B" 3:00 p.m. Tapes 64-65

MEMBERS PRESENT:Sen. Glenn Otto, Chair Sen. Jane Cease, Vice-Chair  
Sen. Jim Bunn Sen. Ron Grensky Sen. Dick Springer

MEMBERS EXCUSED:Sen. John Kitzhaber Sen. Tricia Smith

STAFF PRESENT: John Houser, Committee Administrator Jayne  
Hamilton, Committee Assistant

MEASURES CONSIDERED: SB #693 - Relating to library  
districts, PH SB #875 - Relating to rural fire protection districts, PH  
SB #968 - Relating to certain cities, PH HB #2553 - Relating to  
annexations by cities, PH/WS

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TAPE 64, SIDE A

005 CHAIR OTTO: Called the meeting to order at 3:10.

(TAPE 64, SIDE A)

PUBLIC HEARING

SB 693 RELATING TO LIBRARY DISTRICTS

013 OTTO: It's a very simple bill. It sounds very straight forward. I would accept a motion.

018 HOUSER: We do have a proposed amendment to the bill. My understanding, from the person who brought me the amendment was that they simply wanted to combine a House bill with this bill to avoid having to consider both bills in each House. Distributed -1 amendments, Exhibit A, and reviewed them for the committee.

038 OTTO: I think we better wait until we have someone to testify on the bill before we take action on it.

(TAPE 64, SIDE A)

PUBLIC HEARING

SB #875 - RELATING TO RURAL FIRE PROTECTION DISTRICTS

Witnesses:Dennis Bryson, Fire District #14 Dave Wright, Oregon State Parks Floyd Pittard, Oregon Fire Chiefs Association, (OFCA)

044 DENNIS BRYSON, FIRE DISTRICT #14: Read written testimony, Exhibit B.

100 CEASE: Is the federal government always billed when it's on federal property.

103 BRYSON: We have a mutual aid agreement with the State Forestry Dept., since we respond to fires on state land. If that fire is on federal property we can collect through our mutual aid agreement.

116 GRENSKY: Does the bill only apply to the fire district inside the Columbia River Gorge Natural Scenic Area?

118 BRYSON: Yes.

119 GRENSKY: How are you funded at the present time?

120 BRYSON: Property taxes.

121 GRENSKY: Why do you need to be reimbursed by anybody?

122 BRYSON: These calls make up anywhere from 6% to 10% of our total calls. The case that brought it to light was a serious brush fire in 1988, in which we were at that scene for over 36 hours. We incurred expenses around \$28,000.00. We have asked the State Parks for help and were told no. In evaluating our calls, we discovered that we have a significant percentage of our calls on State Parks land. What in resulted in is the tax payers in our district, having to pick up the tab for the recreational use of the state parks, and for providing our services.

132 GRENSKY: What's to keep any fire district that has to respond in a state park from making this pitch, all over the State of Oregon?

124 BRYSON: The population in our district can be almost doubled during a week-end by people using the facilities, but not paying taxes in our district. With no revenue coming in.

146 GRENSKY: I wouldn't say that exactly.

147 BRYSON: What revenue do see coming in?

148 GRENSKY: A major revenue coming in is from tourism.

149 BRYSON: I would invite you to come through my area and see for yourself.

150 GRENSKY: I wouldn't say you don't get a benefit from it though.

151 BRYSON: Last session the same question came up, some Senator said "Well you do sell a lot of beer at the store at Laura Corbitt." I drove down to Laura Corbitt and there is no longer a store there. There's very little that we get back.

154 OTTO: I introduced the bill the last session, because the fire that Dennis referred to was right across the Sandy River, from property that I owned. What happened was they called in a mutual aid response from Gresham, and now they're stuck with a bill from Gresham. You have to realize that east of the Sandy River and along the Columbia is a great deal of State and federal parks, and there is no income produced by those parks.

170 GRENSKY: Can you share with me what the amount of the property tax levy is that supports the fire district? What's the assessment?

171 OTTO: The assessment is \$1.99.

180 CEASE: The intent of the bill was that when the agency asked for assistance, then they should pay for it. We're not talking about that, we're going far beyond that.

206 SPRINGER: How many full time staff people do you have as opposed to volunteer?

207 BRYSON: None.

210 SPRINGER: How close are you to merging with a full time district?

211 BRYSON: At this point, we're not close.

215 HOUSER: Distributed fiscal impact statement, Exhibit C.

226 DAVE WRIGHT, OREGON STATE PARKS: Read written testimony, Exhibit D.

257 CEASE: You are in the middle of your three year agreement?

259 WRIGHT: The agreement was effective July 1st, of 1990.

264 CEASE: Do you have any idea how many calls have requested assistance in State Parks land?

267 WRIGHT: State Parks has requested assistance on two calls. Originally we were not thrilled about paying for the volunteer staff time, but we did pay the total cost on both of those bills.

276 CEASE: What did you pay for those two?

278 WRIGHT: A total of \$500.00.

280 CEASE: What kinds of calls has there been since then?

281 WRIGHT: We have not received any billing statements from the fire districts, so I am not aware of what calls they have made to State Parks.

288 CEASE: When you say calls, I'm assuming you're talking about calls that were made by the State Parks agency requesting assistance.

290 WRIGHT: I'm talking broader. Any response the fire district would make.

294 CEASE: Are you aware of any other agencies that have requested assistance, or have had calls on their property?

299 WRIGHT: No.

304 FLOYD PITTARD, Oregon Fire Chiefs Association, (OFCA): Is in support of the bill. When people have a problem, most of time the people who get the first call is 911, and the fire department. If we are going to respond to fires and medical emergencies, clarification of the intent of the original bill should allow our district 14 to respond to that, because people will ask for the fire department to help.

(TAPE 64, SIDE A)

PUBLIC HEARING

SB #968 - RELATING TO CERTAIN CITIES

Witnesses: Senator Trow, District #18 Floyd Pittard, Oregon Fire Chiefs Association (OFCA) Stan Kenyon, City of Monmouth David Anderson, Polk County Fire District #1 Jack Kennedy, Fire Chief, City of Corvallis Gary Eide, City of Salem B.J. Smith, League of Oregon Cities Marge Kafoury, City of Portland Linda Lynch, City of Eugene Majorie Lowe, Executive Department

369 HOUSER: Distributed fiscal impact statement for SB 968, Exhibit E.

389 SENATOR TROW, DISTRICT #18: Is in support of the bill. Reviewed the bill for the committee. Property tax payers have shoulders the burden for paying for police and fire protection in communities where State land is prevalent. This bill suggest that there should be an established formula that would provide for some state compensation to eligible cities or districts, for fire and police protection for state property.

462 GRENSKY: SB 440 deals with the same issue, that is, people enjoying services without paying for them. I'm wondering if a better way to approach this is to look at the whole thing and not just the state agencies and general fund money.

482 TROW: I certainly wouldn't object to looking at all of those issues. I would recommend the Revenue Committee look at all those people we've excluded from paying property taxes, and the benefits they get from services that they don't pay for.

TAPE 65, SIDE A

062 FLOYD PITTARD, OREGON FIRE CHIEFS ASSOCIATION, (OFCA): Supports the bill. Explained the additional cost to his fire district due to covering tax exempt buildings, such as hospitals in his area. Talked about special equipment needed for covering those buildings alone.

098 JACK KENNEDY, FIRE CHIEF, CITY OF CORVALLIS: Read written testimony, Exhibit F. Made reference to the resolution he also submitted, Exhibit G.

155 STAN KENYON, CITY OF MONMOUTH: Read written testimony, Exhibit H.

200 DAVID ANDERSON, POLK COUNTY FIRE DISTRICT #1: Read written testimony, Exhibit I.

242 GARY EIDE, CITY OF SALEM: Read written testimony, Exhibit J.

286 B.J. SMITH, LEAGUE OF OREGON CITIES: Read written testimony, Exhibit K. This was put together so that there could be full budgetary control on the state level, and subject to whatever money is reasonably available from Ways and Means. This operates only if there is a

significant amount of evaluation of state property within the local district, which means you have to have at least ten million dollars of state real property to be eligible. Made reference to a letter submitted from the City of Pendleton, Exhibit L. Made reference to a letter submitted by the City of La Grande, Exhibit M.

351 MARGE KAFOURY, CITY OF PORTLAND: Read written testimony submitted on behalf of the City of Portland, Exhibit N.

401 LINDA LYNCH, CITY OF EUGENE: Read written testimony submitted by Jeff Miller, the Mayor of the City of Eugene, Exhibit N.

440 CEASE: If this were to go anywhere, and this fee was based on the value of property, would it fall within the constrictions of Ballot Measure 5, or would it be a whole different animal?

455 LYNCH: I don't have an Attorney General's opinion on that right now.

TAPE 64, SIDE B

002 MARJORIE LOWE, EXECUTIVE DEPARTMENT: This would come from the Inter- Governmental Relations Division of the Executive Department, or as an alternative the Special Governmental payments sections within the Executive Department.

013 OTTO: Had you suggested amendments to the bill?

014 LOWE: No. It will take a fair amount of staff time to compute what all the costs are for the various cities in working with the Department of General Services. Their property tax records indicate that there would be twelve communities affected by this legislation. In looking at the information that has been presented by others who have testified and looking at their numbers, there are considerable variants that would have to be reconciled in order to work this out. Given that many of these properties are held by agencies that are not financed by the general fund it would probably be appropriate to change the funding mechanisms to reflect the various funds from which agencies receive their resources, as they hold property.

(TAPE 64, SIDE B)

PUBLIC HEARING

HB #2553 - RELATING TO ANNEXATIONS BY CITIES

Witnesses: Marsha Heater, City of Dallas Phillip Fell, League of Oregon Cities

054 MARSHA HEATER, CITY OF DALLAS: Reviewed the bill for the committee.

070 HOUSER: Distributed fiscal impact statement, Exhibit P.

072 PHILIP FELL, LEAGUE OF OREGON CITIES: Supports the bill, and encouraged the Committee for their favorable consideration.

WORK SESSION

086 MOTION: SEN. CEASE MOVED HB 2553 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

090 VOTE: MOTION CARRIED, 4-0. (EXCUSED, SEN. BUNN, SEN. KITZHABER, AND SEN. SPRINGER).

096 HOUSER: I have been in contact with Fred Neal from Multnomah County on the Library District bill. He indicated that upon further consideration they determined that their amendment was not germane to the bill because the bill deals specifically with library district Boards of Directors, so he would ask that consideration of his amendment be respectfully withdrawn.

Meeting adjourned at 4:20.

Submitted By:

Jayne Hamilton  
Assistant

EXHIBIT LOG

Reviewed By:

Joan Green  
Assistant

A - Proposed amendments for SB 693, 2 pages B - Written testimony, Dennis Bryson, 9 pages C - Fiscal impact statement on SB 875, staff, 1 page D - Written testimony on SB 875, Dave Wright, 2 pages E - Fiscal impact statement for SB 968, staff, 1 page F - Written testimony on SB 968, Jack Kennedy, 2 pages G - Written testimony on SB 968, Jack Kennedy, 1 page H - Written testimony on SB 968, Stan Kenyon, 1 page I - Written testimony on SB 968, David Anderson. 1 page J - Written testimony on SB 968, Gary Edie, 2 pages K - Written testimony on SB 968, League of Oregon Cities, 1 page L - Written testimony on SB 968, B.J. Smith, 1 page M - Written testimony on SB 968, B.J. Smith, 1 page N - Written testimony on SB 968, Linda Lynch, 1 page O - Written testimony on SB 968, Marge Kaforey, 3 pages P - Fiscal Impact Statement on HB 2553, staff, 1 page