

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 2
Yeas:	Barnhart, Berger, Dembrow, Hicks, Holvey, Hoyle, Garrett
Nays:	0
Exc.:	Jenson, Kennemer
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	2/27, 6/3, 6/10

WHAT THE MEASURE DOES: Allows governing body to request Governor declare county elections emergency. Within 14 days after governor consults Secretary of State, governor shall declare emergency and secretary shall provide services in county to ensure minimally adequate level of election services. Secretary shall seek reimbursement from Emergency Board for funds and spending authority. County shall resume conducting elections upon determination that government can resume elections. Requires funds retained by Director of Veterans' Affairs out of distribution to county without county veterans' service officer to be spent to provide veterans' services in that county in manner deemed appropriate by director. Authorizes county to request declaration by Governor of emergency in county that is providing less than minimally adequate property tax assessment and collection services. Reimbursement for costs for collection services will come from (a) transfer of Assessment and Taxation County Account that would have been distributed from County Assessment Function Funding Assistance Account (CAFFA), (b) transfer of Assessment and Taxation County Account all-shared funds, (c) seek reimbursement from Emergency Board. County shall resume services upon determination that county can resume services or two years after declaration of emergency. Requires Director of Department of Consumer and Business Services to enter into agreement to combine resources for the purpose of administration and enforcement of municipal building inspection program if municipality is not carrying out program or at request of public body. No later than February 28, 2017, Secretary of State, Director of Veteran' Affairs, Director of Department of Revenue, and Director of Department of Consumer Business and Services shall report to the Senate and House Committees on Rules.

ISSUES DISCUSSED:

- Areas without specific authority to assume duties if the county cannot provide service
- Ensure Oregon Department of Veterans' Affairs retains pass through dollars to continue County Veterans' Service Officer funding
- Immediacy of concerns addressed in measure
- Intergovernmental agreements basis for providing services
- Ability of state to assume authority of services
- Reimbursement to Elections Division for cost of elections in counties
- Oregon Department of Revenue reimbursement for property tax assessment
- Current law permitting takeover of appraisal function
- Statutory language to use other funds or other accounts before using unsegregated tax account
- Oregon School Bond guarantee program
- Current statutory authority regarding ability of Secretary of State to conduct elections
- Responsibility for cost of special elections
- Trigger for Secretary of State taking over elections
- History of Oregon and California County Task Force and work product
- Lack of local resources
- Access to unsegregated county funds
- Governance and oversight over state assumption of county responsibility
- Criteria for county to declare fiscal emergency

6/12/2013 1:00:00 PM

This summary has not been adopted or officially endorsed by action of the committee.

EFFECT OF COMMITTEE AMENDMENT: Allows governing body to request Governor declare county elections emergency. Within 14 days after Governor consults secretary of state governor shall declare emergency and Secretary of State shall provide services in county to ensure minimally adequate level of election services. Secretary shall seek reimbursement from Emergency Board for funds and spending authority. County shall resume conducting elections upon determination that government can resume elections. Authorizes county to request declaration by Governor of emergency in county that is providing less than minimally adequate property tax assessment and collection services. Reimbursement for costs for collection services will come from (a) transfer of Assessment and Taxation County Account that would have been distributed from County Assessment Function Funding Assistance Account (CAFFA), (b) transfer of Assessment and Taxation County Account all-shared funds, (c) seek reimbursement from Emergency Board. County shall resume services upon determination that county can resume services or two years after declaration of emergency. Remove access to unsegregated taxing account. No later than February 28, 2017, Secretary of State, Director of Veteran' Affairs, Director of Department of Revenue, and Director of Department of Consumer Business and Services shall report to the Senate and House Committees on Rules.

BACKGROUND: If the Governor believes that a county is in a state of fiscal distress that compromises the county's ability to provide a minimally adequate level of public safety services, the governing body may seek a declaration of a public safety services emergency by requesting in writing that the Oregon Criminal Justice Commission (OCJC) review and analyze public safety services provided by the county. If OCJC finds that the county is providing a less than minimally adequate level of public safety services, the commission shall recommend to the Governor that the Governor declare a public safety services emergency for the county.

In Oregon, counties are responsible for the administration of elections, but House Bill 2206-A would require the Secretary of State to assume control over the administration of elections if the governing body asks the Governor to declare county elections emergency. In addition, House Bill 2206-A would allow the governing body of a county to request a declaration by the Governor of an emergency in the county that is providing less than minimally adequate property tax assessment and collection services. If such a declaration is made, the Department of Revenue shall provide services in the county to the extent necessary to ensure a minimally adequate level of property tax assessment services, property tax collection services or both to all municipal corporations in the county.

ORS 406.464 requires the Oregon Director of Veterans' Affairs (ODVA) to adopt by rule a formula to distribute to county governing bodies funds appropriated to the director to enhance and expand the services provided by county veterans' service officers. Currently, the ODVA is allowed to retain not more than six percent of total amount distributed if a county has not appointed county veterans' service officers. House Bill 2206-A would allow ODVA to retain the full amount that would otherwise be distributed to a county with a county veterans' service officer. ODVA would be required to use any funds to provide veterans' services in a county not providing a county veterans' service officer in a manner deemed appropriate by the director until such time as the county appoints or reinstates a county veterans' service office including providing veterans' services to veterans, spouses, dependents and survivors of veterans.

Finally, HB 2206-A allows the Director of the Department of Business and Consumer Services to determine that a municipality is not carrying out a building inspection program in accordance with a Comprehensive municipal building inspection program or Selective municipal building inspection programs, or, upon the request of a public body, the director can enter into an agreement to combine department, local government and private resources sufficient for the region to allow for the administration and enforcement of the building inspection program. The measure would permit the director to adopt rules establishing permit fees, other service fees and hourly charges in amounts reasonably calculated to cover the costs to the department of administering and enforcing the municipal building inspection program or carrying out the terms of the agreement.