

HOUSE AMENDMENTS TO HOUSE BILL 2206

By COMMITTEE ON RULES

June 12

1 On page 1 of the printed bill, line 2, delete “246.200” and insert “306.125”.

2 Delete lines 5 through 17 and insert:

3 **“SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapters 246**
4 **to 260.**

5 **“SECTION 2. (1) Notwithstanding ORS 246.200, if the governing body of a county, after**
6 **consultation with the county clerk or county director of elections, believes that the county**
7 **is in a state of fiscal distress that compromises the county’s ability to conduct elections at**
8 **a minimally adequate level, the governing body may request that the Governor declare a**
9 **county elections emergency.**

10 **“(2) Upon request pursuant to subsection (1) of this section, the Governor shall consult**
11 **with the Secretary of State to determine whether to declare a county elections emergency.**

12 **“(3) Within 14 days after consultation with the secretary pursuant to subsection (2) of**
13 **this section, the Governor shall:**

14 **“(a) Declare the existence of a county elections emergency in the county; or**

15 **“(b) Issue a determination that the county’s fiscal situation does not cause the county**
16 **to conduct elections at a less than minimally adequate level.**

17 **“(4) As soon as practicable after declaration of an emergency pursuant to subsection**
18 **(3)(a) of this section and after consultation with the county clerk or county director of**
19 **elections, the secretary shall provide services in the county to the extent necessary to en-**
20 **sure a minimally adequate level of election services to the electors in the county and all**
21 **municipal corporations in the county.**

22 **“(5) If the secretary must perform services in a county pursuant to subsection (4) of this**
23 **section, the secretary shall seek reimbursement from the Emergency Board for such addi-**
24 **tional funds and spending authority as the secretary considers necessary.**

25 **“(6) At any time after declaration of an emergency pursuant to subsection (3)(a) of this**
26 **section, the governing body of the county or the secretary may request that the Governor,**
27 **after consultation with the secretary, issue a determination pursuant to subsection (3)(b) of**
28 **this section.**

29 **“(7)(a) The county shall resume conducting elections for the electors of the county and**
30 **all municipal corporations in the county on the earlier of:**

31 **“(A) The date on which a determination is issued pursuant to subsection (6) of this sec-**
32 **tion; or**

33 **“(B) Two years after the date on which an emergency is declared in the county pursuant**
34 **to subsection (3)(a) of this section.**

35 **“(b) The governing body of the county may request a declaration under subsection (1) of**

1 **this section at any time before or after the elapse of the two-year period described in para-**
2 **graph (a)(B) of this subsection in order to ensure continuity of election services in the**
3 **county.”.**

4 In line 18, delete “2” and insert “3”.

5 On page 2, line 21, delete “3” and insert “4”.

6 Delete lines 41 through 45.

7 On page 3, delete lines 1 through 12 and insert:

8 “(5)(a) When an emergency is declared in a county pursuant to subsection (3)(a) of this section,
9 the department shall immediately:

10 “(A) Discontinue grants to the county from the County Assessment Function Funding Assistance
11 Account created under ORS 294.184; and

12 “(B) Notify the State Treasurer to discontinue all distributions to the county of state-shared
13 funds that are not otherwise dedicated by law.

14 “(b) Within 30 days following the close of each fiscal quarter, the department shall submit to the
15 governing body of the county and the Secretary of State an itemized statement of the department’s
16 actual costs incurred in providing services in the county and the amount of the grants that the
17 county would have received, but for this subsection, from the County Assessment Function Funding
18 Assistance Account for the period covered by the statement.

19 “(c) The department shall be reimbursed for the costs in the statement submitted under para-
20 graph (b) of this subsection as follows:

21 “(A) The department shall transfer to the Assessment and Taxation County Account described
22 in ORS 306.125 the amount of grant funds that would have been distributed to the county from the
23 County Assessment Function Funding Assistance Account for the period covered by the statement;
24 and

25 “(B) If the amount transferred under subparagraph (A) of this paragraph is less than the
26 department’s stated costs, the State Treasurer, upon the order of the Secretary of State, shall
27 transfer to the Assessment and Taxation County Account all state-shared funds not otherwise dedi-
28 cated by law that, but for this subsection, would have been distributed to the county for the period
29 covered by the statement.

30 “(d) If the amounts received by the department under paragraph (c) of this subsection are less
31 than the department’s stated costs for the period covered by the statement submitted under para-
32 graph (b) of this subsection, the department shall seek reimbursement of the remaining costs, and
33 such additional spending authority as the department considers necessary to carry out its duties
34 under this section, from the Emergency Board.

35 “(6) At any time after declaration of an emergency pursuant to subsection (3)(a) of this section,
36 the governing body of the county or the director may request that the Governor, after consultation
37 with the director, issue a determination pursuant to subsection (3)(b) of this section.

38 “(7) The county shall resume providing property tax assessment services and property tax col-
39 lection services, as applicable, to all municipal corporations in the county on the earlier of:

40 “(a) The date on which a determination is issued pursuant to subsection (6) of this section; or

41 “(b) Two years after the date on which an emergency is declared in the county pursuant to
42 subsection (3)(a) of this section.

43 “**SECTION 5.** ORS 306.125 is amended to read:

44 “306.125. (1) The Department of Revenue is authorized to institute programs for the appraisal
45 of property in counties of the state and to make appraisals for the use of county assessors and

1 boards of property tax appeals in assessing property and reviewing assessment rolls, and may install,
2 and assist in the preparation and maintenance of, maps, plats or standardized record systems, as
3 prescribed by the department, in the offices of assessors and tax collectors.

4 “(2) The department and county courts are authorized to enter into agreements for the sharing
5 of the expenses of such appraisals and installations including salaries and expenses of department
6 employees engaged therein.

7 “(3) Counties entering into agreements pursuant to this section may pay to the Department of
8 Revenue from time to time:

9 “(a) Moneys to be disbursed by the department as part of the county’s share in the expenses
10 authorized under this section and agreed to under such agreements; and

11 “(b) Moneys to reimburse the department where department disbursements under such agree-
12 ments, whether from the department’s appropriations from the State General Fund or from moneys
13 credited to the Assessment and Taxation County Account, have exceeded its proportionate share of
14 expenses and a rebalancing of expense-sharing accounts is deemed desirable or necessary.

15 “(4)(a) All moneys received by the Department of Revenue under subsection (3) of this section
16 shall be immediately turned over to the State Treasurer, who shall deposit the moneys in the Gen-
17 eral Fund to the credit of an account to be known as the Assessment and Taxation County Account,
18 and such account hereby is continuously appropriated to the Department of Revenue for the pur-
19 poses of this section **and section 4 of this 2013 Act.**

20 “(b) The Department of Revenue may use the moneys to the credit of the Assessment and Tax-
21 ation County Account, or any part thereof, for expenditures in connection with appraisals and in-
22 stallations contracted for, including cash advances for travel and living expenses of employees, and
23 including payments to any county made to rebalance expense-sharing accounts, from time to time,
24 where a county’s disbursements under agreements entered into pursuant to this section have ex-
25 ceeded its proportionate share of expenses under such agreement. Any moneys received in re-
26 imbursement of these cash advances shall be deposited in the Assessment and Taxation County
27 Account. Refunds of unexpended receipts may be made to the counties.”.

28 In line 13, delete “4” and insert “6”.

29 In line 42, delete “455.210 (4)(c)” and insert “455.210 (4)(b)”.

30 On page 4, after line 4, insert:

31 **“SECTION 7. No later than February 28, 2017, the Secretary of State, the Director of**
32 **Veterans’ Affairs, the Director of the Department of Revenue and the Director of the De-**
33 **partment of Consumer and Business Services shall each submit a report in the manner**
34 **provided in ORS 192.245 to the Senate Committee on Rules and the House Committee on**
35 **Rules. Each report submitted pursuant to this section shall describe the experience of the**
36 **respective agency in implementing the respective provisions of this 2013 Act and may include**
37 **recommendations for legislation.”.**

38 In line 5, delete “5” and insert “8”.