

House Committee On Rural Communities, Land Use, and Water

**Fiscal:** Fiscal impact issued

**Revenue:** No Revenue Impact

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**Action Date:** 03/26/15

**Action:** Do Pass.

**Meeting Dates:** 03/12, 03/26

**Vote:**

Yeas: 6 - Clem, Gomberg, Helm, McLane, Post, Witt

Exc: 1 - Gilliam

**Prepared By:** Ian Davidson, Committee Administrator

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**WHAT THE MEASURE DOES:**

Refers Act to people of City of Damascus for approval or rejection at next general election held throughout state. Requires a majority of voters voting on Act to approve law. Requires City of Damascus to surrender its charter, disincorporate and cease to exist 60 days after election. Requires city to satisfy all outstanding legal debts and obligations and expend all moneys as provided by law and to convey all real property and tangible and intangible personal property to Clackamas County 30 days after election.

**ISSUES DISCUSSED:**

- Constitutionality of referring measure to citizens
- Difference of majority of voters voting and registered voters

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

In November 2013, 63 percent of Damascus residents who cast a ballot voted to disincorporate. Damascus officials interpreted state law to mean that a successful vote to disincorporate required a majority of all registered voters in Damascus, so the 2013 measure failed.

House Bill 3085 would put the disincorporation of Damascus to a vote which would be decided by a majority of the voters voting on this Act. If passed, the City of Damascus would cease to exist 60 days after the election. The measure would require the city to satisfy all outstanding legal debts and obligations and expend all remaining moneys as provided by law and to convey all real property and tangible and intangible personal property to Clackamas County 30 days after the election.