

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 06/03/15

Action: Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)

Meeting Dates: 05/06, 06/03

Vote:

Yeas: 4 - Dembrow, Edwards, Prozanski, Thomsen

Exc: 1 - Olsen

Prepared By: Beth Reiley, Committee Administrator

WHAT THE MEASURE DOES:

Applies sections 2 through 12 of Act to drainage districts managing federally authorized flood control projects on effective date of Act. Defines terms. Authorizes drainage districts to acquire, construct, reconstruct, repair, improve, or extend improvements to carry out purposes of Drainage District Act and requires board of supervisors of drainage district to hold public hearing, with notice given 14 days in advance, before engaging in such activities. Authorizes drainage district in county with population greater than 700,000 persons to enact ordinances. Requires district to provide 10 to 21 days written notice to cities affected by ordinance. Allows districts to charge fees for certain operations within district. Prohibits district from imposing rates, fees, fines, or charges on city unless pursuant to intergovernmental or urban services agreement, except those rates, fees, fines, or charges levied against city as landowner. Requires district to consult, coordinate, and create agreements where certain conflicts may or do exist between two or more government units. Defines certain activities of drainage districts and improvement districts in counties with population over 700,000, within urban growth boundary or incorporated boundary, as urban services and for purposes of sanitation, agriculture, and public health safety. Requires owner or operator of premises where flood control projects or other infrastructure is failing to submit plan and schedule for remedy to drainage district. Requires district to review plan and authorizes district board of supervisors to immediately take action if necessary to remedy failing infrastructure. Authorizes landowner that is not natural person to appoint designee to serve as representative. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Provisions of measure
- Importance of flood control protection
- History of floods in Oregon

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

The current drainage district statute (ORS Chapter 547), which dates from 1917, was originally enacted so that property owners could form a special district to construct works to drain agricultural land. Since the 1930s, the four Columbia River drainage entities have been responsible for managing the Columbia River levee system, constructed in part by the United States Army Corps of Engineers. Changing land uses, including substantial development on and behind the levees, new federal regulations enacted after Hurricane Katrina, and the

commencement of the Federal Emergency Management Agency levee recertification process have made the management of this system more complex. Current drainage district statute makes few mentions of flood control.

House Bill 2277B would expand the definition of the Drainage District Act and authorize drainage districts to carry out activities for the purposes of the Act, including enacting ordinances and charging fees.