

**Fiscal:** Fiscal impact issued

**Revenue:** Revenue impact issued

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**Action Date:** 06/09/15

**Action:** Do Pass With Amendments. (Printed A-Eng.)

**Meeting Dates:** 06/09

**Vote:**

Yeas: 4 - Beyer, Boquist, Burdick, Rosenbaum

Nays: 1 - Ferrioli

**Prepared By:** Erin Seiler, Committee Administrator

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**WHAT THE MEASURE DOES:**

Requires City of Damascus to surrender its charter, disincorporate and cease to exist on 61<sup>st</sup> day 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, no sooner than the 30<sup>th</sup> day after election. Refers Act to people of City of Damascus for their approval or rejection at next primary election held throughout the state. Requires majority of voters voting on Act to approve law.

**ISSUES DISCUSSED:**

- Ruling of *City of Damascus v. Hank Brown*
- Recent history of disincorporations in Oregon
- Reasons citizens have sought to disincorporate Damascus
- Voting standard necessary to approve disincorporation

**EFFECT OF COMMITTEE AMENDMENT:**

Refers question of disincorporation to voters in City of Damascus, at next primary election. Requires city to surrender its charter, disincorporate and cease to exist on 61<sup>st</sup> day after election. Requires city, no sooner than the 30<sup>th</sup> day after election, to satisfy all debts, obligations, liabilities, expenses, transfer real property, tangible and intangible personal property and moneys to Clackamas County.

**BACKGROUND:**

In November 2013, 63 percent of Damascus residents, that cast a ballot, voted to disincorporate. However, 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 ultimately failed.

House Bill 3085-A refers question to disincorporate City of Damascus to voters, for their approval or rejection, at next primary election. 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 no sooner than the 30<sup>th</sup> day after the election.