



OREGON STATE SENATE
900 COURT STREET ST NE
SALEM, OREGON 97301

May 5, 2021

Chair Hudson, Vice-Chair Breese-Iverson and McLain, and members of the House Committee on Agriculture and Natural Resources,

As Senator Frederick's Chief of Staff, I've had the great pleasure of working closely on the development of SB 605. As well-noted yesterday, there has been a lot of work on this bill in consultation primarily with the fire districts and the counties, but among others as well. The adopted amendment was the -7, though we also had a -8 drafted. The -1 through -6 amendments were all drafted by our office too.

I want to be very clear on the record that while we had many other conversations with the Association of Counties about the bill and its components, we received two suggested amendments in writing from them: one which had edits to the -5 and one which had edits to the -6. Their suggestions from these amendments which were not incorporated were limited to technical changes for clarity and were not incorporated largely with the recommendation of Legislative Counsel just for the sake of clarity. These were changes such as using "county governing body" instead of "county board of the county" and changing "lands" to "property."

The -5 amendment did provide for a process that included a resolution by the county commission which would, in turn, require an election. However, in the bill's hearings in its Senate committee, AOC spoke to their concern of the significant cost and workload for counties to conduct these elections. We also heard from the fire district that there would be significant cost to them; while a resolution-initiated election would be funded by the county and not the fire district (as a ballot measure petition election would be), they would still incur the costs associated with a campaign. Further, the process in statute provides for the election to be among those who would be brought into the district – these individuals are the same ones who are not currently in the district despite efforts to bring them in because they do not want to pay the tax but continue to receive the service. Since both the counties and the districts had significant concerns with an election, we forewent that requirement. Further, the bill is simply closing a loophole that should have never existed – this isn't creating a new tax; this is about ensuring that those who should have been paying the tax are finally put on the rolls.

After the drafting of the -7, AOC requested that a -8 be drafted primarily to do two things: further clarify that an election not be conducted, and cut the counties out of it altogether and just have the Department of Revenue add the lands to the fire districts' assessment when they make the request. Shortly after we spoke about this, I received a note from AOC requesting that the counties not be cut completely out of the process, but that the annexation process explicitly state that a public hearing must be held solely to determine if the lands are within seven road miles (a number which comes from ISO fire protection ratings). Senator Frederick also believes that the counties should not be wholly removed from the process, so we gladly agreed to include them as originally intended; however, we didn't like the idea of limiting the process to such a narrowly focused public hearing. And again, our assigned LC Attorney on this bill stressed that no further clarification is needed or warranted on the matter of an election and that the other technical changes to the bill were likewise not warranted or needed, and in many cases overly complicated the language and had a detrimental effect to clarity.

We negotiated in good faith throughout the process and greatly appreciate the feedback from the counties on this bill – there were significant changes that we made to accommodate concerns and which made the bill better. It is now ready to move in its current A-Engrossed version. I thank the committee for its consideration.

Sincerely,

Nathan Soltz, Chief of Staff