

TO: Members of the House Rules Committee
FROM: Hasina Wittenberg, Special Districts Association of Oregon
DATE: February 12, 2021
RE: **Testimony in Opposition to HB 2226 & HB 2687**

Members of the House Rules Committee, thank you for the opportunity to submit written testimony in opposition to HB 2226 and HB 2687 on behalf of the Special Districts Association of Oregon (SDAO). Our association was formed in 1978 and our membership consists of approximately 950 special service districts that provide a range of services (including but not limited to water, wastewater, irrigation, parks and recreation, 9-1-1 and rural fire protection) statewide to citizens who reside within cities and in unincorporated communities.

As part of a service to our association members SDAO compiles election results for all local measures on the May and November ballot. These results include a summary of all county, city, school, and special district measures including: general obligation bonds, local option levies, district formations, advisory votes, ordinance referrals etc. The tabulation of these results provides our association with visibility into the volume and geographic representation of measures being placed on the ballot, the types of districts seeking voter approval, and the types of measures (local option, bond, permanent tax rate authority) on the ballot.

Some of our districts contain very few electors and measures can, and do, come down to just a handful of votes. The chances that districts can have narrow election results is a direct function of the large number of special districts throughout the state who have small numbers of residents. Allowing postmarks to count 7 days after election day will delay final election results.

Below is a listing of a selection of district election results from the May 2018 and November 2020 elections that demonstrate narrow results and small elector totals some special district measures have had.

Wasco County

Local Option Levy (Measure 33-94)

<p> Taxing District: White River Health District Term: Five-Year Purpose: Fund increased providers and hours of operation for Deschutes Rim Clinic. Cost: \$0.75 per \$1,000 of assessed value. Total estimated tax collection \$1,135,000. </p>

Election Results: Pass (49.52%) yes = 309 Fail (50.48%) no = 318
Total number of votes cast = 627—vote margin 9 votes

Deschutes County

Local Option Levy (Measure 09-136)

Taxing District: Two Rivers Special Road District
Term: Five-Year
Purpose: Fund dust abatement program.
Cost: \$2.00 per \$1,000 of assessed value. Total estimated tax collection \$20,000. Current permanent tax rate is \$2.00/\$1,000.

Election Results: Pass (40%) yes = 50 Fail (60%) no = 75
Total number of votes cast = 125—vote margin 25 votes

Clackamas County

Local Option Levy Renewal (Measure 03-533)

Taxing District: Estacada Cemetery Maintenance District
Term: Five-Year
Purpose: Fund general operations and construction of storage shop for equipment, and equipment replacement.
Cost: \$0.03 per \$1,000 of assessed value. Total estimated tax collection \$204,380.

Election Results: Pass (49.21%) yes = 1,220 Fail (50.79%) no = 1,259
Total number of votes cast = 2,479—vote margin 39 votes

Marion & Clackamas Counties

Local Option Levy Renewal and Increase (Measure 24-428)

Taxing District: Aurora Rural Fire Protection District No. 63
Term: Five-Year
Purpose: Emergency fire and medical response services.
Cost: \$0.99 per \$1,000 of assessed value (existing rate is \$0.49 per \$1,000 of assessed value). Total estimated tax collection \$4,005,857.

Election Results: Pass (49%) yes = 665 Fail (51%) no = 674
Total number of votes cast = 1,339—vote margin 25 votes

In addition, HB 2226’s bill sponsor, Rep. Rayfield acknowledged during yesterday’s hearing that the extension time following the September election overlaps with the ability of a district to resubmit and place a measure on the November ballot. SDAO opposes both HB 2226 and HB 2687. Districts should be able to properly evaluate failure of a measure on the September ballot and have the ability to resubmit the measure for voters’ consideration at the next election (November ballot). We look forward to working with the bill sponsors to remedy this situation.

Finally, the bills’ provisions require county clerks to “announce the status of the tally of ballots received after the date of the election on the **third and eighth** calendar day.” The term “announce” is not defined. How will county clerks communicate this information? We suggest that not only this provision be clarified but that it be reported daily.

Thank you for the opportunity to submit testimony. SDAO encourages the committee to remedy the inability of districts to resubmit a failed measure in September to the November ballot, to clarify how county clerks will “announce” ballot totals following election day, increase ballot total tally reporting to “daily,” and evaluate how postmarks counted 7 days following an election will further delay final election results. If you have any questions, please feel free to contact me.