



December 23, 2004

Re: Ballot Measure 37 – State and Local Coordination

To All Interested Parties:

Shortly following the passage of Ballot Measure 37, leadership from the League of Oregon Cities, the Association of Oregon Counties and the state began meeting to discuss the measure and how to coordinate its implementation between the state and local governments. That effort is continuing, with an emphasis on process and protocol as we gain experience with the first claims filed under the measure.

The claims that have been filed so far underscore the need for all levels of government to work together and to keep open the lines of communication and information sharing. Given the state and local coordination in our land use planning program, it is apparent that many claims will raise issues relating to both state and local land use regulations. It will be important that the state and affected local governments be aware of those claims, to help ensure consistency and to better serve our constituents.

Coordinated communication will help the state and local governments identify issues of common interest or concern regarding the interpretation and application of the measure so that implementation does not vary widely from one jurisdiction to another. This should minimize conflicts that otherwise might arise between government entities involved in the same or similar claims.

With these principles in mind, we have agreed upon these basic processes to facilitate cooperation and communication between the state and local governments in implementing Ballot Measure 37:

Local governments should provide copies of claim information to the League of Oregon Cities or the Association of Oregon Counties on all Measure 37 claims. This does not need to include the full claim, but should be sufficient to provide essential information to identify it. The League and AOC will share that information with the state as to any claims that may involve a state land use regulation. Likewise, the state will provide local governments with copies of claim information on all claims filed on property within the local government jurisdiction.

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Local governments should instruct claimants who file claims at the local level that they should also file a claim with the state if the claim appears to involve a state land use regulation. State claim information and the state claim form are available on the Department of Administrative

Services (DAS) website. Local governments may refer claimants to the website or download the forms and make them available to claimants. The DAS website address is:
www.oregon.gov/DAS/Risk/M37.shtml.

DAS is in the process of establishing an on-line claims registry. The registry will include all claims filed with the state, and DAS intends to make it available to local governments to input their claims information as well. Further information will be available about this on-line registry shortly after the New Year. We encourage all local governments to take advantage of this central claims registry. This registry will help provide the most complete information available about the number and types of claims on a statewide basis, and will serve as a valuable resource for local governments, in particular. You will receive further information about this when the registry is ready for implementation.

We are pleased to be able to communicate with you jointly about this important matter. The League, AOC and the state will continue to meet on a regular basis to coordinate on the implementation of Ballot Measure 37. You may expect to hear further from us as we move forward with those efforts. If you have questions that you would like to address to our joint group, please contact your organization.

Thank you for your cooperation and support of our joint effort.

Yours very truly,



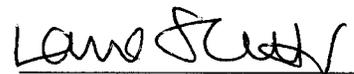
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