

District Taxing Authority Panel Discussion
Thursday, November 8, 2012
OACD Annual Conference, Eugene, Oregon

The Oregon Department of Agriculture (ODA), facilitated a “District Taxing Authority” panel discussion during the November 2012 OACD Annual Conference. The panelists were asked to share their experiences developing a tax base for their SWCD. The following key items were discussed. The panelists discussed their SWCD’s tax base assessment experiences and answered questions from the audience.

Panel Members: Randy White, Jackson SWCD; Tanya Jorgenson, Lincoln SWCD; Michael Weinberg, Clackamas County SWCD; and Larry Ojua, Yamhill SWCD.

Key items:

- Create a political action committee (PAC).
 - The PAC members should consist of only enough board members as to not constitute a quorum. If this were the case, public meeting law would apply.
 - The PAC cannot use SWCD funds for political activities.
 - The PAC/SWCD cannot comingle PAC funds with SWCD funds.
 - The PAC does have the ability to develop a campaign strategy, which may include fundraisers.
- Conduct a personal visit to the county elections office to gather information regarding paperwork, forms, and deadlines for a ballot measure.
- Be sure to appropriately file with the Oregon Secretary of State office; this can be done online.
- If you raise or spend more than \$3,000, more stringent bookkeeping and accounting requirements apply; you must report all debits and credits to/from the fund.
 - In-kind contributions count towards the \$3,000 limit.
- Identify a dedicated treasurer willing to do the reporting for the PAC.
- There are several different funding options:
 - Permanent rate (tax rate set when voted in; cannot be changed once it is granted);
 - Local option tax (temporary, up to ten years);
 - Split local option tax (capitol projects and operations); and
 - A general obligation bond (limited to narrow use: capitol projects etc. A General obligation bond is a property tax that pays the debt of the bond.)
- Have a clear understanding of the law and funding options.
- Keep in mind that if you go for a temporary tax, then you can NEVER go for a permanent rate. It may be better to go for a permanent rate FIRST; otherwise, you lose the chance to get a permanent rate.
- SWCDs can only get a permanent rate once. Be sure it will be enough for the SWCD. There is no changing it once passed.

- Oregon Department of Revenue is a good source of information.
- If you lose the ballot measure, the SWCD has to pay for the cost of the election.
- Be sure to go out into the community and clearly explain to voters what they will get for their money. A business plan is essential.
- Make sure the SWCD Board is in agreement to go for the tax assessment. The SWCD Board should pass a resolution indicating that they intend to go for the tax assessment.
- SWCD Directors must be very careful to ensure that employees do not “lobby” for the assessment. However, they are able to attend informational meetings to present facts and figures. Only PAC members, Directors, and citizens may lobby for the assessment.
- Any scandal, big or small, can make it difficult to pass a ballot measure.
- Visit with community leaders within the county. County Commissioners, public service groups, elected officials, editorial review boards, etc.
- Get the ballot measure in early; some counties have ‘first come, first served’ for placement on the ballot.
- It is important to look at all the perspectives of why people move to the area along with the conservation efforts being conducted there.
- Go out and make the SWCD widely known to both the urban and rural sectors, if applicable. You must target both, but remember generally there are more “urban” voters than “rural” voters.
- Generally the urban sector is willing to pay to keep the area “the way it is” (livable, pristine, convenient), because that typically is often the reason they moved there.
- If the county is asking for a tax, it may not be a good idea for the SWCD to ask for one at the same time; think about how other ballot measures may impact your tax measure outcome.
- Costs are cheaper for the SWCD if the measure is put on a general election ballot instead of a special election ballot. Political and economical timing are key.
- Don’t go for a measure when there are money-funding shifts.
- Draft a well-written measure to ensure voters will understand the need for increasing their taxes. Ideally, the measure should be drafted so the typical voter will:
 - Understand it clearly and not have to seek out additional information;
 - Find that it appeals to, or is consistent with, their interests and values;
 - Be perceived as needed and affordable; and
 - The measure needs to make sense to them.
- Have several different people or entities review the measure for message, clarity, and legality. For example, SDAO, ODA, local county clerk, and the Oregon Secretary of State are good resources.
- Draft the language in the measure to be broad enough to ensure the SWCD can use the tax revenue for desired purposes such as land purchases, easements, operations, equipment, or a certain focus. Be clear and specific about how you plan to use the money, but be careful to not unintentionally limit the SWCD’s options in how the money can be spent.

- The Voter's Pamphlet is important: Prepare good arguments in support of the measure.
- Communicate the costs and benefits and demonstrate that it is affordable.
- Advertising and campaigning (newspaper, signs, etc.) is key to success.
- Begin planning at least a year before you want the measure on the ballot.
- Set up the PAC with some community people that don't know anything about a SWCD so that the SWCD can get their message out in all forms.
- Envision the SWCD into the future; make a plan (go to the county commissioners and show them what the SWCD could do for the county, the budget, and the entire plan.)
- If possible go to each county commissioner individually and then to a work session if possible.
- If you can get all of the county commissioners to support the effort, they may be able to help with advertising the tax base measure.
- One SWCD's efforts failed because they got more support from the smaller farms and urban areas than from the larger farms or dairies. Landowners didn't want to pay for the services that they are already getting, but the urban sector was willing to pay to keep the lifestyle they expect.
- Avoid the presidential and big election years. There are a lot of other measures that you go up against, and the SWCD's measure will get buried.

Resources:

Oregon Department of Revenue website for tax information:

<http://www.oregon.gov/dor/ptd/pages/property.aspx>.

Oregon Secretary of State website: <http://www.oregonvotes.gov>.

Oregon Department of Agriculture: <http://www.oregon.gov/ODA/SWCD/pages/index.aspx>