

HOUSE COMMITTEE ON LAND USE

March 16, 2005 Hearing Room 50

1:30 P.M. Tapes 41 - 42

MEMBERS PRESENT: Rep. Bill Garrard, Chair

Rep. Gordon Anderson, Vice-Chair

Rep. Mitch Greenlick, Vice-Chair

Rep. Mary Nolan

Rep. Patti Smith

Rep. Mac Sumner

MEMBER EXCUSED: Rep. Robert Ackerman

STAFF PRESENT: Sam Litke, Committee Administrator

Lindsay Luckey, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2722 – Public Hearing and Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 41, A

002 Chair Garrard Calls the meeting to order at 1:37 p.m. and opens a public hearing on HB 2722.

HB 2722 – PUBLIC HEARING

005 Sam Litke Committee Administrator. Introduces provisions of HB 2722.

007 Rep. Mitch Greenlick HD 33. Discusses current requirements for incorporation of a proposed city, including the approval of any city within 3 miles of the proposed limits of the city. Reports that HB 2722 would remove only that provision, allowing unincorporated areas to continue their proposal process.

069 Rep. Dave Hunt HD 40. Discusses how HB 2722 would effect his district including portions of unincorporated Clackamas County. Demonstrates possibility of 8 different cities exercising veto power on one unincorporated area. Commends HB 2722 to the committee.

101 Isador W. Morgavi Resident of unincorporated Bull Mountain. Submits and summarizes written testimony in support of HB 2722 (**EXHIBIT A**). Asserts HB 2722 is the most important piece of legislation on annexation.

195 Kristy Munson League of Oregon Cities. Submits and summarizes written testimony in support of maintaining the concept of the “three mile veto” (**EXHIBIT B**).

235 Rep. Greenlick Describes the current two levels of approval of a new city. Asks how public policy is improved by keeping this a two step process.

260 Munson Responds that there are two aspects to consider:

- difference between county and city services
- the importance of having all surrounding local governments’ support for a new city

285 Mitch Rose Interim Urban Planning Administrator, City of Salem. Speaks in opposition to HB 2722. Describes incorporation of Keizer and current unincorporated lands outside Salem.

330 Rep. Greenlick

Asks if it is his position that citizens of Keizer would have been better off if Salem had been able to veto its formation of a city.

- 345 Rose Responds that it is not. Emphasizes problems that can occur with multiple new cities forming in one urban area.
- 364 Munson Points out the origin of this rule came following the incorporation of the City of Albany (**EXHIBIT B**). Reiterates the League's position of looking at the issue from a statewide perspective rather than possible benefit for individual areas.
- 379 Rose Reiterates Munson's comments and the possibility for unintended consequences.
- 398 Chair Garrard Comments on similar feelings from those in eastern Oregon in regards to land use.
- 404 Chair Garrard Closes public hearing on HB 2722 and opens a work session on HB 2722.

HB 2722 – WORK SESSION

TAPE 42, B

- 008 Rep. Anderson Relays a related situation from Southern Oregon. Expresses support for the intent of HB 2722.
- 025 Rep. Greenlick Expresses opinion that economically unfeasible cities or those that would harm adjoining cities should not be formed. Adds that the appropriate place for the decision to be made is with counties and not adjoining cities.
- 045 **Rep. Anderson** **MOTION: Moves HB 2722 to the floor with a DO PASS recommendation.**

VOTE: 5-1-1

AYE: 5 - Anderson, Greenlick, Smith P., Sumner, Garrard

NAY: 1 - Nolan

EXCUSED: 1 - Ackerman

- 047 Chair Garrard The motion CARRIES.
REP. GREENLICK will lead discussion on the floor.**
- 050 Chair Garrard Closes the work session on HB 2722 and adjourns the meeting at 2:25 p.m.**

EXHIBIT SUMMARY

- A. HB 2722, written testimony, Isador W. Morgavi, 3 pp**
- B. HB 2722, written testimony, Christy Monson, 1 p**