

HOUSE COMMITTEE ON LAND USE

March 30, 2005 Hearing Room 50

1:30 P.M. Tapes 48 - 49

MEMBERS PRESENT: Rep. Bill Garrard, Chair

Rep. Gordon Anderson, Vice-Chair

Rep. Mitch Greenlick, Vice-Chair

Rep. Robert Ackerman

Rep. Mary Nolan

Rep. Patti Smith

Rep. Mac Sumner

STAFF PRESENT: Sam Litke, Committee Administrator

Lindsay Luckey, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2704- Public Hearing

HB 2100 – Public Hearing

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 48, A

002 Chair Garrard Calls the meeting to order at 1:37 p.m. and reports that no work sessions will be held today. Opens a public hearing on HB 2704.

HB 2704 – PUBLIC HEARING

010 Sam Litke Committee Administrator. Introduces the provisions of HB 2704.

017 Rep. Mitch Greenlick HD 33, Sponsor of HB 2704. Relays that amendments are being worked on. Describes a bill introduced in 2003 session to name Forest Park as an area of special state concern. Describes unique attributes of Forest Park and concerns of protecting the area. Reviews intention of bill is to have the Department of Land Conservation and Development (DLCD) study the question of making Forest Park an area of special state concern.

106 Bob Rindy Department of Land Conservation and Development (DLCD). Discusses conversations with Rep. Greenlick. Outlines process for designating an area of special concern. Adds that with the proposed amendments, the fiscal impact will probably not apply.

139 Chair Garrard Comments that the fiscal impact is around \$125,000 (**EXHIBIT A**).

140 Rindy Reports that DLCD would need to hire a park planning specialist to do the required work. Also notes that Page 1, lines 24-25 may amend LCDC rules and recommends amending HB 2704 to remove those elements.

154 Randy Tucker Legislative Affairs Manager, METRO. Relays two main concerns of staff about HB 2704 as written including:

- the language about “area of influence” and potential problem in rapidly growing area of Bethany
- the isolated process proposed in HB 2704 is not integrated with the ongoing processes in the region.

Expresses shared interest in the concept and willingness to work on language which better addresses their concerns.

219 Rep. Anderson References Rindy’s comments about offsetting costs to local governments and asks about the fund from which this would be taken.

224	Rindy	Explains that there is a fund that DLCD manages to provide grants to local governments for planning. Comments that the funding required for local governments to complete the study required in HB 2704 may come from that fund.
239	Rep. Anderson	Comments it seems to be written for Forest Park with a possibility to be used for other parks of 1000 acres or more. Asks if there are any other parks where this is being requested.
248	Rep. Greenlick	Responds he is not aware of any specifics. Explains that the intention was for the bill to address Forest Park but that it was made more generic by Legislative Counsel. Adds that amendments will narrow the bill to Forest Park.
255	Chair Garrard	Asks how long Rep. Greenlick would like the committee to wait to rehear the bill.
260	Rep. Greenlick	Responds that one week should be sufficient.
	Chair Garrard	Reschedules bill to be heard in one week and closes public hearing on HB 2704. Opens a public hearing on HB 2100.

HB 2100 – PUBLIC HEARING

265	Sam Litke	Committee Administrator. Introduces the provisions of HB 2100 and -1 amendments (EXHIBIT B).
330	Sen. Jason Atkinson	SD 2. Provide background information on a bill introduced in 1999 which would regionalize the representatives of the Land Conservation and Development Commission (LCDC) board and explains that HB 2100 would go a step further to regionalize some administrative rules to be made at the local level.

TAPE 49, A

005	Sen. Atkinson	Discusses difficulties in navigating the land use system and states intention of HB 2100 to bring the system closer to the people. Commends the Director Shetterly and Oregon Federation Farm Bureau.
034	Lane Shetterly	Director, Department of Land Conservation and Development (DLCD). Describes the questions of regionalization and more

transparency in the land use program as consistent themes in time spent traveling around Oregon. Discusses legislation introduced, SB 82, that would initiate a 30-year review of the land use system and better reflect regionalization. States the department's position as neither in support or in opposition to HB 2100. Discusses the fiscal impact stemming from expanding the staff of commissions. Mentions that some regional interests are already reflected in the program although they are not very transparent.

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| 073 | Rep. Greenlick | States assumption that there would be some statewide tasks with some interpretation at the regional level. Asks how Shetterly, as the head of the organization, would manage the process between state and regional commissions. |
| 083 | Shetterly | Responds he does not have a definitive plan but that it would probably be similar to the current structure. |
| 100 | Rep. Greenlick | Notes the regional distinctions throughout Oregon and asks if Shetterly believes it is possible to create regions that are homogeneous enough within themselves but heterogeneous enough among them to represent real regional differences. |
| 115 | Shetterly | Remarks that it is an excellent question and uses the proposed Region 5 in HB 2100 to illustrate substantial differences within the region. Comments that HB 2100 addresses some major regional breaks and that there will always be imperfections in creating regions. |
| 140 | Chair Garrard | Comments that there has been a question of the constitutionality of having the board members be land owners and asks if Shetterly is familiar with this question. |
| 142 | Shetterly | Responds that he is not familiar. |
| 150 | Don Schellenberg | Oregon Farm Bureau. Submits and reads from written testimony (EXHIBIT C) in support of HB 2100 with -1 amendments. |
| 240 | Chair Garrard | Remarks on the work that needs to be done on the bill and the constitutional questions answered. Closes the public hearing on HB 2100 and adjourns the meeting at 2:21 p.m. |

EXHIBIT SUMMARY

- A. **HB 2704, fiscal impact statement, staff, 1 p**
- B. **HB 2100, -1 amendments, staff, 3 pp**
- C. **HB 2100, written testimony, Don Schellenberg, 2 pp**