

## CONFERENCE COMMITTEE ON HB 2458 #2

**July 11, 2005 Hearing Room D**

**8:00 A.M. Tapes 2 - 3**

**MEMBERS PRESENT:**        **Rep. Bill Garrard, Chair**  
                                  **Rep. Bob Jenson**  
                                  **Rep. Robert Ackerman**  
                                  **Sen. David Nelson**  
                                  **Sen. Charlie Ringo**  
                                  **Sen. Frank Shields**

**STAFF PRESENT:**        **Sandy Thiele-Cirka, Committee Administrator**  
                                  **Erin Seiler, Committee Assistant**

**MEASURES/ISSUES HEARD:**  
                                  **HB 2458B –Work Session**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 2, A</b>		
001	Chair. Garrard	Opens the meeting 8:08 a.m. Opens a work session on HB 2458B.
<b>HB 2458B – WORK SESSION</b>		
003	Chair Garrard	Submits –B11 amendments ( <b>EXHIBIT A</b> ).
008	Tamra Mabbott	Planning Director, Umatilla County. Submits and summarizes Rural Industrial Lands Inventory report ( <b>EXHIBIT B</b> ).
049	Mabbott	Explains the data collection process and how the scope of affected lands “is very limited and very small, but very significant for rural Oregon.”
066	Mabbott	Speaks to the unanimous support of the Association of Oregon Land Use Planners for removing the sunset on rural industrial lands.
084	Mabbott	Explains why the review process for zoning industrial and commercial lands would need to be bi-furcated if a new administrative rule is adopted.
093	Sen. Nelson	Asks how long it takes to resolve land use issues, stating how the sunset takes away certainty in land use planning.
108	Mabbott	Summarizes the length of time it takes to resolve land use zoning issues.
128	Rep. Jenson	Comments how “2/1000 <sup>th</sup> ” or 1 percent of the land is statistically insignificant.
143	Mabbott	States that removing the sunset is a reasonable solution.
152	Lane Shetterly	Director, Department of Land Conservation and Development Commission (LCDC). Testifies in opposition to the removal of the sunset clause from HB 2458B.
188	Shetterly	Submits and summarizes –B12 amendments ( <b>EXHIBIT C</b> ).
212	Rep. Jenson	Questions if LCDC Task Force had rural industrial lands acreage numbers.
214	Shetterly	Explains why rural industrial land use should be dealt with in the

236	Chair Garrard	same context as all industrial and commercial land use. Comments on the success of previous LCDC Task Forces, asking why wait for another task force.
245	Shetterly	Speaks to accomplishments of LCDC Task Force.
273	Chair Garrard	Asks for comment on the “much ado about nothing” claim made by the Umatilla County Planning Director.
275	Shetterly	Summarizes the economic development mission of LCDC.
291	Sen. Shields	Questions why compromise on sunset “fell apart because it seems like good policy.”
307	Sen. Ringo	Explains support for the removing the sunset.
324	Shetterly	Addresses the relationship between removal of sunset and opportunity in Umatilla County.
342	Sen. Ringo	States that it is not his role to analyze what is needed for economic development in Umatilla County
345	Shetterly	Explains that LCDC is asking for the opportunity to address the land use issues as a part of comprehensive statewide policy as opposed to directing a particular outcome to a particular county.
355	Chair Garrard	Questions whether 13,000 acres is a statewide issue.
358	Shetterly	Restates how the scope of LCDC Task Force is not limited to outside the Willamette Valley.
362	Chair Garrard	Explains why the removal of sunset is a reasonable request by Umatilla County.
381	Shetterly	States that LCDC has responded to requests by Umatilla County and LCDC should be allowed to finish the work that was started.
400	Mike Carrier	Natural Resource Policy Director, Office of The Governor. Submits and summarizes written testimony in support of maintaining the sunset <b>(EXHIBIT D)</b> .
<b>TAPE 3, A</b>		
008	Sen. Nelson	Comments on the public’s “huge distrust of government committees.”
024	Shetterly	Responds how LCDC serves citizens statewide and asks that LCDC be allowed to fulfill its commitment and earn the trust of people.
035	Sen. Nelson	Asks who are the members of LCDC Task Force.
037	Shetterly	Identifies the members of the LCDC Task Force.
042	Sen. Nelson	Questions why land use and development should be put off for another 15 months.
053	Sen. Shields	Explains why support of –B12 amendments would be a symbolic vote of confidence in LCDC.
065	Sen. Shields	Comments on the possibility The Governor vetoing the bill.
070	Carrier	Responds to the possibility of a Governors’ veto and to the statement that “this is going to be a political decision.”
095	Shetterly	Asks for LCDC to have “a chance to demonstrate good faith.”
107	Harlan Levy	Representative, Oregon Association of Realtors. Testifies in support of removing the sunset clause.
127	Levy	Explains why the sunset clause was “installed” in HB 2689 (2003).
143	Levy	Addresses the “exception” granted to Umatilla County and states that the removal of the sunset, while not a significant change, would be a symbolic change in the statewide land use planning program.
169	Linda Ludwig	Senior Staff Associate, League of Oregon Cities (LOC). Cites provision from HB 2458B relating to the involvement of cities in industrial and commercial land use along urban growth

		boundaries.
197	Sen. Ringo	Questions the impact of citing the provision.
199	Ludwig	Explains why the provision, while not in the language of HB 2458B, is applicable to current land use decisions.
218	Sen. Ringo	Objects to new information being brought forward by LOC at this point in process.
222	Ludwig	Explains why the information is not new and is identical to testimony given by LOC at the first Conference Committee on HB 2458B.
<b>228</b>	<b>Rep. Jenson</b>	<b>MOTION: Moves HB 2458B to the floor with the recommendation that the House CONCUR in Senate amendments dated 06/13/05 and that the bill be FURTHER AMENDED by –B11 Amendments dated 07/06/05 and the measure be REPASSED.</b>
238	Sen. Ringo	Questions what the effect of -B11 amendments.
243	Sandy Thiele-Cirka	Committee Administrator. Explains how –B11 amendments are identical to previous amendments and just reflect that a second Conference Committee was held.
251	Sen. Ringo	Questions if sunset clause was removed after initial Conference Committee.
254	Thiele-Cirka	Explains that the amendments had to be recreated because only one chamber took action after last Conference Committee.
261	Sen. Shields	Explains why he will be voting against concurrence.
277	Chair Garrard	States that the intention is not to put “LCDC on trial.”
<b>284</b>		<b>VOTE: 5-1-0</b> <b>AYE: 5 - Rep. Ackermen, Rep. Garrard, Rep. Jenson, Sen. Nelson, Sen. Ringo</b> <b>NAY: 1 - Sen. Shields</b> <b>Chair Garrard</b> <b>The motion Carries.</b> <b>REP. JENSON AND SEN. RINGO will lead discussion on the floor.</b>
<b>The following written testimony is submitted for the record without public testimony:</b>		
	Carla McLane	Planning Director, Morrow County. Submits written testimony in support of removing the sunset clause ( <b>EXHIBIT E</b> ).
290	Chair Garrard	Closes the work session on HB 2458B. Adjourns the meeting at 8:57 a.m.

## **EXHIBIT SUMMARY**

- A. **HB 2458B, -B11 amendments, Bill Garrard, 1 p**
- B. **HB 2458B, Rural Industrial Lands Inventory Report, Tamra Mabbott, 2 pp**
- C. **HB 2458B, -B12 amendments, Lane Shetterly, 1 p**
- D. **HB 2458B, written testimony, Michael Carrier, 1 p**

**The following written testimony is submitted for the record without public testimony:**

- E. **HB 2458B, written testimony, Carla McLane, 1 p**