

SENATE COMMITTEE ON ENVIRONMENT & LAND USE

March 21, 2005
3:00 P.M.

Hearing Room B
Tapes 47 - 48

MEMBERS PRESENT: Sen. Charlie Ringo, Chair
Sen. Jason Atkinson, Vice-Chair
Sen. Roger Beyer
Sen. Frank Shields

MEMBER EXCUSED: Sen. Ginny Burdick

STAFF PRESENT: Matt Shields, Committee Administrator
Katie Lowry, Committee Assistant

MEASURES/ISSUES HEARD:
SB 457 - Public Hearing
SB 542 – Public Hearing
SB 82 – 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
TAPE 47, A		
005	Chair Ringo	Calls committee to order at 3:04 p.m. and opens public hearing on SB 457.
<u>SB 457 – PUBLIC HEARING</u>		
	Matt Shields	Committee Administrator. Submits SB 457-1 amendments for the record (EXHIBIT A) .
012	Sen. Monnes Anderson	Represents Senate District 25. Introduces Scott Forrester and states that Mr. Forrester is the reason that SB 457 has been introduced.
015	Scott Forrester	Resident, Gresham. Testifies in support of SB 457.
070	Chair Ringo	States that there are eight other people signed up to testify in opposition to SB 457. Asks if witness wants to anticipate the opposition or if he wants to comment after others have testified.
075	Forrester	Replies that he would like to comment after the other testimony.
080	Paul Reed	East Lane Soil and Water Conservation District (SWCD). Submits and reads written testimony of Ralph Perkins in opposition to SB 457 (EXHIBIT B) . Submits brochure on Oregon Soil and Water Conservation Districts (EXHIBIT C) .
140	Chair Ringo	Asks witnesses not to repeat the same arguments.
145	Clair Klock	Resident, Corbett. Testifies in opposition to SB 457. Submits written testimony (EXHIBIT D) .
160	Eann Rains	District Administrator, East Multnomah SWCD. Submits and highlights informational packet in opposition to SB 457 (EXHIBIT E) .
170	Chair Ringo	Asks about East Multnomah County.
175	Rains	Responds. Continues highlighting testimony from informational packet (EXHIBIT E) .
205	Chair Ringo	States that the committee has her written testimony.

206	Klock	Comments about East Multnomah County.
212	Rains	Describes what is included in submitted informational packet (EXHIBIT E) .
222	Reed	Discusses East Lane SWCD.
240	Tom Bedell	Director, Benton SWCD. Submits and reads written testimony in opposition to SB 457 (EXHIBIT F) .
265	Chair Ringo	Asks witness to summarize because the committee has his written testimony.
266	Bedell	Summarizes opposition to SB 457.
287	Doug Kroemer	Chairman, Marion SWCD, member of the Soil and Water Conservation Commission, and farmer, St. Paul. Testifies in opposition to SB 457.
311	Chair Ringo	Asks witness if it makes sense to have a different rule for East Multnomah County.
313	Kroemer	Replies no and explains.
320	John McDonald	Resident of Hillsboro, hazelnut grower, Chairman of the Tualatin SWCD, and Executive Director of the Oregon Association of Conservation Districts. Testifies in opposition to SB 457. Submits written testimony (EXHIBIT G) .
365	Katie Fast	Oregon Farm Bureau. Testifies in opposition to SB 457. Discusses East Multnomah County.
410	Rick Gruen	District Manager, Clackamas County SWCD. Expresses opposition to SB 457. Gives background information on Clackamas County and discusses assistance given by the board and staff of SWCDs.

TAPE 48, A

015	Scott Forrester	Responds to previous testimony. Discusses his campaign for Director of the Multnomah County Public Utility Board. Emphasizes that SB 457 is not an attack on SWCDs. Apologizes for not getting in contact with all of those in opposition to SB 457. Makes comment about constitutionality.
035	Chair Ringo	Appreciates witness' testimony. States that witness does not need to apologize.
040	Sen. Beyer	Points out that witness just said he doesn't have an opportunity to participate in democracy, but that he just ran for office and lost.
042	Forrester	Responds.
061	Chair Ringo	Invites Scott Forrester to prepare written testimony and give it to the committee.
062	Forrester	States that he does not have a hard copy. Says that he will submit it tomorrow if the record can be kept open.
063	Chair Ringo	Says that if witness gives it to committee staff it will get distributed to the committee members.
064	Forrester	States that if committee staff has the contact information then he will distribute copies to those who testified today.
068	Chair Ringo	Suggests that Mr. Forrester consider amendments to SB 457 if it makes sense to draft the legislation to only address East Multnomah County.
070	Forrester	Discusses reason for addressing East Multnomah County.
075	Chair Ringo	Responds.
076	Chair Ringo	Closes public hearing on SB 457 and opens public hearing on SB 542.

SB 542 – PUBLIC HEARING

085	Sen. Avel Gordley	Represents Senate District 23. Submits and reads written testimony in support of SB 542 (EXHIBIT H) .
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185	Sen. Gordley	Continues reading testimony (EXHIBIT H) .
315	Sen. Gordley	Concludes testimony (EXHIBIT H) .
325	Chair Ringo	Asks about fiscal impact.
330	Sen. Gordley	Acknowledges budget situation. Asks that this policy be put into statute if nothing else can be done.
345	Sen. Shields	Asks how that can be done.
355	Sen. Gordley	Responds.
360	Robin Morris Collin	Law Professor, Willamette University. Co-principal of grant that financed 1999 effort. Responds to Sen. Shield's question. Discusses grant received.
390	Sen. Shields	Asks why the emergency board declined to accept a grant in the area of environmental justice.
395	Morris Collin	Responds. States that her response is speculation.
410	Morris Collin	Introduces Robert Collin and Jeri Sundvall.
430	Robert Collin	Senior Scholar, Willamette University Center for Public Policy and Adjunct Law Professor, Willamette University. Discusses his background in environmental justice. Testifies in support of SB 542. Submits report titled "Implementation of Environmental Justice in Oregon Natural Resource and Environmental Agencies (EXHIBIT I) ."
TAPE 47, B		
005	Robert Collin	Continues testimony in support of SB 542.
040	Jeri Sundvall	Director, Environmental Action Group, Resident, Northeast Portland and member of the Klamath Tribe. Testifies in support of SB 542.
105	Chair Ringo	Thanks witnesses for their testimony. Believes SB 542 is very important.
108	Sen. Shields	Thanks witnesses for their testimony.
115	Gail Shibley	Administrator, Office of Public Health Systems, State of Oregon. Testifies on SB 542. States that they must be officially neutral because SB 542 is not in the Governor's recommended budget.
172	Matt Blevins	Legislative Affairs Director, Oregon Environmental Council. Submits and highlights written testimony in support of SB 542 (EXHIBIT J) .
190	Chair Ringo	Closes public hearing on SB 542 and recesses committee at 4:11 p.m.
194	Chair Ringo	Calls meeting back to order at 4:21 p.m. Announces that SB 542 will be heard at the meeting on March 22, 2005 at 7:00 a.m. Opens public hearing on SB 82.
<u>SB 82 – PUBLIC HEARING</u>		
205	Lane Shetterly	Director, Department of Land Conservation and Development (DLCD). Testifies in support of SB 82. Submits written testimony (EXHIBIT K) .
275	Shetterly	States that SB 82 is incorporated in the Governor's recommended budget.
295	Shetterly	Submits and explains -1 amendments (EXHIBIT L) .
315	Rick Gustafson	Oregon State Board of Agriculture. Testifies in support of SB 82. Submits written testimony (EXHIBIT M) .
348	Ken Bailey	Oregon State Board of Agriculture. Testifies in support of SB 82.
375	Tom Bedell	Oregon State Board of Agriculture. Testifies in support of SB 82.
395	Bernie Faber	Chair, Oregon State Board of Agriculture. Testifies in support of SB 82.
412	Sen. Beyer	Asks if the witness is asking for an amendment to be drafted.
420	Gustafson	Responds.

TAPE 48, B

014	Sen. Beyer	Verifies that as long as it is made clear that the Board of Agriculture is asked to be included then an amendment is not necessary.
018	Gustafson	Confirms this.
020	Elon Hasson	Legislative Director, 1000 Friends of Oregon. Testifies in support of SB 82.
025	Art Schlack	Association of Oregon Counties. Testifies in support of SB 82. Notes that some counties have voiced some concerns. Details concerns.
055	Dr. Noah Toulan	Oregon Chapter, American Planning Association (OAPA). Testifies in support of SB 82.
107	Reeve Hennion	Chairman, Jackson County Planning Commission and member of the Executive Board of the OAPA. Submits written testimony in support of SB 82 (EXHIBIT N). Submits written testimony on behalf of the OAPA in support of SB 82 (EXHIBIT O). Submits brochure from the OAPA titled "Summary of Legislative and Policy Positions" (EXHIBIT P). Testifies in support of SB 82. States that he is here from Jackson County to let the committee know that this is not only a Willamette Valley issue.
135	Chair Ringo	Asks Stephen Kafoury if the -1 amendments were offered by him.
140	Stephen Kafoury	Replies that the -1 amendments were offered by the DLCDC.
145	Kafoury	Makes comment regarding the -1 amendments.
155	Liz Frenkel	League of Women Voters of Oregon. Testifies in support of SB 82. Submits written testimony (EXHIBIT Q).
187	Peggy Lynch	Resident, Benton County. Testifies in support of SB 82.
217	Pat Zimmerman	Resident, Scappoose and Chair, Citizens Involvement Advisory Committee. Testifies in support of SB 82. Asks committee to make sure that the citizens of the state are represented on the Oregon Task Force on Land Use Planning. Gives illustration.
250	Randy Tucker	Legislative Affairs Manager, Metro. Testifies in support of SB 82.
300	John Chandler	Oregon Home Builder's Association. States that the task force needs to be made up of people who are not invested in land use. States that if he was asked to serve on this committee, he would decline.
340	Shetterly	Agrees with Mr. Chandler.
341	Chair Ringo	Asks if Shetterly wants the committee to adopt the -1 amendments.
342	Shetterly	Replies yes. Explains the -1 amendments.
370	Chair Ringo	Asks about the fiscal impact.
371	Shetterly	Explains the fiscal impact.
385	Chair Ringo	States that SB 82 will be moved out of committee at the meeting on March 22, 2005 at 7:00 a.m.
The following prepared testimony is submitted for the record without public testimony:		
	Michael Carrier	Natural Resources Policy Director, Governor's Office. Submits written testimony in support of SB 82 (EXHIBIT R).
395	Chair Ringo	Closes public hearing on SB 82 and adjourns meeting at 5:02 p.m.

EXHIBIT SUMMARY

- A. SB 457, -1 amendments, Staff, 1 p**
- B. SB 457, written testimony of Ralph Perkins, Paul Reed, 2 pp**
- C. SB 457, brochure, Paul Reed, 2 pp**
- D. SB 457, written testimony, Clair Klock, 1 p**
- E. SB 457, informational packet, Eann Rains, 4 pp**
- F. SB 457, written testimony, Tom Bedell, 2 pp**
- G. SB 457, written testimony, John McDonald, 2 pp**
- H. SB 542, written testimony, Sen. Avel Gordley, 6 pp**
- I. SB 542, report, Robert Collin, 91 pp**
- J. SB 542, written testimony, Matt Blevins, 2 pp**
- K. SB 82, written testimony, Lane Shetterly, 2 pp**
- L. SB 82, -1 amendments, Lane Shetterly, 1 p**
- M. SB 82, written testimony, Rick Gustafson, 2 pp**
- N. SB 82, written testimony, Reeve Henion, 2 pp**
- O. SB 82, written testimony of the OAPA, Reeve Henion, 2 pp**
- P. SB 82, brochure, Reeve Henion, 2 pp**
- Q. SB 82, written testimony, Liz Frenkel, 1 p**
- R. SB 82, written testimony, Michael Carrier, 1 p**