

# SENATE COMMITTEE ON ENVIRONMENT & LAND USE

March 23, 2005  
3:00 P.M.

Hearing Room B  
Tapes 51 - 52

Corrected 10/18/05

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

**MEMBER VISITING:** Rep. Derrick Kitts

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

**MEASURES/ISSUES HEARD:**  
SB 730 – Public Hearing  
SB 431 – Public Hearing and Work Session  
SB 900 – Public Hearing  
SB 245 – Public Hearing

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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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 51, A</b>		
005	Chair Ringo	Calls meeting to order at 3:07 p.m. Makes opening comments regarding the order of the meeting. Opens public hearing on SB 730.
<b><u>SB 730 – PUBLIC HEARING</u></b>		
010	Sen. Bruce Starr	Represents Senate District 15. Testifies in support of SB 730.
037	Chair Ringo	States that he would like to start with the proponents of SB 730 and then give the opposition a chance to speak.
040	Tim Sercombe	Attorney, Preston, Gates and Ellis. Testifies in support of SB 730. Submits written testimony ( <b>EXHIBIT A</b> ).
140	Tom Hughes	Mayor, City of Hillsboro. Submits and highlights written testimony in support of SB 730 ( <b>EXHIBIT B</b> ).
255	Chair Ringo	States that testimony has been theoretical. Asks witness for a specific example.
258	Hughes	Gives example.
278	Chair Ringo	Verifies that witness would have preferred to not have the mentioned regulation.
279	Hughes	Confirms this.
280	Chair Ringo	Asks if mentioned regulation harmed witness' ability to bring in industry.
283	Hughes	Responds and explains in detail.
309	David Bragdon	President, Metro Council. Testifies in opposition to SB 730. Submits written testimony ( <b>EXHIBIT C</b> ).
400	Bragdon	Continues testimony in opposition to SB 730.
<b>TAPE 52, A</b>		
007	Sen. Atkinson	Discusses checks and balances. Asks how people working for

		Metro who are well-paid are a balance to volunteers and city government.
029	Bragdon	Appreciates the question. Responds that he came to the witness table alone.
031	Sen. Atkinson	Asks if there is a lawyer in the room.
032	Bragdon	Replies yes and explains that the individual is here to testify on another bill. States that Metro has one other employee here.
036	Sen. Atkinson	States that he is friends with Randy Tucker.
037	Bragdon	Discusses local zoning.
047	Sen. Atkinson	Asks how that is a balance. Asks why the legislature is being asked to intervene.
052	Bragdon	Says that Metro is not asking the legislature to intervene. Prefers to have this issue settled regionally. Continues discussing local zoning.
085	Sen. Atkinson	Discusses efficiency and the economy.
095	Bragdon	Responds.
097	Sen. Atkinson	Makes comment.
098	Bragdon	Apologizes to Sen. Atkinson.
102	Chair Ringo	States that he supports Metro. Discusses regional approach. States that a public hearing on SB 730 is not an attack on Metro. Discusses resolving conflicts. Says that he wants to hear what people have to say about this issue.
125	Richard Kidd	Mayor, City of Forest Grove. Testifies in support of SB 730.
150	Ed Truax	President, Tualatin City Council. States that he is testifying in place of the Mayor of Tualatin. Testifies in support of SB 730. Submits written testimony on behalf of Lou Ogden, Mayor of Tualatin, in support of SB 730 <b>(EXHIBIT D)</b> .
193	Chair Ringo	Says that Mr. Bragdon just testified that Metro doesn't have any desire, staffing, capacity, or permitting desk to do local zoning.
198	Truax	Counters that Metro has the ability to bring land adjacent to a city inside the urban growth boundary (UGB) and specify the use for which it is to be developed. States that this is zoning.
201	Chair Ringo	Clarifies that witness wants Metro to bring land inside the UGB but leave the decision of how the land will be used to the city.
204	Truax	Explains using an example.
222	Chair Ringo	Discusses process of bringing land inside the UGB.
227	Truax	Responds. Discusses soil classification.
239	Sen. Atkinson	Thanks witness for taking the time off work to come and testify.
245	Judie Hammerstad	Mayor, City of Lake Oswego. Submits and reads written testimony in opposition to SB 730 <b>(EXHIBIT E)</b> .
292	Chair Ringo	Makes comment.
293	Hammerstad	Continues reading testimony in opposition to SB 730.
305	Charlotte Lehan	Mayor, City of Wilsonville. States that she is a volunteer mayor. Submits and highlights written testimony in opposition to SB 730 <b>(EXHIBIT F)</b> .
383	Jim Bernard	Mayor, City of Milwaukee. States that he is a volunteer mayor. Testifies in opposition to SB 730.
<b>TAPE 51, B</b>		
008	Dee Wescott	Mayor, City of Damascus. Testifies in opposition to SB 730.
025	Chair Ringo	Thanks witnesses for coming.
030	Jonathan Schleuter	Executive Director, Westside Economic Alliance. Submits and reads written testimony in support of SB 730 <b>(EXHIBIT G)</b> .
088	Bob Bailey	City Commission President, City of Oregon City. Testifies in opposition to SB 730.

095           Elon Hasson           Legislative Director, 1000 Friends of Oregon. Testifies in opposition to SB 730. Submits written testimony **(EXHIBIT H)**.

110           Dennis Mulvehill       Washington County. Says that Washington County supports SB 730 but does not like the way it is written. States that Washington County would like to be part of a workgroup.

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

Randy Leonard       Commissioner, City of Portland. Submits written testimony in opposition to SB 730 **(EXHIBIT I)**.

Bob Bailey           City Commissioner, Oregon City. Submits written testimony in opposition to SB 730 **(EXHIBIT J)**.

Paul Thalhofer       Mayor, City of Troutdale. Submits written testimony in opposition to SB 730 **(EXHIBIT K)**.

Deanna Palm         President, Greater Hillsboro Area Chamber of Commerce. Submits written testimony in opposition to SB 730 **(EXHIBIT L)**.

120           Chair Ringo           States that SB 730 will not be moved today. Closes public hearing on SB 730 and opens public hearing on SB 431.

**SB 431 - PUBLIC HEARING**

133           Chair Ringo           Recesses public hearing on SB 431 and opens public hearing on SB 900.

**SB 900 - PUBLIC HEARING**

140           Susan McLain         Metro Councilor. Introduces herself. Testifies in opposition to SB 900. Testifies in support of SB 245.

200           Sen. Bruce Starr      Represents Senate District 15. Submits map of Urban Growth Boundary **(EXHIBIT M)**. Testifies in support of SB 900.

265           Richard Kidd         Mayor, City of Forest Grove. Gives background information on the City of Forest Grove with regards to growth. Gives statistics on Forest Grove. Testifies in support of SB 900.

350           Kidd                 Continues testimony in support of SB 900.

395           Sen. Beyer           Asks if it is possible for Forest Grove to be excluded from Metro.

400           Kidd                 Responds. Explains.

418           McLain               Discusses potential concerns.

**TAPE 52, B**

013           Chair Ringo           Asks witness if something needs to be done with the Forest Grove-Cornelius island.

015           McLain               Responds.

023           Sen. B. Starr         Discusses previous legislation. Makes comment on timeline.

029           McLain               Responds.

038           Chair Ringo           Understands that witness supports SB 245. Asks if there would be some version of SB 900 that witness would approve of.

040           McLain               Responds.

041           Chair Ringo           Asks Randy Tucker if he would support amendments.

045           Sen. Beyer           Makes comment.

047           Kidd                 Says that Forest Grove cannot wait until 2009.

048           Sen. Beyer           Makes comment.

049           Kidd                 Concludes testimony.

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

Elon Hasson         Legislative Director, 1000 Friends of Oregon. Submits written testimony in opposition to SB 900 **(EXHIBIT N)**.

054           Chair Ringo           Closes public hearing on SB 900 and opens public hearing on SB 245.

**SB 245 – PUBLIC HEARING**

065           Chair Ringo           Asks Randy Tucker about SB 900.

067	Randy Tucker	Legislative Affairs Manager, Metro. Responds.
069	Chair Ringo	States that it seems like there is a problem that needs to be solved.
071	Tucker	Talks about SB 245 and year 2009.
079	Tucker	Testifies in support of SB 245.
112	Chair Ringo	Asks about timeline with an extension of the current two year cycle.
113	Tucker	Replies 2009 and explains.
117	Chair Ringo	Verifies that witness is planning on proposing amendments.
118	Tucker	Confirms this. Gives further details.
130	Jon Chandler	Oregon Home Builders Association. Testifies on SB 245 and explains neutral position.
143	Chair Ringo	Closes public hearing on SB 245 and reopens public hearing on SB 431.

**SB 431 – PUBLIC HEARING**

145	Richard Benner	Metro. Testifies in support of SB 431. Explains -1 amendments which are submitted for the record by staff ( <b>EXHIBIT O</b> ).
208	Bob Rindy	Legislative Coordinator, Department of Land Conservation and Development (DLCD). Submits written testimony in support of SB 431 ( <b>EXHIBIT P</b> ). Concurs with Richard Benner. Supports - 1 amendments and states that the amendments resolve the concerns of DLCD.
213	Chair Ringo	Explains SB 431 to Sen. Shields. Asks Sen. Beyer if he is comfortable with SB 431.
215	Sen. Beyer	Replies yes.
216	Chair Ringo	Refers to written testimony of witness ( <b>EXHIBIT P</b> ) and asks if another sheet could be provided with more information and more substance addressing the issues that were raised.
226	Benner	Asks when that would be needed.
227	Chair Ringo	Responds.
229	Chair Ringo	Closes public hearing on SB 431 and opens work session on SB 431.

**SB 431 – WORK SESSION**

230	Chair Ringo	<b>MOTION: Moves to ADOPT SB 431-1 amendments dated 03/23/05.</b>
		<b>VOTE: 3-0-2</b>
		<b>EXCUSED: 2 - Atkinson, Burdick</b>
232	Chair Ringo	<b>Hearing no objection, declares the motion CARRIED.</b>
233	Chair Ringo	<b>MOTION: Moves SB 431 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 3-0-2</b>
		<b>EXCUSED: 2 - Atkinson, Burdick</b>
234	Chair Ringo	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>SEN. RINGO will lead discussion on the floor.</b>
235	Chair Ringo	Closes work session on SB 431 and adjourns meeting at 4:51 p.m.

**EXHIBIT SUMMARY**

- A. SB 730, written testimony, Tim Sercombe, 2 pp
- B. SB 730, written testimony, Tom Hughes, 3 pp
- C. SB 730, written testimony, David Bragdon, 2 pp

- D. SB 730, written testimony of Lou Ogden, Ed Truax, 2 pp**
- E. SB 730, written testimony, Judie Hammerstad, 1 p**
- F. SB 730, written testimony, Charlotte Lehan, 1 p**
- G. SB 730, written testimony, Jonathan Schleuter, 2 pp**
- H. SB 730, written testimony, Elon Hasson, 2 pp**
- I. SB 730, written testimony, Randy Leonard, 1 p**
- J. SB 730, written testimony, Bob Bailey, 1 p**
- K. SB 730, written testimony, Paul Thalsofer, 1 p**
- L. SB 730, written testimony, Deanna Palm, 1 p**
- M. SB 900, map, Sen. Bruce Starr, 1 p**
- N. SB 900, written testimony, Elon Hasson, 2 pp**
- O. SB 431, -1 amendments, Staff, 1 p**
- P. SB 431, written testimony, Bob Rindy, 1 p**