

SENATE COMMITTEE ON ENVIRONMENT & LAND USE

March 30, 2005
3:00 P.M.

Hearing Room B
Tapes 63 - 65

Corrected 10/18/05

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

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

MEASURES/ISSUES HEARD:

SB 857 – Public Hearing and Work Session
SB 887 – Public Hearing and Work Session
SB 699 – Public Hearing
SB 307 – Public Hearing
SB 742 – Public Hearing
SB 743 – 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 63, A		
005	Chair Ringo	Calls meeting to order at 3:07 p.m. Makes opening remarks. Opens public hearing on SB 857.
<u>SB 857 – PUBLIC HEARING</u>		
015	Sen. Joanne Verger	Represents Senate District 5. Gives background information on SB 857. Submits 857-1 amendments (EXHIBIT A) .
035	Ann Hanus	Director, Department of State Lands. Testifies in support of SB 857. Mentions -1 amendments. Submits written testimony (EXHIBIT B) .
075	Sen. Shields	Asks witness to pass around the mentioned map.
078	Hanus	Continues testimony in support of SB 857.
087	Mike Graybill	Manager, South Slough Reserve, Charleston. Explains the mission of the South Slough Reserve.
118	David Ford	Resident, Charleston. Submits written testimony on behalf of Jim Whitty in support of SB 857 (EXHIBIT C) . Submits written testimony on behalf of Nikki Whitty, County Commissioner, on SB 857 (EXHIBIT D) . Testifies on SB 857.
140	Peg Reagan	Resident, Curry County. Testifies in support of SB 857.
153	Melody Caldera	Resident, Coos County. Testifies in support of SB 857.
167	Cam Parry	Resident, Coos County. Testifies in support of SB 857.
197	Liz Frenkel	League of Women Voters of Oregon. Testifies in support of SB 857. Submits written testimony (EXHIBIT E) .
203	Matt Shields	Committee Administrator. Explains SB 857-1 amendments.
The following prepared testimony is submitted without public testimony:		
	Ron Brainard	Submits written testimony in support of SB 857 (EXHIBIT F) .
204	Chair Ringo	Closes public hearing on SB 857 and opens work session on SB 857.
<u>SB 857 – WORK SESSION</u>		

205	Chair Ringo	MOTION: Moves to ADOPT SB 857-1 amendments dated 03/30/05.
		VOTE: 5-0-0
207	Chair Ringo	Hearing no objection, declares the motion CARRIED.
208	Chair Ringo	MOTION: Moves SB 857 to the floor with a DO PASS AS AMENDED recommendation.
210	Sen. Beyer	Explains reasons for opposition to SB 857.
		VOTE: 4-1-0
		AYE: 4 - Atkinson, Burdick, Shields, Ringo
		NAY: 1 - Beyer
225	Chair Ringo	The motion CARRIES.
		SEN. VERGER will lead discussion on the floor.
230	Chair Ringo	Closes work session on SB 857 and opens public hearing on SB 887.

SB 887 – PUBLIC HEARING

240	Mike Wendell	Resident, Prineville. Testifies in opposition to SB 887.
253	Linda Ludwig	League of Oregon Cities. Testifies in opposition to SB 887 with the -3 amendments.
307	Chair Ringo	Reads an email from a constituent who lives in Roseburg who is impacted by annexation. Believes that citizens all over the state are concerned about forced annexation. Hopes to work with witness to hone SB 887.
326	Ludwig	Responds. Discusses potential legal implications of language in the -3 amendments. Discusses date of moratorium.
339	Chair Ringo	Responds.
340	Sen. Burdick	Asks if the areas of Redmond and Prineville are also opposed to the -3 amendments.
341	Wendell	Replies yes.
350	Vickie Woods	Community Development Director, City of Salem. Testifies in opposition to SB 887 with the -3 amendments.
380	Jim Seaberry	Resident, Lane County. Testifies in support of SB 887.
TAPE 64, A		
015	Michael Selvaggio	Legislative Assistant, Sen. Charlie Ringo's office. Submits written testimony on SB 887 (EXHIBIT G). Submits and explains SB 887-3 amendments (EXHIBIT H).
033	Chair Ringo	Asks about sunset.
034	Selvaggio	Responds.
035	Selvaggio	Continues explanation of SB 887-3 amendments.
060	Sen. Beyer	Mentions date in section one of SB 887. Remarks about ORS 222. Discusses concern brought up by Linda Ludwig.
065	Selvaggio	Responds that he may have misspoken. States that ORS 222 is accessible to all cities in Oregon and that Metro cities are restricted from the use of ORS 195. Mentions submitted testimony (EXHIBIT G).

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

	Jason Heuser	Intergovernmental Relations Manager, City of Eugene. Submits written testimony in opposition to SB 887 (EXHIBIT I).
	Roger L. Meyer	Meyer & Wyse, LLP. Submits written testimony in support of SB 887 (EXHIBIT J).
073	Chair Ringo	Closes public hearing on SB 887 and opens work session on SB 887.

SB 887 – WORK SESSION

075	Chair Ringo	MOTION: Moves to ADOPT SB 887-3 amendments dated
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		03/29/05.
076	Sen. Burdick	States opposition to SB 887.
077	Chair Ringo	Replies okay.
078	Sen. Beyer	Asks if Chair Ringo's intention is to modify SB 887 as it moves forward.
079	Chair Ringo	Responds.
		VOTE: 4-1-0
		AYE: 4 - Atkinson, Beyer, Shields, Ringo
		NAY: 1 - Burdick
095	Chair Ringo	The motion CARRIES.
096	Chair Ringo	MOTION: Moves SB 887 to the floor with a DO PASS AS AMENDED recommendation.
100	Sen. Atkinson	States that he does not like SB 887 in its current form. Makes remarks.
110	Sen. Shields	States that Happy Valley is opposed to SB 887. Makes remarks.
117	Sen. Burdick	Commends Chair Ringo on his efforts. Explains no vote on the -3 amendments.
130	Sen. Beyer	Appreciates work done by Chair Ringo. Discusses SB 887. States that he has not had a chance to look at SB 887.
135	Chair Ringo	Makes remarks.
		VOTE: 3-2-0
		AYE: 3 - Atkinson, Shields, Ringo
		NAY: 2 - Beyer, Burdick
150	Chair Ringo	The motion CARRIES.
		SEN. RINGO will lead discussion on the floor.
155	Chair Ringo	Closes work session on SB 887 and opens public hearing on SB 699.
		<u>SB 699 – PUBLIC HEARING</u>
165	Ralph Saperstein	Boise Cascade. Testifies in support of SB 699.
190	Linda Ludwig	League of Oregon Cities. States that if the -1 amendments are being considered, then she does not have anything to say about SB 699.
199	Matt shields	Committee Administrator. Submits and explains 699-1 amendments (EXHIBIT K).
208	Sen. Atkinson	Verifies that witness supports the -1 amendments.
209	Ludwig	Replies yes.
211	Sen. Burdick	Asks question about the -1 amendments.
214	Shields	Responds.
215	Sen. Burdick	Asks for clarification.
219	Chair Ringo	States that SB 699 will be carried over until the next meeting on Thursday, March 31 at 7:00 a.m.
224	Chair Ringo	Closes public hearing on SB 699 and opens public hearing on SB 307, 742, and 743.
		<u>SB 307, SB 742, AND SB 743 – PUBLIC HEARING</u>
235	Gary Conkling	Beaverton School District. Introduces Priscilla Turner.
241	Priscilla Turner	Vice-Chair, Beaverton School District Board. Submits and reads written testimony in support of SB 742 (EXHIBIT L).
338	Conkling	Submits and discusses written testimony on SB 742 (EXHIBIT M).
375	Sen. Burdick	Thanks witness for differentiating between a School Impact Fee and a System Development Charge (SDC). Asks for clarification of application of SB 742 to new residential development.

382	Conkling	Believes that title transfers that take place subsequent to the effective date of SB 742 would be subject to the imposed fee. Discusses timeline.
397	Sen. Burdick	Verifies that it would be a title transfer from the developer to the first occupant.
400	Conkling	Explains in detail.
TAPE 63, B		
004	Sen. Burdick	Asks who has to pay the mentioned fee.
006	Conkling	Replies that, in a new home, the fee would be collected at the point of the sale to a purchaser.
012	Sen. Burdick	Asks how new rental housing would be assessed.
013	Conkling	Explains.
025	Sen. Kurt Schrader	Represents Senate District 20. Testifies in support of SB 307.
100	Sen. Schrader	Continues testimony in support of SB 307.
153	Chair Ringo	Responds to witness' testimony.
160	Sen. Burdick	Responds to witness' testimony.
165	Sen. Schrader	States that this is an issue throughout communities all over the state.
167	Sen. Burdick	Makes comment about Senate District 18. Commends Sen. Schrader for proactively addressing the issue of affordable housing.
180	RaeAnn Jackson	Resident, Portland. Introduces Pam Callahan and states that Callahan's testimony will be included with hers. Submits and reads written testimony in support of SB 307 (EXHIBIT N) .
245	Chair Ringo	Comments on witness' testimony.
250	Pam Callahan	Resident, Portland. Remarks that most people already believe they are contributing to schools when they purchase their homes and are shocked to learn that is not true.
265	Jon Chandler	Oregon Home Builders Association. Testifies in opposition to SB 307, SB 742 and SB 743. Submits written testimony (EXHIBIT O) .
350	Chandler	Continues testimony in opposition to SB 307, SB 742, and SB 743. Mentions HB 2964. Mentions Ballot Measure 5.
408	Chair Ringo	Understands that SDCs are in place in Washington and California. Wonders if homebuilders are harmed by the existence of the impact fees.
415	Chandler	Responds. Mentions land use system. Discusses impact fees in other states.
TAPE 64, B		
015	Pauline McGuire	Responds.
068	Chair Ringo	Makes comment on witness' comment.
075	Bob Buske	Stand for Children. Submits and reads written testimony in support of SB 307 (EXHIBIT Q) .
110	Nathan Kadish	Stand for Children. Testifies in support of SB 307. Submits and mentions written testimony (EXHIBIT R) .
145	Anne Saxby	School Board Chair, Hood River County School District. Testifies in support of SB 307. Submits written testimony (EXHIBIT S) .
188	Pat Everson-Brady	Superintendent, Hood River County School District. Discusses resolution passed by Hood River County School Board. Testifies in support of SB 307.
216	Chair Ringo	Appreciates witness' testimony. Asks about mentioned housing structures and asks if it includes potential Measure 37 issues.
218	Everson-Brady	Replies no and explains in detail.

224	Sen. Shields	Makes remarks. Asks how many other towns in Oregon might want to become involved in this issue.
230	Saxby	Responds.
238	Everson-Brady	Responds.
250	Brad Schock	Resident, Portland. Comments on testimony of Jon Chandler. Submits and reads written testimony in support of SB 307 (EXHIBIT T) .
345	David Williams	Oregon School Board Association. Testifies in support of SB 307, SB 742 and SB 743.
360	Rob Saxton	Superintendent, Sherwood School District 88J. Gives information on the Sherwood School District. Testifies in support of SB 307, SB 742 and SB 743. Submits informational packet (EXHIBIT U) .
TAPE 65, A		
028	Chair Ringo	Comments on witness' testimony.
035	Sharon Kanopa	Albany City Councilor. Testifies in support of SB 307, SB 742 and SB 743. Submits written testimony (EXHIBIT V) . Believes that SB 307 is the most workable bill of the three that are being considered.
080	Richard Reid	Salem City Watch. Testifies in support of SB 307. Believes that SB 742 needs some work.
095	William Smaldone	Resident, Marion County. Submits and reads written testimony on SB 307, SB 742 and SB 743 (EXHIBIT W) .
148	Laurie Wimmer Whelan	Oregon Education Association. Testifies in support of SB 307, SB 742, and SB 743.
157	Trisha Smith	Oregon School Employees Association. Testifies in support of the concept of SB 307, SB 742 and SB 743.
The following prepared testimony is submitted for the record without public testimony:		
	Jerry W. Scott	Resident, Salem. Submits written testimony on SB 307, SB 742, and SB 743 (EXHIBIT X) .
185	Chair Ringo	Closes public hearing and adjourns meeting at 5:16 p.m.

EXHIBIT SUMMARY

- A. SB 857, -1 amendments, Staff, 1 p**
- B. SB 857, written testimony, Jeannette Holman, 5 pp**
- C. SB 857, written testimony of Jim Whitty, David Ford, 1 p**
- D. SB 857, written testimony of Nikki Whitty, David Ford, 1 p**
- E. SB 857, written testimony, Liz Frenkel, 1 p**
- F. SB 857, written testimony, Ron Brainard, 1 p**
- G. SB 887, written testimony, Michael Selvaggio, 4 pp**
- H. SB 887, -3 amendments, Michael Selvaggio, 6 pp**
- I. SB 887, written testimony, Jason Heuser, 1 p**
- J. SB 887, written testimony, Roger L. Meyer, 1 p**
- K. SB 699, -1 amendments, Staff, 3 pp**
- L. SB 742, written testimony, Priscilla Turner, 2 pp**
- M. SB 742, written testimony, Gary Conkling, 1 p**
- N. SB 307, written testimony, RaeAnn Jackson, 2 pp**
- O. SB 307, SB 742, and SB 743, written testimony, Jon Chandler, 2 pp**
- P. SB 307, written testimony, Pauline McGuire, 1 p**

- Q. SB 307, written testimony, Bob Buske, 3 pp**
- R. SB 307, written testimony, Nathan Kadish, 2 pp**
- S. SB 307, written testimony, Anne Saxby, 3 pp**
- T. SB 307, written testimony, Brad Schock, 1 p**
- U. SB 307, SB 742, and SB 743, informational packet, Rob Saxton, 11 pp**
- V. SB 307, SB 742, and SB 743, written testimony, Sharon Kanopa, 2 pp**
- W. SB 307, SB 742, and SB 743, written testimony, William Smaldone, 3 pp**
- X. SB 307, SB 742, and SB 743, written testimony, Jerry W. Scott, 2 pp**