

SENATE COMMITTEE ON ENVIRONMENT & LAND USE

April 20, 2005
3:00 P.M.

Hearing Room B
Tape 84

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

MEMBERS EXCUSED: Sen. Ginny Burdick
Sen. Frank Shields

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

MEASURES/ISSUES HEARD:
SB 352 – Work Session
HB 2438 – Work Session
HB 2170 A – Public Hearing
HB 2722 – 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 84, A		
	Chair Ringo	*Recording error* Calls meeting to order at 3:07 p.m. and opens work session on SB 352. Asks if there are amendments that need to be considered.
	<u>SB 352 – WORK SESSION</u>	
	Matt Shields	Committee Administrator. Submits SB 352-1 amendments for the record (EXHIBIT A) .
004	Joe Rohleder	Oregon Aquaculture Association. Requests to have the -1 amendments adopted.
008	Sen. Atkinson	Asks for explanation of the -1 amendments.
009	Rohleder	Explains the -1 amendments. Explains that the intention is to save the state money.
019	Phil Donovan	Northwest Steelheaders, Northwest Sports Fishing Industry Association. States opposition to creating this permitting expenditure. Explains concerns with SB 352.
031	Sen. Atkinson	MOTION: Moves to ADOPT SB 352-1 amendments dated 03/07/05. VOTE: 3-0-2 EXCUSED: 2 - Burdick, Shields
033	Chair Ringo	Hearing no objection, declares the motion CARRIED.
034	Sen. Atkinson	MOTION: Moves SB 352 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means. VOTE: 3-0-2 EXCUSED: 2 - Burdick, Shields

035 Chair Ringo
036 Chair Ringo

Hearing no objection, declares the motion CARRIED.
Closes work session on SB 352 and opens work session on HB 2438.

HB 2438 – WORK SESSION

037 Matt Shields
048 Sen. Atkinson

Committee Administrator. Gives overview of HB 2438.
MOTION: Moves HB 2438 to the floor with a DO PASS recommendation.

VOTE: 3-0-2

EXCUSED: 2 - Burdick, Shields

050 Chair Ringo

Hearing no objection, declares the motion CARRIED.
SEN. ATKINSON will lead discussion on the floor.

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

Ronald Eber

Farm and Forest Lands Specialist, Department of Land Conservation and Development. Submits written testimony in support of HB 2438 (**EXHIBIT B**).

053 Chair Ringo

Closes work session on HB 2438 and opens public hearing on HB 2170 A.

HB 2170 A – PUBLIC HEARING

060 Sen. Beyer
065 Chair Ringo
067 Sebastian Degens

Remarks that he will be leaving in about three minutes. Points out that the committee will lose a quorum when he leaves.

States that it was not his intention to pass HB 2170 today because he has not had a chance to sift through it.

Senior Planner, Port of Portland and member, Oregon Ballast Water Task Force. Submits written testimony in support of HB 2170 (**EXHIBIT C**). States that he is also submitting written testimony on behalf of Mark Sytsma, Associate Professor, Portland State University; Director, Center for Lakes and Reservoirs and Aquatic Bioinvasion Research and Policy Institute, in support of HB 2170 A (**EXHIBIT D**). Explains the amendments adopted in the House.

080 Bob Danko
081 Rob Douglas

Department of Environmental Quality. States support for HB 2170 A and notes that it has a minimal fiscal impact.

Columbia River Steamship Operator's Association and the Maritime Fire and Safety Association. States support for HB 2170 A.

082 Sen. Atkinson
085 Chair Ringo

Comments that HB 2170 A is a good environmental bill. States that HB 2170 A will be held over until the next scheduled meeting.

090 Chair Ringo

Closes public hearing on HB 2170 A and opens public hearing on HB 2722.

HB 2722 – PUBLIC HEARING

097 Rep. Mitch Greenlick
153 Chair Ringo
154 Rep. Greenlick
156 Rep. Dave Hunt
183 Chair Ringo
185 Rep Greenlick

Represents House District 33. Hopes that HB 2722 can move quickly to the Senate floor. Refers to ORS 221.031. Explains the process and requirements for forming a city. Explains the three mile veto requirement and states that HB 2722 would remove that requirement.

Asks if the League of Oregon Cities (LOC) is in support or opposition to HB 2722.

Replies that the LOC is in opposition to HB 2722.

Represents House District 40. Submits and reads written testimony in support of HB 2722 (**EXHIBIT E**).

Asks if the counties can still veto incorporation if HB 2722 passes.

Replies yes and explains.

188	Sen. Atkinson	Asks if there is a typo in the Staff Measure Summary (SMS).
189	Matt Shields	Committee Administrator. Replies yes.
200	Linda Ludwig	LOC. States that HB 2722 is about incorporation and not annexation and there is a procedure to go through for cities that are looking at incorporation. Explains that the Millersburg incorporation was the reason for the three mile veto provision.
217	Chair Ringo	Verifies that the issue with Millersburg was that it was incorporated around a significant corporation and preserved taxes for that city, thereby depriving the city of Albany of revenues.
219	Ludwig	Replies yes.
224	Sen. Atkinson	Asks if Sunriver is a city.
226	Ludwig	Replies no, it is not currently incorporated.
229	Sen. Atkinson	Remarks that he lived in Sunriver one winter.
235	Ludwig	Discusses effects of HB 2722: <ul style="list-style-type: none"> • Removes three mile veto provision • Changes the mechanics of how the county court approves or denies the petition for annexation
266	Chair Ringo	Verifies that, under HB 2722, an adverse impact to a neighboring city alone is not sufficient for denial.
268	Ludwig	Replies yes.
269	Ludwig	Remarks about language of HB 2722. Discusses three mile veto provision. States opposition to HB 2722 in its current form. Asks for an amendment and gives suggestion of specific language.
295	Rep. Greenlick	States that this is the first that he has heard from the LOC that they were opposed to it. Offers to have an amendment drafted for line 23 on page 3 of HB 2722.
302	Chair Ringo	Asks if witness will support HB 2722 with the suggested amendments.
303	Ludwig	Responds.
311	Chair Ringo	Asks Rep. Greenlick about Millersburg.
315	Rep. Greenlick	Responds.
The following prepared testimony is submitted for the record without public testimony:		
	Vickie Hardin	City of Salem. Submits written testimony in opposition to HB 2722 (EXHIBIT F) .
350	Chair Ringo	Closes public hearing on HB 2722 and adjourns meeting at 3:32 p.m.

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EXHIBIT SUMMARY

- A. SB 352, -1 amendments, Staff, 1 p**
- B. HB 2438, written testimony, Ron Eber, 1 p**
- C. HB 2170 A, written testimony, Sebastian Degens, 2 pp**
- D. HB 2170 A, written testimony of Mark Sytsma, Sebastian Degens, 2 pp**
- E. HB 2722, written testimony, Rep. Dave Hunt, 1 p**
- F. HB 2722, written testimony, Vickie Hardin Woods, 1 p**