

SENATE COMMITTEE ON ENVIRONMENT & LAND USE

April 05, 2005
7:00 A.M.

Hearing Room 343
Tapes 71 - 72

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 569 – Public Hearing
SB 353 – Work Session
HB 2438 – Public Hearing
SB 96 – Work Session

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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 71, A		
005	Chair Ringo	Calls meeting to order at 7:07 a.m. and opens public hearing on SB 569.
	<u>SB 569 – PUBLIC HEARING</u>	
	Matt Shields	Committee Administrator. Submits SB 569-1 amendments for the record (EXHIBIT A).
013	Sen. Floyd Prozanski	Represents Senate District 4. Introduces Bob Horning. Testifies in support of SB 569. Discusses potential opposition to SB 569 and says that he wants to try and reach a solution.
042	Sen. Bruce Starr	Represents Senate District 15. Testifies in support of SB 569.
050	Bob Horning	Horning's Fishing and Picnic Hideout. Submits written testimony in support of SB 569 (EXHIBIT B). Asks permission to read his written testimony.
052	Chair Ringo	Asks witness to summarize the problem.
055	Horning	Summarizes problem and gives background information on SB 569.
095	Sen. Prozanski	Discusses health codes and frequency of events.
112	Horning	Discusses his facility.
125	Sen. Atkinson	Makes comments. Asks Sen. Prozanski if witness would potentially be violating this law if he were to have a church youth group on his site on Sunday afternoons. Asks if there is a protection because it is a church youth group.
134	Sen. Prozanski	Responds.
140	Sen. B. Starr	Responds.
168	Chair Ringo	Asks about -1 amendments. Asks if other amendments are being worked on.
172	Sen. Prozanski	Responds.

185	Sen. Beyer	Makes suggestions for an amendment.
188	Sen. Atkinson	Makes comment.
193	Sen. B. Starr	Responds.
200	Horning	States that the limitation on the frequency of the events is the main issue.
208	Chair Ringo	Verifies that removal of the three month limitation would be helpful.
209	Horning	Replies yes.
214	Laurel Cookman	Willamette Gables Riverside Estate. Accompanied by husband Scott Cookman. Testifies in support of SB 569.
275	Cookman	Gives economic analysis of events.
297	Chair Ringo	Asks how many weddings are held at witness' facility.
298	Cookman	Replies one a quarter and explains in detail.
308	Chair Ringo	Appreciates witness' testimony.
310	Cookman	States that they have not had any problems with law enforcement.
325	John Powell	Oregon State Sheriff's Association. Discusses potential problems with SB 569.
373	Chair Ringo	Verifies that SB 569 would change the number specified for a mass gathering from 3,000 to 4,500.
382	Powell	Clarifies definition of mass gathering and the effect of SB 569. Gives example.
397	Chair Ringo	Asks about frequency of events.
400	Powell	Responds.
TAPE 72, A		
002	Sen. Beyer	Makes comments. Asks how the law for mass gatherings is being interpreted to regulate a wedding of 200 people on a Saturday afternoon.
008	Powell	Responds.
012	Gail Shibley	Administrator, Public Health Systems, Department of Human Services (DHS). Discusses problem. Gives background information on mass gatherings. States that the DHS cannot support SB 569 and gives specific reasons why.
069	Chair Ringo	Asks if the DHS has a problem with removing the limitation on the frequency of events.
070	Shibley	Responds.
074	Art Schlack	Association of Oregon Counties. Expresses concerns about SB 569. Refers to specific language of SB 569.
112	Sen. Beyer	Ask question about language.
114	Schlack	Responds.
119	Schlack	Continues testimony on SB 569. Expresses concerns about loss of local control. Provides an illustration.
150	Chair Ringo	Makes comments.
155	Sen. Beyer	Asks question about holding a political rally more often than once every three months.
158	Chair Ringo	Responds.
160	Sen. Prozanski	Responds.
170	Sen. Shields	Makes comments.
180	Chair Ringo	Recesses public hearing on SB 569 and opens work session on SB 353.

SB 353 – WORK SESSION

	Matt Shields	Committee Administrator. Submits SB 353-1 amendments (EXHIBIT C) and SB 353-2 amendments for the record (EXHIBIT D).
195	Harlan Levy	Senior Staff Attorney, Oregon Association of Realtors. Testifies

- in support of SB 353 with the -2 amendments.
- 200 Sen. Beyer **MOTION: Moves to ADOPT SB 353-2 amendments dated 04/04/05.**
VOTE: 3-0-2
EXCUSED: 2 - Atkinson, Burdick
- 205 Chair Ringo **Hearing no objection, declares the motion CARRIED.**
- 210 Sen. Beyer **MOTION: Moves SB 353 to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 3-0-2
EXCUSED: 2 - Atkinson, Burdick
- 215 Chair Ringo **Hearing no objection, declares the motion CARRIED.**
SEN. SHIELDS will lead discussion on the floor.

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

- Marge Kafoury Director, Office of Government Affairs, City of Portland.
Submits written testimony on SB 353 (**EXHIBIT E**).
- 218 Chair Ringo Closes work session on SB 353 and opens public hearing on HB 2438.

HB 2438 – PUBLIC HEARING

- 220 Harlan Levy Senior Staff Attorney, Oregon Association of Realtors. Submits and highlights written testimony in support of HB 2438 (**EXHIBIT F**).

The following is submitted for the record without public testimony:

- Bob Rindy Department of Land Conservation and Development. Submits written testimony in support of HB 2438 (**EXHIBIT G**).
- 250 Chair Ringo Says he will hold HB 2438. Closes public hearing on HB 2438 and opens work session on SB 96.

SB 96 – WORK SESSION

- 255 Bob Rindy Department of Land Conservation and Development. Testifies in support of SB 96. Submits written testimony (**EXHIBIT H**).
- 268 Chair Ringo Says that Sen. Burdick expressed some concerns at an earlier hearing on SB 96. Asks if Mr. Rindy has talked with Sen. Burdick regarding these concerns.
- 270 Rindy Says that he has submitted some testimony which addresses the questions raised.
- 271 Chair Ringo Verifies that witness does not have any amendments to offer to the committee.
- 272 Rindy Confirms this.
- 273 Chair Ringo Verifies that the original bill should be passed.
- 274 Rindy Explains.
- 275 Harlan Levy Senior Staff Attorney, Oregon Association of Realtors. Testifies in support of SB 96.
- 280 Sen. Beyer **MOTION: Moves SB 96 to the floor with a DO PASS recommendation.**
VOTE: 3-0-2
EXCUSED: 2 - Atkinson, Burdick
- 283 Chair Ringo **Hearing no objection, declares the motion CARRIED.**
SEN. RINGO will lead discussion on the floor.
- 285 Chair Ringo Closes work session on SB 96 and re-opens public hearing on SB 569.

SB 569 – PUBLIC HEARING

- 290 Matt Jaqua Conference of Local Environmental Health Supervisors.
Discusses concerns and testifies on SB 569.
- 327 Chair Ringo Closes public hearing on SB 569 and adjourns meeting at 7:57

a.m.

EXHIBIT SUMMARY

- A. SB 569, -1 amendments, Staff, 1 p**
- B. SB 569, written testimony, Bob Horning, 5 pp**
- C. SB 353, -1 amendments, Staff, 1 p**
- D. SB 353, -2 amendments, Staff, 1 p**
- E. SB 353, written testimony, Marge Kafoury, 1 p**
- F. HB 2438, written testimony, Harlan Levy, 2 pp**
- G. HB 2438, written testimony, Bob Rindy, 1 p**
- H. SB 96, written testimony, Bob Rindy, 1 p**