

HOUSE COMMITTEE ON
ENVIRONMENT AND LAND USE

May 08, 2003 Hearing Room E
9:00 AM Tapes 73 - 74

MEMBERS PRESENT: Rep. Bill Garrard, Chair
 Rep. Dennis Richardson, Vice-Chair
 Rep. Cliff Zauner, Vice-Chair
 Rep. Robert Ackerman
 Rep. Dan Doyle
 Rep. Mitch Greenlick
 Rep. Diane Rosenbaum

STAFF PRESENT: Ray Kelly, Committee Administrator
 David Peffley, Committee Assistant

MEASURES HEARD: HB 3408 – Reconsideration and Work Session
 HB 2617 – Work Session
 HB 2899 – 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.

TAPE/#	Speaker	Comments
TAPE 73, A		
003	Chair Garrard	Calls the meeting to order at 9:14 and opens a reconsideration and work session on HB 3408 A
<u>HB 3408 A – RECONSIDERATION AND WORK SESSION</u>		
008	Rep. Zauner	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote on HB 3408A.
010		VOTE: 7-0
011	Chair Garrard	Hearing no objection, declares the motion CARRIED.
012	Rep. Zauner	MOTION: Moves to RECONSIDER the vote by which HB 3408 was passed to the floor with a DO PASS recommendation.
016		VOTE: 7-0
017	Chair Garrard	Hearing no objection, declares the motion CARRIED.
020	Ray Kelly	Announces the A6 amendments (EXHIBIT A).
027	Rep. Zauner	MOTION: Moves to ADOPT HB 3408A-6 amendments dated 5/2/03.
030		VOTE: 7-0
032	Chair Garrard	Hearing no objection, declares the motion CARRIED.
033	Rep. Zauner	MOTION: Moves HB 3408A to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules.
034	Rep. Ackerman	Speaks with disapproval to a report stating that one of those testifying before the committee had a financial vested interest which he did not disclose.

057	Chair Garrard	Recesses the meeting at 9:18.
058	Chair Garrard	Reconvenes the meeting at 9:27 and notes that Rep. Ackerman's motion will not be able to be considered.
071		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 – Greenlick*
074	Chair Garrard	The motion CARRIES.
077	Rep. Greenlick	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. GREENLICK to BE RECORDED as voting AYE on the motion to move HB 3408A to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules.
086	Chair Garrard	Chair closes the work session on HB 3408A and opens a work session on HB 2617.
<u>HB 2617– WORK SESSION</u>		
088	Ray Kelly	Committee Administrator. Summarizes HB 2617 and announces the -2 amendments (EXHIBIT B).
101	Doug Riggs	Central Oregon Cities Association Summarizes the need for HB 2617, including the -2 amendments. Submits (EXHIBIT C) – a summary of the changes contained in HB 2617-2 and attests to the concerns addressed in the -2 amendments.
161	Rep. Greenlick	Asks Riggs to explain Section 3A and its effects.
170	Riggs	Replies that the amendment supercedes the needs justification provision.
176	Rep. Zauner	Asks why he was unable to move a similar bill having to do with his district, HD 22, encompassing Woodburn.
188	Riggs	States that HB 2617 attempts to pragmatically address this specific concern, not that of Woodburn.
205	Rep. Ackerman	Asks about Lines 18-24 in the -2 amendments.
221	Riggs	Addresses the need for large industrial sites and concerns addressed by Lines 18-24.
248	Rep. Ackerman	Asks if this bill would make the need for the appeals process relatively moot.
253	Riggs	Responds affirmatively and notes that this legislation would not do away with the ability to appeal if necessary.
265	Rep. Rosenbaum	Asks about study and application.
267	Riggs	Defers to David Hales.
274	Rep. Greenlick	Asks Riggs to elaborate on the traded sector concept.
283	Riggs	Explains that that concept was arrived at by the work group.
300	David Hales	City Manager and City Councilman, Bend. Submits (EXHIBIT D) and testifies in favor of HB 2617 in that it means more jobs in Bend where many have been lost recently.
381	Rep. Doyle	Asks Hales for clarification on a figure.
387	Hales	Continues his testimony, focusing on the need to create living-wage jobs in Bend.
TAPE 74, A		
005	Rep. Greenlick	Asks about the failed study which compromised Bend's situation.
010	Hales	Clarifies the problems with the study.
014	Rep. Greenlick	Asks if the need case was part of the study.
020	Hales	Speaks to the genesis of the study.
026	Rep. Greenlick	Asks how much land has been approved for industrial land.
028	Hales	Explains the sizes of land tracts and the process of parceling land.

035	Rep. Greenlick	Asks if there is anything in this bill which would prevent problems in the future.
044	Riggs	Reaffirms that the intention is not to create strip malls.
053	Rep. Zauner	States his understanding of the problem facing Bend, but struggles with the issue since Woodburn is unable to do the same.
062	Riggs	Speaks about other bills which might help the case of Woodburn.
077	Harlan Levy	Associated Oregon Realtors (AOR). States support for the amendments which are friendly to HB 2617, supported by AOR.
080	Jon Chandler	Legislative Advocates. Commends the -2 amendments to HB 2617.
112	Linda Ludwig	League of Oregon Cities (LOC). Lends support to HB 2617 and notes that it is a great pilot project and addresses the uniqueness of this situation and applicability to a pilot project.
131	Rep. Greenlick	States concern for other groups being able to get their hands on these parcels of land.
144	Chandler	States that the land would be owned by the city, who has a direct stake in making sure that it is used for industrial lands.
172	Bob Rindy	Department of Land Conservation and Development (DLCD). Notes the state shortage of industrial land and remarks that DLCD sees a need for industrial land and does not oppose HB 2617.
203	Rep. Doyle	Asks how the commission would interpret the six sites called for in the bill.
213	Rindy	States that he is not sure what six sites the bill is referring to. Believes that the case is first-come, first-serve.
217	Rep. Doyle	Expresses concern about HB 2617 as addressing a specific interest, as opposed to a broad policy issue.
221	Rindy	Responds that he believes that this legislation is broader than it might appear.
238	Rep. Doyle	Asks how this bill fits into the concept of bringing more lands into urban growth boundaries (UGB) in general.
244	Rindy	States that he doesn't believe that this bill circumvents the hierarchy process and believes that it would be innocuous to the process.
261	Randy Tucker	Notes support for Chandler's other shovel-ready legislation, but announces opposition to HB 2617. Addresses Rep. Zauner's concern.
311	Ann Wheeler	Friends of Bend. Testifies in opposition to HB 2617. Notes that Bend has been working on UGB expansion and believes the process to be adequate to the task of siting industrial sites.
407	Kate Kimball	1000 Friends of Oregon. States concerns for the bill which seems to contradict task-force findings. Addresses concerns for piece-meal planning, which this bill appears to do.
470	Rep. Greenlick	Asks Kimball if she is in agreement with Riggs' testimony on needs analysis.
TAPE 73, B		
003	Kimball	Asserts that HB 2617 short circuits Goal 14 and Goal 2. Affirms that she disagrees with LCDC's analysis.
008	Rep. Greenlick	Reaffirms his belief that this bill only deals with the need question.
011	Kimball	Discusses site analysis and concludes by restating her chief concerns.
025	Chair Garrard	Asks if Kimball is speaking to the whole of Oregon or just six

		sites.
030	Kimball	Clarifies her remarks regarding the six sites.
035	Tucker	Notes that 1000 Friends has other representatives.
041	Chair Garrard	Expresses concern that Kimball might have been speaking to all of Oregon.
043	Riggs	Makes closing remarks and addresses Rep. Greenlick's concern.
069	Art Schlack	Association of Oregon Counties (AOC). Notes that this bill is a work in progress and supports it.
086	Rep. Rosenbaum	Notes that this is the first the committee has heard that this is a work in progress.
090	Schlack	Addresses coordination and UGB amendments which may come forth.
100	Riggs	Details areas in the bill which need work, specifically Southern Oregon issues and soil types. Affirms that these areas will be worked on with OFB and cities and counties.
120	Rep. Richardson	MOTION: Moves to ADOPT HB 2617-2 amendments dated 5/7/03.
124	Rep. Greenlick	States that he will vote to move the bill out of committee but may vote against it on the floor. Addresses shovel-ready land, that we need it and will work for it, but has concerns with this bill in particular. Notes that he wants need analysis added to the bill.
145	Rep. Ackerman	Reaffirms Rep. Greenlick's sentiments.
151		VOTE: 7-0
152	Chair Garrard	Hearing no objection, declares the motion CARRIED.
154	Rep. Richardson	MOTION: Moves HB 2627 to the floor with a DO PASS AS AMENDED recommendation.
155	Rep. Rosenbaum	States that she is a nay vote, just to give it more consideration. Notes that she may change her vote on the floor to an aye vote.
166	Rep. Zauner	States that he will vote aye, but reasserts that the similar bill dealing with Woodburn should receive consideration.
174	Rep. Doyle	States that he will vote aye, based on Rindy's testimony and with Riggs working with OFB.
174		VOTE: 6-1
		AYE: 6 - Ackerman, Doyle, Greenlick, Richardson, Zauner, Garrard
		NAY: 1 - Rosenbaum
182	Chair Garrard	The motion CARRIES.
		Rep. Garrard will lead the discussion on the floor.
197	Chair Garrard	Closes the work session on HB 2617 and opens a work session on HB 2899.
<u>HB 2899 -WORK SESSION</u>		
215	Chair Garrard	Addresses the amendments to HB 2899. Announces that the bill will be worked on Tuesday, May 13.
223	Rep. Greenlick	Asks whether there is opposition to the bill.
227	John Lilly	Division of State Lands (DSL). Speaks to the opposition and asserts that accommodation to all parties can be met with the work group.
242	Rep. Greenlick	Asks if the bill may be amended further.
244	Lilly	Notes that there quite possibly will be -3 amendments.
246	Chair Garrard	Closes the work session on HB 2899 and adjourns the meeting at 10:41 AM.

EXHIBIT SUMMARY

A – HB 3408 A, -A6 amendments, staff, 1 p.

B – HB 2617, -2 amendments, staff, 2 pp.

C – HB 2617, written information, Doug Riggs, 1 p.

D – HB 2617, written testimony, David Hales, 3 pp.