

## SENATE COMMITTEE ON RULES

April 01, 2003  
3:00 pm

Hearing Room 343  
Tape 32

**MEMBERS PRESENT:**     **Sen. Bev Clarno, Co-chair, Presiding**  
                                  **Sen. Kate Brown, Co-chair**  
                                  **Sen. Jason Atkinson, Vice-chair**  
                                  **Sen. Ginny Burdick, Vice-chair**  
                                  **Sen. Roger Beyer**  
                                  **Sen. Tony Corcoran**

**STAFF PRESENT:**       **Jim Stembridge, Committee Administrator**  
                                  **Pam Cox, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **Executive Appointments – Work Session**  
                                  **Land Use Board of Appeals**  
                                  **Introduction of Committee Measures – Public Hearing and Work**  
                                  **Session**

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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 32, A</b>		
005	Co-chair Clarno	Opens committee meeting at 3:04 p.m. Opens a work session for executive appointments.
<b><u>EXECUTIVE APPOINTMENTS - PUBLIC HEARING</u></b>		
<b><u>LAND USE BOARD OF APPEALS – APPOINTMENTS OF TOD BASSHAM (EXHIBITS A, B), ANNE CORCORAN BRIGGS (EXHIBITS C, D) AND MICHAEL HOLSTUN (EXHIBITS E, F)</u></b>		
008	Anne Corcoran Briggs	Informs the committee on her background and qualifications for the appointment.
011	Sen. Atkinson	Asks if she knows the name of her Senator.
012	Briggs	Answers Sen. Gordly.
020	Tod Bassham	Discusses his background and qualifications for the appointment.
024	Michael Holstun	Informs the committee that Sen. Ringo is his Senator and discusses his background and qualifications for the appointment
040	Sen. Atkinson	Asks if any of the appointees are lawyers.
042	Bassham	States all three, the statute requires members of the Board be attorneys.
043	Sen. Atkinson	Notes all three are from Portland and asks if it has any effect on the way they view the land use cases around other areas of Oregon.
045	Briggs	Notes she hasn't always lived in Portland.
054	Sen. Atkinson	Asks how much time does it take for an appeal process.
055	Holstun	Describes the appeal process.
065	Sen. Atkinson	Asks if they request extensions.
070	Bassham	Answers it would be in violation of the statute.
078	Briggs	States most are resolved within a year.
082	Sen. Atkinson	Asks if they have thought of a way to speed up the process.
089	Holstun	States seventy-seven days is a very tight deadline.
099	Sen. Atkinson	States a case in his home town that it is still held up in the Land

		Use Board of Appeals (LUBA) process.
114	Briggs	States she knows the case that Sen. Atkinson is talking about and it went to the Court of Appeals and back to LUBA.
120	Sen. Atkinson	Notes people do not have endless amounts of money to spend on the appeal process.
140	Holstun	Answers the case would be settled sooner if it went to LUBA than to the Circuit Court.
147	Bassham	States the costs are as inexpensive as possible.
150	Sen. Atkinson	Asks if there is anything the committee can do to help the process.
153	Bassham	Answers to the backlog and budget cuts and losing staff.
160	Sen. Brown	Asks for clarification on staffing reductions.
164	Bassham	Answers they went from seven full time employees (FTE) to four point five FTE.
165	Sen. Brown	Asks for explanation of the staff's duties.
172	Bassham	Describes the functions of the staff at LUBA.
176	Sen. Brown	Asks who does their research.
177	Bassham	Answers the staff attorney did but he was one of the budgetary cuts.
183	Sen. Brown	Notes they do their own research.
190	Bassham	Acknowledges.
193	Sen. Brown	Asks how much additional time does it take to do the research.
195	Bassham	States it takes twenty-five percent of their ability to finalize the cases.
198	Sen. Beyer	Asks who is the chair of their Board.
199	Bassham	Notes he is.
202	Sen. Atkinson	Asks what are the duties of the additional staff.
203	Bassham	Clarifies the duties.
211	Sen. Clarno	Asks if Briggs had grown up in Baker City.
214	Briggs	Answers she worked there for three and one half years.
220	Sen. Clarno	Notes the Governor's desire to have a better connection between urban and rural.
224	Briggs	States there is no respect for those on the other side of the mountain.
234	Co-chair Clarno	Asks if her concern and representation is the same for Baker City as Portland where she presently lives.
236	Briggs	States she is very conscious of rural issues.
245	Co-chair Clarno	Explains her concern of land use laws and appeals not being completed for the lack of money.
265	Sen. Atkinson	Reiterates he would value their input on how to improve the process.
269	Co-chair Clarno	Closes the public hearing on executive appointments and opens a work session on executive appointments.

**EXECUTIVE APPOINTMENTS – WORK SESSION**

270	Sen. Brown	<b>MOTION: Moves the REAPPOINTMENTS of Tod Bassham, Anne Corcoran Briggs and Michael Holstun to the Land Use Board of Appeals to the floor with the recommendation that the appointments BE CONFIRMED EN BLOC.</b>
276	Co-chair Clarno	<b>VOTE: 6-0 Hearing no objection, declares the motion CARRIED. SEN. CLARNO will lead discussion on the floor.</b>
378	Co-chair Clarno	Closes work session on executive appointments and opens a work

session on introduction of committee measures.

**INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION**

<b>380</b>	<b>Sen. Brown</b>	<b>MOTION: Moves LC's: 3518, 1095 and Bill Drafts BE INTRODUCED as committee bills.</b>
<b>381</b>		<b>VOTE: 4-0</b>
	<b>Co-chair Clarno</b>	<b>EXCUSED: 2 - Sen. Beyer, Sen. Corcoran</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
384	Co-chair Clarno	Closes work session on introduction of committee measures. Adjourns committee meeting at 3:46 p.m.

**EXHIBIT SUMMARY**

- A – Land Use Board of Appeals, Governor’s office and staff,**
- B – Executive appointee, Tod Bassham, staff**
- C – Land Use Board of Appeals, Governor’s office and staff,**
- D – Executive appointee, Anne Corcoran Briggs, staff**
- E – Land Use Board of Appeals, Governor’s office and staff,**
- F – Executive appointee Michael Holstun, staff**