

## SENATE COMMITTEE ON RULES

July 23, 2003  
1:30 pm

Hearing Room B  
Tapes 99 - 100

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

**MEMBER EXCUSED:**     **Sen. Kate Brown, Co-chair**  
                              **Sen. Jason Atkinson, Vice-chair**

**STAFF PRESENT:**       **Jim Stembridge, Committee Administrator**  
                              **Jeana Harrington, Committee Assistant**

**MEASURES HEARD:**       **Executive Appointments**  
                              Environmental Quality Commission  
                              Lynn Hampton  
                              Deirdre Malarkey  
                              **SB 917 – Public Hearing**  
                              **SB 920 – Public Hearing**  
                              **SB 930 – Public Hearing**

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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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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 99, A</b>		
003	Co-chair Clarno	Calls meeting to order at 1:35 PM. Opens work session on Executive Appointments.
<b><u>WORK SESSION</u></b>		
008	Jim Stembridge	Committee Administrator. Provides summary of qualifications of appointees.
015	Sen. Burdick	<b>MOTION: Moves that the appearances be waived and that the</b>  <b>committee recommend the following appointments and reappointments be confirmed by the Senate, with multiple appointments made to a single board or commission to be considered en bloc:</b>
<b><u>ENVIRONMENTAL QUALITY COMMISSION – APPOINTMENT OF LYNN HAMPTON</u></b>		
<b><u>AND</u></b>		
<b><u>REAPPOINTMENT OF DEIRDRE MALARKEY (EXHIBIT A)</u></b>		
027		<b>VOTE: 4-0-2</b> <b>EXCUSED: 2 - Atkinson, Brown</b>
	Co-chair Clarno	<b>Hearing no objection, declares the motion CARRIED.</b> <b>SEN. CORCORAN will lead discussion on the floor.</b>
030	Co-chair Clarno	Closes work session on Executive Appointments. Opens public hearing on SB 917.

**SB 917 – PUBLIC HEARING**

033	Jim Stembridge	Committee Administrator. Summarizes SB 917, which authorizes photo radar in cities of Coos Bay, Lake Oswego, Milwaukie, Newberg, Roseburg, and Wood Village.
037	Rep. Vic Backlund	House District 25. Testifies in support of SB 917. Provides personal encounter with photo radar in Arizona.
065	Rep. Greg Macpherson	House District 38. Testifies in support of SB 917. Speaks on the cities included in the measure. Believes the technology bring efficiencies to the system. Informs of the vote required for passage.
097	Sen. Beyer	Requests what action was taken on the House bill.
099	Rep. Macpherson	Answers there was not sufficient support in the Senate Transportation Committee.
105	Rep. Backlund	Adds the views of the committee members on the bill on the cities included.
113	Co-chair Clarno	Request the original two cities in the House bill.
114	Rep. Backlund	Answers Lake Oswego and Newberg. Explains the other cities were added at the request of their citizens.
121	Rep. Macpherson	Notes amendment suggested on the measure <b>(EXHIBIT B)</b> . Prefers the bill in its original form, but voices hope the bill moves regardless.
134	Sen. Corcoran	Remarks.
137	Sen. Beyer	Remarks.
140	Co-chair Clarno	Comments on the bill. Closes public hearing on SB 917. Opens public hearing on SB 920.

#### **SB 920 – PUBLIC HEARING**

150	Judith Callens	Committee Administrator. Summarizes SB 920, which modifies land use planning requirements for metropolitan service district. Informs the bill is the reincarnation of HB 2909 (2003), which had no fiscal or revenue impact. Notes -1, -2 & -3 amendments <b>(EXHIBITS C, D &amp; E)</b> and the requestors.
164	Al Burns	City of Portland, Bureau of Planning. Testifies in opposition to SB 920 <b>(EXHIBIT F)</b> . Explains reasons for opposition to the -3 amendments proposed by METRO. Suggests alternatives for provisions.
223	Stephen Kafoury	Oregon Chapter, American Planning Association (APA). Testifies in support of SB 920.
236	Mitch Rohse	APA. Testifies in support of SB 920 <b>(EXHIBIT G)</b> . Speaks on periodic review. Lists suggestions and concerns for the bill by section. Voices concern the bill may have unintended consequences.
300	Sen. Burdick	Poses question regarding comments on section nine, asks if Mr. Rohse is in support of the -2 amendments.
308	Rohse	States APA support the -2 amendments, but suggests addition of criteria.
325	Sen. Burdick	Asks if Mr. Rohse has a position on the -3 amendments.
344	Rohse	States APA opposes the -3 amendments and echoes concerns of Mr. Burns.
360	Linda Ludwig	League of Oregon Cities (LOC). Defers to Mr. Chandler.
375	Jon Chandler	Oregon Building Industry Association (OBIA). Testifies in support of SB 920. Speaks on the system of periodic review and its recent regression due to budget problems and economic downfall.

#### **TAPE 100, A**

010	Chandler	Informs of the discussions on HB 2909. Explains the intent of the
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		bill. Informs the -1 amendments are a product of the workgroup. Differentiates the -1 and -2 amendments. Comments on the -3 amendments.
044	Sen. Burdick	Understands the -3 amendments were part of the bill that passed the House.
046	Chandler	Responds.
048	Sen. Burdick	Confirms the -3 amendments represent the product of the workgroup.
050	Chandler	Explains there were always concerns with the part of the bill the -3 amendments represent.
060	Sen. Corcoran	Remarks on the importance of a workgroup. Requests Mr. Chandler characterize the product of the workgroup. Confirms it produced the -1 and -3 amendments.
065	Chandler	Concurs, but clarifies the issues involved and reasons behind the disagreement. Conveys that an agreement is close to being reached.
087	Co-chair Clarno	Comments on the variety of bills the Senate Rules Committee is receiving and appreciates the information and testimony.
105	Ludwig	LOC. Testifies in support of SB 920 and the -1 amendments. Provides information on periodic review under SB 920 <b>(EXHIBIT H)</b> . Submits the -1 amendments were subject to much scrutiny and effort. States beliefs of the -2 amendments regarding workgroup issues. Disagrees with certain provisions of the -2 amendments. Speaks on periodic review program in the state.
170	Art Schlack	Association of Oregon Counties (AOC). Testifies in support of SB 920 and the -1 amendments. Comments on provisions in section five. Discusses section ten.
224	Sen. Corcoran	Remarks.
239	Brian Newman	Councilor, METRO. Testifies in support of SB 920 with the -3 amendments <b>(EXHIBIT I)</b> . Speaks on the periodic review process. Lists the impact the bill will have on METRO.
293	Rex Burkholder	Councilor, METRO. Testifies in support of SB 920 with the -3 amendments. Lists reasons the -3 amendments were brought forward. Speaks on the tasks and considerations for METRO to illustrate the impact of the bill. Voices surprise that the City of Portland would not support the measure as goals of both parties are similar. Believes periodic review is valuable.
384	Co-chair Clarno	Questions a statistic on growth rate in Mr. Burkholder's testimony.
389	Burkholder	Clarifies.
394	Doug Riggs	METRO. Testifies in support of SB 920. Notes he participated in the workgroup on HB 2909. Speaks on the opinion of the workgroup on the -3 amendments.
<b>TAPE 99, B</b>		
010	Riggs	Thinks Department of Land Conservation and Development (DLCD) can also benefit from the bill with the -3 amendments.
039	Mike Collmeyer	1,000 Friends of Oregon. Testifies on SB 920 <b>(EXHIBIT J)</b> . Supports periodic review. Suggests three adjustments to SB 920. Notes 1,000 Friends of Oregon opposes the -3 amendments.
112	Randy Tucker	1,000 Friends of Oregon. Introduces himself.
119	Nan Evans	Director, DLCD. Testifies in support of SB 920 <b>(EXHIBIT K)</b> . Supports the amendments to SB 920. Speaks on DLCD commitment to reducing the backlog of periodic review tasks. Comments that the periodic review is important to local

		governments and the state. Supports SB 920 with the -1 amendments. Comments on purposes of committees established by the bill.
203	Co-Chair Clarno	Asks if there are questions.
230	Burton Weast	Special Districts Association of Oregon (SDAO). Notes he was a member of the workgroup. Offers support for the amendments. Strongly supports naming organizations in the bill. Expresses appreciation for support from DLCD.
250	Sen. Burdick	Request SDAO position on the -2 and -3 amendments.
255	Weast	States support for the -1 and -3 amendments.
260	Co-chair Clarno	Closes public hearing on SB 920. Opens public hearing on SB 930.
<b><u>SB 930 – PUBLIC HEARING</u></b>		
270	Co-chair Clarno	Notes there is a problem with the relating clause of the bill. Closes public hearing on SB 930. Adjourns meeting at 2:50 PM.

### **EXHIBIT SUMMARY**

- A – Executive Appointments, Staff and Governor’s office, 11 pp.**
- B – SB 917, -1 amendments (7/17/03), Staff, 1 p**
- C – SB 920, -1 amendments (7/23/03), Staff, 2 pp.**
- D – SB 920, -2 amendments (7/23/ 03), Staff, 3 pp.**
- E – SB 920, -3 amendments (7/23/03), Staff, 1 p**
- F – SB 920, written testimony, Al Burns, 3 pp.**
- G – SB 920, written testimony, Mitch Rohse, 5 pp.**
- H – SB 920, information on periodic review, Linda Ludwig, 1 p**
- I – SB 920, written testimony, Brian Newman, 1 p**
- J – SB 920, written testimony, Michael Collmeyer, 4 pp.**
- K – SB 920, written testimony, Nan Evans, 2 pp.**