

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

March 26, 2001  
8:30 am

Hearing Room E  
Tapes 57 - 59

**MEMBERS PRESENT:**     **Rep. Betsy Close, Chair**  
                                  **Rep. Laurie Monnes Anderson, Vice-Chair**  
                                  **Rep. Susan Morgan, Vice-Chair**  
                                  **Rep. Mark Hass**  
                                  **Rep. Bob Jenson**  
                                  **Rep. Deborah Kafoury**  
                                  **Rep. Al King**  
                                  **Rep. Jeff Kruse**  
                                  **Rep. Jan Lee**

**STAFF PRESENT:**       **Megan Palau, Administrator**  
                                  **Shannon Relaford, Committee Assistant**

**MEASURE/ISSUES HEARD:**     **HB 3276 Public Hearing and Work Session**  
                                  **HB 3738 Work Session**  
                                  **HB 2732 Work Session**  
                                  **HB 3089 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 57, A</b>		
003	Chair Close	Convenes meeting at 8:38 a.m., opens public hearing on HB 3276.
<b><u>HB 3276 PUBLIC HEARING</u></b>		
006	Rep. Starr	District 3, presents testimony in support of the bill, which appropriates moneys from the General Fund to State Parks and Recreation Department for development of a state park in Washington County.
050	Rep. Williams	District 9, presents testimony in support of the bill.
082	Rep. Lee	Expresses her support for the bill.
090	Rep. Monnes Anderson	Expresses her curiosity if the rest of the state will want to come to the state park.
097	Rep. Star	States Washington County lacks a public facility whereas other counties have overnight facilities. Adds it would be used by the Portland area.
107	Rep. Williams	Adds that Washington County contributes taxes to the entire state.
128	Rep. Monnes Anderson	Comments that the parks are what makes Oregon special, but asks where is the money coming from.
132	Rep. Kruse	Asks if the funding source will be Measure 66. States Measure

		66 was supposed to do this and should be a priority and should be designated in the bill.
148	Rep. Williams	Concurs and asks it to be referred to Ways and Means.
158	Rep. Kruse	Follows by stating his support if Measure 66 funds are used but not general funds.
163	Rep. Williams	Concurs and requests the bill go to Ways and Means.
175	Rep. Kruse	Asks if they are asking Ways and Means to do substantive amendments.
183	Rep. Williams	Expresses his understanding that Ways and Means process had the opportunity to make some determinations from a financial perspective.
192	Rep. Jenson	Applauds the efforts if its Measure 66 money and supports the measure.
233	Rep. Morgan	Asks if Ways and Means can change the funding source why an emergency clause is needed.
268	Rep. Starr	Responds in order to get to work right away.
275	Rep. Morgan	Continues by suggesting they work out the \$2 million funding issue before they bring the bill to Ways and Means.
285	Rep. Williams	Addresses the emergency clause issue by explaining if they get the funding it will be important to have the effective date sooner than later.
293	Rep. Morgan	States she would keep an open mind on that while looking at the whole bill.
298	Rep. Kruse	States time sensitivity occurs on all general funding issues and advocates moving it up higher on Parks' priority list.
314	Rep. Starr	States he believes they will have that opportunity.
319	Rep. Lee	States it's important to keep the emergency clause because of federal funding.
323	Rep. King	States his support for the emergency clause.
331	Rep. Devlin	District 34, presents testimony in support of the bill.
425	Rep. Hass	District 8, presents testimony in support of the bill. <b>(EXHIBIT B)</b>
475	Tom Brian	Chairman of Washington County Board of Commissioners presents testimony in support of the bill. Stresses coordinating with 5 agencies to exchange the land for the park. <b>(EXHIBIT A)</b>
<b>TAPE 58, A</b>		
076	Rep. Jenson	Asks if they approached State Parks for Measure 66 money.
081	Brian	Responds yes they did and he understands they do not have park development money in the Governor's budget. States they are open to any kind of funding.
102	Rep. Monnes	Follows by asking if they could get funding from levies within county for the park.
106	Anderson Brian	Replies yes but the bonds are primarily for open green spaces and continues that Washington County is not in the parks business.
119	Dave Wright	Policy and Planning Administrator, Parks and Recreation Department presents testimony in support of the park. <b>(EXHIBIT C)</b>
160	Kate Schutt	Presents visuals of the park area.
171	Rep. Monnes Anderson	Asks where Hillsboro is in relation to the park.
175	Schutt	Continues with presentation of visuals.
240	Chair Close	States it looks like they've done a lot of planning already and asks what could they do with one million if they were to get it.

250	Wright	Believes they could start the initial engineering design and access road improvement.
265	Rep. Morgan	Asks if her assumption that the land acquisition will take place by exchange is correct.
290	Wright	Explains there may be some money used but they would use Measure 66 funds for that. Continues with overview.
300	Rep. Morgan	Asks if the exchange is completed sometime in 2002 it would be beyond that point they would actually start the work.
305	Wright	Responds they could begin some of the initial engineering earlier.
310	Rep. Morgan	Asks if the one million is to get through the planning process.
312	Wright	Explains the time frames for construction.
315	Penny Bakefell	Washington County Convention and Visitor Bureau, presents testimony in support of the bill.
388	Hollie Pihl	Presents testimony in support of the bill.
<b>TAPE 57, B</b>		
065	Chair Close	Asks if Longview Fiber put any time limit on their offer.
070	Pihl	Replies no. Continues with explanation.
080	Chair Close	Closes public hearing on HB 3276 and opens a work session on HB 3276.

**HB 3276 WORK SESSION**

084	Megan Palau	Explains bill.
087	Rep. Hass	<b>MOTION: Moves HB 3276 to the Full Committee on Ways and Means with a DO PASS recommendation.</b>
090	Rep. Morgan	States her concern for the recommendation for do pass, asks for no recommendation but direction that the sponsors of the bill work with the fiscal office to move the general fund moneys out of the bill and designate other funding sources.
100	Rep. Hass	States time is of the essence and he would argue for a General Fund source and stresses the importance of creating more state parks.
120	Rep. Kruse	States his concurrence to not have a do pass recommendation.
136	Rep. Lee	States her concern for passing the bill without a do pass recommendation.
142	Rep. Monnes Anderson	States in her district they've had three levies for parks and are always defeated. States she prefers the bill does not have a do pass recommendation.
155	Chair Close	Comments on the request for federal funding.
165	Rep. Morgan	Suggests a workable solution is to attach a recommendation that the committee was very favorable to establishing the park but was uncomfortable having the General Fund be the funding source.
175	Rep. King	States he would support the motion as is with the expectation of addressing the appropriate funding source.
189	Rep. Hass	Emphasizes this is for a state park not a county park and agrees to amend his motion.
190	Rep. Hass	<b>MOTION: Moves HB 3276 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Full Ways and Means with the stipulation that funding come from Measure 66 money.</b>

**VOTE: 8-0**

**AYE: 8 - Hass, Jenson, King, Kruse, Lee, Monnes  
Anderson, Morgan, Close**

218 Chair Close  
**HB 3738 WORK SESSION**

223 Megan Palau

**242 Rep. King**

236 Rep. Kruse

250 Rep. Morgan

272 Rep. King

280 Rep. Morgan

281 Rep. King

285 Rep. Lee

**286 Rep. King**

**Chair**

295 Chair Close

**HB 2732 WORK SESSION**

300 Megan Palau

312 Dave Hunnicutt

356 Rep. Lee

360 Hunnicutt

362 Rep. Monnes  
Anderson

372 Hunnicutt

437 Rep. Monnes  
Anderson

445 Dale Blanton

**TAPE 58, B.**

061 Rep. Lee

071 Bob Rindy

084 Rep. King

085 Rindy

090 Rep. Lee

092 Rindy

099 Rep. Close

100 Rindy

102 Chair Close

105 Rindy

121 Rep. Kruse

**EXCUSED: 1 - Kafoury**

**The motion CARRIES.**

Opens work session on HB 3738.

Presents overview of HB 3738 establishing a task force on plastic recycling.

**MOTION: Moves HB 3738 be reported out to the committee on Transportation without RECOMMENDATION to passage.**

States he will vote no on the motion.

Asks why send it to Transportation.

Responds the relating clauses relate to tires and recycling.

Comments on the expenditures for task forces.

Suggests that could be discussed in the subsequent committee.

Addresses the task force expenditure issue.

**VOTE: 7-1**

**AYE: 7 - Hass, Jenson, King, Lee, Monnes Anderson, Morgan, Close**

**NAY: 1 - Kruse**

**EXCUSED: 1 - Kafoury**

**The motion CARRIES.**

Closes work session on HB 3738 and opens a work session on HB 2732.

Presents explanation of the bill which stipulates that mediated settlement of appeal of land use matter applies only to parties to appeal and mediated settlement.

Oregonians in Action explains amendment and presents testimony in support of the bill.

Asks who was in the working group.

Responds there was no working group.

States she doesn't understand the amendment and what the bill is going to do.

Explains the purpose of the bill.

Asks if they could get other opinions from the department to see if they interpreted it the same way.

State Dispute Resolution Program, comments on the amendment states he is in agreement with them.

States she prefers to have legislative counsel review the amendment before they vote.

Oregon Department of Land Conservation and Development presents testimony in opposition to the bill.

States the mediator's position is not the same as the agency's and he'd like to hear their position.

Reiterates their position is the same as that of the mediator.

Asks if he agrees that the language may not be correct.

Supports the concept and the language could be more clear.

Asks if he was consulted on the dash one amendments.

Replies he was not consulted.

Follows by asking if he gave input.

Replies he did not, the mediator represented their interests.

States his confusion as to where the ambiguity is.

129	Blanton	Explains where the confusion is.
160	Rep. Kruse	Asks if it's the word "require" that is confusing.
168	Blanton	Continues with explanation.
170	Rep. Morgan	States she is also confused by the confusion and presents her interpretation of the current law.
173	Blanton	Concurs with her interpretation.
177	Rep. Morgan	Follows by asking if they amend the statute how does it take away what you already have.
180	Blanton	States as a supplement to the law it would limit the affect of a mediated settlement.
184	Rep. Lee	States she would like to hear from the Farm Bureau and 1000 Friends of Oregon on the bill.
191	Rep. Close	Closes work session and opens public hearing on HB 3089.
<b><u>HB 3089 PUBLIC HEARING</u></b>		
200	Megan Palau	Committee Administrator. Presents overview of bill which prohibits Land Conservation and Development Commission from enforcing rule requiring farm income as condition for approving farm dwelling unless commission includes farm income from entire farm unit.
215	Scott Ashcom	Oregon Association of Nurserymen presents testimony in support of the bill.
225	Bob Iwasaki	Presents testimony in support of the bill.
259	Rep. Hass	Asks if this would be the residence for his family.
261	Iwasaki	Replies yes.
262	Rep. King	States he supports the bill but has questions about what would stop someone from selling the non-contiguous parcels.
279	Iwasaki	Responds that is not his intent.
286	Scott Ashcom	Responds for Mr. Iwasaki and continues with testimony in support of the bill.
447	Rep. Monnes Anderson	Asks for clarification on testimony, describes scenario where a farmer has parcels in multiple counties and adds up his income from all parcels to qualify for the income standard but not have multiple dwellings.
455	Ashcom	Concurs and continues with testimony.
057	Rep. Monnes Anderson	Follows by asking if they met the income in both counties under the current law they would be able to have a dwelling in both counties.
	Ashcomb	Clarifies the current law the parcel is used to qualify the farmer for the principle dwelling and the farmer could not build two dwellings.
066	Don Schellenberg	Oregon Farm Bureau expresses support of the principal and suggests drafting amendments to the bill.
103	Chair Close	Asks if he's spoken to the Nurserymen's Association about the amendments.
105	Schellenberg	Replies that he has.
106	Rep. King	Suggests taking a look at what happens to aggregate growth and other revenues downstream.
108	Chair Close	Closes public hearing on HB 3089. Adjourns the meeting at 10:35 a.m.

Submitted By,

Reviewed By,

Shannon Relaford,  
Administrative Support

Megan Palau,  
Administrator

**EXHIBIT SUMMARY**

- A – HB 3276, written testimony, Tom Brian, 11 pp.**
- B - HB 3276, written testimony, Rep. Mark Hass, 1 p.**
- C – HB 3276, written testimony, David Wright, 2 pp.**
- D – HB 3089, written testimony, Scott Ashcom, 2 pp.**