

# HOUSE COMMITTEE ON WATER AND ENVIRONMENT

April 13, 2001  
8:30 am

Hearing Room E  
Tapes 76 -78

**MEMBERS PRESENT:** Rep. Betsy Close, Chair  
Rep. Susan Morgan, Vice-Chair  
Rep. Bob Jenson  
Rep. Al King  
Rep. Jeff Kruse  
Rep. Jan Lee

**MEMBER EXCUSED:** Rep. Laurie Monnes Anderson, Vice-Chair  
Rep. Mark Hass  
Rep. Deborah Kafoury

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

**MEASURE/ISSUES HEARD:** HB 3326 Public Hearing  
HB 3634 Public Hearing and Work Session  
HB 3557 Public Hearing  
HB 3858 Public Hearing and Work Session  
HB 2981 Public Hearing and 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>
<b>TAPE 76, A</b>		
003	Chair Close	Calls committee to order at 8:09 a.m. and opens public hearing on HB 3326.
<b><u>HB 3326 PUBLIC HEARING</u></b>		
010	Megan Palau	Committee Administrator, explains HB 3326.
030	George Reed	Deschutes County Planner, presents written testimony in support of HB 3326. <b>(EXHIBIT A)</b> .
128	Mark Nyman	Crook County realtor, presents written testimony in support of HB 3326. <b>(EXHIBIT B)</b> .
183	Jerry Hicks	Crook County realtor, presents testimony in support of HB 3326. Comments on the 160 minimum lot size.
210	Harlan Levy	Staff Attorney, Oregon Association of Realtors, presents written testimony in support of HB 3326. <b>(EXHIBIT C)</b> .
256	Chair Close	Asks about the Willamette County regulations.
268	Levy	Responds that there is a separate statute that deals with them but that is not the intention of this bill.
293	Lynn Lundquist	Former Speaker of the House, presents testimony in support of the bill. States that prior to the court cases, parcels were divided for years.
361	Rep. Jenson	Asks if he's comfortable with the livestock provision.
365	Lundquist	Responds it was part of the negotiation.
396	Ron Eber	Department of Land Conservation and Development, presents testimony neutral to the bill. Comments on the C-engrossed

		version of SB 489.
482	Chair Close	Comments on rationale for the decision.
487	Eber	Responds that it sets minimums and maximums for parcels.
<b>TAPE 77, A</b>		
063	Chair Close	Comments on class soils.
066	Eber	Responds class 1-6 soils.
072	Chair Close	Comments on irrigation.
075	Eber	Responds there are lands that are not irrigated and used for farming.
082	Chair Close	Comments on the possibility of mis-zoning.
085	Eber	Responds that it is possible.
110	Jim Welsh	Oregon Family Farm Association, presents testimony in support of the bill. Comments on HB 3389.
132	Chair Close	Submits written testimony and letters from: Oregon Farm Bureau Crook and Wheeler Farm Bureau, Laura Craska Cooper, Deschutes County Commissioners, Buddy and Sherri Pinz, Crook County Judge Scott Cooper ( <b>EXHIBIT D</b> ).
144	Mike Collmeyer	1000 Friends of Oregon, presents testimony opposing HB 3326. Explains that this bill will lead to increased parceling of agricultural land.
145	Chair Close	Closes work session on HB 3326 and opens public hearing on HB 3634.
<b><u>HB 3634 PUBLIC HEARING</u></b>		
183	Palau	Explains HB 3634.
185	Linda Bye	Oregon Concrete and Aggregate, presents testimony in support of HB 3634. Explains that this bill is to correct technical language enforcing closure plans.
189	Gary Lynch	Department of Geology and Mineral Industries (DOGAMI), presents written testimony in support of the bill. ( <b>EXHIBIT E</b> ).
316	Chair Close	Closes public hearing on HB 3634 and opens work session on HB 3634.
<b><u>HB 3634 WORK SESSION</u></b>		
317	<b>Rep. Morgan</b>	<b>MOTION: Moves HB 3634 to the floor with a DO PASS recommendation.</b> <b>VOTE: 6-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 3 - Hass, Kafoury, Monnes-Anderson</b> <b>The motion CARRIES.</b> <b>REP. CLOSE will lead discussion on the floor.</b>
318	<b>Chair Close</b>	
340	Chair Close	Closes work session on HB 3634 and opens public hearing on HB 3557.
<b><u>HB 3557 PUBLIC HEARING</u></b>		
344	Palau	Explains HB 3557 and the -1 amendments ( <b>EXHIBIT F</b> ).
350	Jon Chandler	Urban Development Coalition, explains the -1 amendments and presents testimony in support of HB 3557. Comments on the need to get a handle on the inventory of commercial and industrial lands in Oregon. Mentions that this bill will have a fiscal.

400	Jim Mark	CEO, Melvin Mark Companies, presents testimony supporting HB 3557. Explains that his company identifies industrial land availability.
056	Chandler	Continues with testimony.
<b>TAPE 76, B</b>		
073	Rep. Morgan	Comments on additional amendments.
075	Chandler	Explains that after talking to Ways and Means he could bring back the -2 amendments to the committee.
088	Rep. Morgan	Comments on the fiscal impact.
093	Chandler	Responds that he is trying to stay away from agency budgets.
131	Rep. Kruse	Comments on appropriate language and an interim committee.
141	Rep. Lee	Suggests looking at grants available.
148	Chandler	Responds this is a possibility
157	Bob Rindy	Oregon Department of Land Conservation and Development, presents testimony in support of the bill.
196	Mike Burton	Oregon Department of Economic Development, presents testimony in support of the bill.
236	Rep. Kruse	Asks how the current language limits inclusion of appropriate people.
242	Rindy	Responds that it authorizes the commission.
283	Jessica Harris	Associated General Contractors, presents testimony in support of the bill.
336	Linda Ludwig	League of Oregon Cities, states they are neutral on the bill and presents testimony.
342	Art Slack	Association of Oregon Counties, presents testimony in support of the bill.
381	Rep. Morgan	Comments on local governments in the work group.
414	Chair Close	Submits written testimony from 1000 Friends <b>(EXHIBIT G)</b> .
420	Chair Close	Closes public hearing on HB 3557 and opens public hearing on HB 3858

**HB 3858 PUBLIC HEARING**

420	Palau	Explains HB 3858.
425	Kristina McNitt	Oregon Water Resources Congress, presents written testimony in support of the HB 3858 <b>(EXHIBIT H)</b> .

**TAPE 77, B**

003	Larry Trosi	District Manager of the Santiam Water Control District, presents testimony in support of HB 3858.
005	Dave Filippi	Board Member, Oregon Water Resources, presents written testimony supporting HB 3858.
107	Rep. Morgan	Asks if there is opposition to the bill.
109	Filippi	Responds not that he is aware of.
120	McNitt	Adds she knows of no opposition.
126	Chair Close	Closes public hearing and opens work session.

**HB 3858 WORK SESSION**

127	Rep. Jenson	<b>MOTION: Moves HB 3858 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.</b>
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**VOTE: 6-0**

**AYE: In a roll call vote, all members present vote Aye.**

**EXCUSED: 3 - Hass, Kafoury, Monnes-Anderson**

**The motion CARRIES.**

**Moves**

128	Chair Close	
130	Rep. Jenson	
	Chair Close	Closes work session on HB 3858 and opens a public hearing on HB 2981.

**HB 2981 PUBLIC HEARING**

150	Jon Chandler	Oregon Building Industry Association, submits and presents written testimony in support of HB 2981. <b>(EXHIBIT J).</b>
291	Chair Close	Comments on hilly areas.
296	Chandler	Responds that there must be a good reason to build.
326	Harlan Levy	Staff Attorney for Oregon Association of Realtors, presents testimony in support of HB 2981.
389	Dave Hunnicutt	Oregonians in Action, presents testimony in support of HB 2981.
418	Bob Rindy	Department of Land Conservation and Development (DLCD), presents testimony in opposition to the bill. Explains the establishment of urban growth boundaries and addresses the reserve land issues.

**TAPE 78, A**

069	Chair Close	Comments on whom can afford the 20-acre plots.
075	Rindy	Responds will sell for development.
091	Rep. Morgan	Asks for description of the DLCD's oversight.
098	Rindy	Responds by describing the review process.
147	Rindy	Explains that the bill would remove controversy, but not at the state level.
161	Chair Close	Closes public hearing and opens work session

**HB 2981 WORK SESSION**

162	Rep. Morgan	<b>MOTION: Moves to ADOPT HB 2981-1 amendments dated 04/06/01.</b>
		<b>VOTE: 6-0</b>
		<b>EXCUSED: 3 - Hass, Kafoury, Monnes-Anderson</b>
163	Chair Close	<b>Hearing no objection, declares the motion CARRIED.</b>
165	Rep. Morgan	<b>MOTION: Moves HB 2981 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 6-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 3 - Hass, Kafoury, Monnes-Anderson</b>
166	Chair Close	<b>The motion CARRIES.</b>
		<b>MORGAN will lead discussion on the floor.</b>
169	Rep. Jenson	<b>MOTION: Moves to SUSPEND the rules for the purpose of VOTING "aye" on HB 3634.</b>
170	Chair Close	Closes work session on HB 2981 and adjourns committee at 10:10 a.m.

Submitted By,

Reviewed By,

Shannon Relaford,  
Administrative Support

Megan Palau,  
Administrator

**EXHIBIT SUMMARY**

- A - HB 3326, written testimony, George Reed, 4 pp.**
- B - HB 3326, written testimony, Mark Nyman, 2 pp.**
- C - HB 3326, written testimony, Harlan Levy, 2 pp.**
- D - HB 3326, various letters of testimony, Don Schellenberg, Doug Breese, Buddy and Sheri Pinz, Scott Cooper, Laura Craska Cooper, 1000 Friends of Oregon, 9 pp.**

**E - HB 3634, written testimony, Gary Lynch, 1 page**  
**F - HB 3557, -1 amendments, staff, 3 pp.**  
**G - HB 3557, written testimony from 1000 Friends, staff 2 pp.**  
**H - HB 3858, written testimony, Kristina McNitt, 6 pp.**  
**I - HB 2981, -1 amendments, staff, 1 page**  
**J- HB 2981, written testimony, Jon Chandler, 8 pp.**