

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

April 30, 2001
8:30 am

Hearing Room E
Tapes 97- 98

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 3744 Work Session**
 HB 3144 Work Session
 HB 3026A Work Session
 HB 3557 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 97, A		
003	Chair Close	Convenes meeting at 8:07 a.m., opens work session on HB 3744.
HB 3744 WORK SESSION		
005	Kristan Mitchell	Representing the Oregon Refuse and Recycling Association, presents the -4 amendments to HB 3744. (EXHIBIT A)
029	Rep. Kruse	Asks if the burning for energy recovery will exclude other wastesheds in the future.
038	Mitchell	Replies that this refers specifically to Marion County. Continues with explanation.
072	Rep. Kruse	Asks if we are limiting options to other counties by doing this.
079	Mitchell	Responds that it is possible.
084	Rep. Kruse	Comments that he doesn't want to set up barriers to prevent communities from doing this if they wish.
087	Rep. Monnes Anderson	Asks for clarification of Section 10 of the amendment and the League of Oregon Cities input.
096	Mitchell	Responds they were at the meetings, and emphasizes that these are options.
107	Rep. Kruse	Asks if they interpret 'will' as permissive language.
110	Mitchell	Responds that it is not.
112	Chair Close	Explains the options.
124	Rep. Lee	MOTION: Moves to ADOPT HB 3744-4 amendments dated 4/26/01.
		VOTE: 9-0
	Chair Close	Hearing no objection, declares the motion CARRIED.

130	Rep. Lee	MOTION: Moves HB 3744 to the floor with a DO PASS AS AMENDED recommendation.
132	Rep. Kruse	States he will support it, but has concerns for other counties dealing with their waste stream.
147	Chair Close	VOTE: 9-0 AYE: In a roll call vote, all members present vote Aye. The motion CARRIES. REP. CLOSE will lead discussion on the floor.
157	Chair Close	Closes the work session on HB 3744 at 8:20 a.m. and opens a work session on HB 3144.

HB 3144 - WORK SESSION

168	Don Otterman	City Manager, North Plains, presents overview of HB 3144 –1 amendment. (EXHIBIT B)
222	Rep. Hass	Asks for an opinion regarding the fact that it can already be done in the existing land use laws.
226	Otterman	Responds with explanation of existing law.
285	Rep. Kruse	Comments that he doesn't see where the –1 amendment changes anything.
293	Rep. Morgan	Asks about the exception process.
309	John DiLorenzo	Attorney, presents testimony in opposition to the amendment and original bill.
393	Chair Close	Submits written testimony for the record, for Mary Kyle McCurdy in opposition to HB 3144. (EXHIBIT C) Closes the work session on HB 3144. Opens a work session on HB 3026 A at 8:34 a.m.

HB 3026 - WORK SESSION

410	Gary Conkling	Representing Beaverton and Hillsboro School Districts, presents testimony in support of HB 3026 –A2 amendments. (EXHIBIT D)
502	Rep. Monnes Anderson	Asks if this bill pertains to private schools.
Tape 98, A		
044	Conkling	Responds with explanation of the language of the bill and amendment.
078	Don Schellenberg	Representing the Oregon Farm Bureau, testifies in support of the amendments.
099	Rep. Monnes Anderson	Asks if you can build on high value land, if there is no other land outside the UGB land.
104	Schellenberg	Believes it is only limited to the high growth districts.

109	Rep. Monnes Anderson	Asks if high growth is defined in the statute.
111	Schellenberg	Responds that it is.
117	Rep. Kruse	MOTION: Moves to ADOPT HB 3026-A2 amendments dated 4/25/01.
121	Rep. Kafoury	Asks if they have heard from the department on the amendments.
123	Rep. Hass	Asks if others can testify.
128	Chair Close	Asks for the pleasure of the committee.
130	Rep. Kruse	Asks to suspend his motion.
134	Chair Close	States for the record that Rep. Kruse withdraws his motion.
139	Randy Tucker	Representing 1000 Friends of Oregon, states he did request to testify.
151	Mary Kyle McCurdy	Staff Attorney, 1000 Friends of Oregon, testifies in opposition to the bill.
171	Rep. Hass	Explains problems with the current Metro situation.
178	McCurdy	States there has not been a request from Metro.
196	Bob Rindy	Representing the Oregon Department of Land Conservation and Development, presents testimony in opposition to the bill.
234	Rep. Morgan	Questions public facility sites.
245	Rindy	Responds that the language leaves an opportunity to examine anything they want to.
257	Rep. Morgan	Asks how long the process is for a district to ask for the UGB to be enlarged.
264	Rindy	Responds that he does not know.
268	Rep. Morgan	Asks if it is years or months.
269	Rindy	Responds that Metro has two processes and explains.
276	Rep. Morgan	Asks if there are any cases where the UGB has been enlarged on a parcel-by-parcel basis.
281	Rindy	Responds that there are probably scores of them.
293	Rep. Morgan	Asks if this is in the last 20 years.
293	Rindy	Concurs.
294	Rep. Morgan	Asks about the timeline for the process.
296	Rindy	Responds he does not know.
309	Rep. Morgan	Notes that all decisions can be routed through the appeals process.
312	Rindy	Concurs.
329	Rep. Monnes Anderson	Asks if Metro ever testified.
336	Rep. Kruse	MOTION: Moves to ADOPT HB 3026-A2 amendments dated 4/25/01. VOTE: 9-0 Hearing no objection, declares the motion CARRIED.
341	Chair Close Rep. Kruse	MOTION: Moves HB 3026A to the floor with a DO PASS AS AMENDED recommendation.
345	Rep. Jenson	Expresses his support for the amendment.
360	Rep. Monnes Anderson	Feels that planning should be done on an area wide basis, and should have worked with Metro, so will be voting no.
384	Rep. King	Expresses support for the bill.
410	Rep. Morgan	States her support for the bill.
446	Rep. Lee	Explains her support for the bill.
453	Rep. Hass	States he will not support the bill.
491	Chair Close	Remarks on costs of lands.

497	Rep. Monnes Anderson	Asks for clarification regarding the fiscal impact.
Tape 97, B		
044 059	Gary Conkling	Explains he doesn't know. VOTE: 6-3 AYE: 6 - Jenson, King, Kruse, Lee, Morgan, Close NAY: 3 - Haas, Kafoury, Monnes Anderson The motion Carries. REP. WITT will lead discussion on the floor.
	Chair Close	
069	Chair Close	Submits written testimony by Ed Sullivan in opposition to HB 3026A. (EXHIBIT E) Closes the work session on HB 3026 A. Reopens a work session on HB 3144.
<u>HB 3144 - WORK SESSION</u>		
074	Rep. Witt	Presents testimony in support of HB 3144.
118	Rep. Monnes Anderson	Questions the possibility of not suing the city, but suing the developer, and why this will help.
129	Rep. Witt	Responds that there is no legal basis if this becomes law.
147	Chair Close	Closes the work session on HB 3144, and opens a work session on HB 3557.
<u>HB 3557-3 WORK SESSION</u>		
154	Jon Chandler	Representing the Urban Development Coalition, presents explanation of HB 3557-3 amendment and presents testimony in support of the bill. (EXHIBIT F)
226	Rep. Monnes Anderson	Asks why the commercial development industry can't do this without taxpayers help.
232	Chandler	Explains that there are several reasons.
251	Rep. Monnes Anderson	Asks if he feels that the intent of the bill is that the inventory will be used to expand growth and development.
258	Chandler	Presents history of the states' involvement and reiterates purpose of the bill.
289	Rep. Lee	Commends the work group's effort.
296	Rep. King	Asks about the fiscal impact statement.
303	Chandler	Responds they have discussed it with Legislative Fiscal.
321	Rep. King	Asks for an opinion on the savings from other sources of revenue.
328	Chandler	Responds that there is no commitment yet.
343	Rep. Kruse	MOTION: Moves to ADOPT HB 3557-3 amendments dated 4/30/01. VOTE: 9-0 Hearing no objection, declares the motion CARRIED.
348	Chair Close Rep. Kruse	MOTION: Moves HB 3557 with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on WAYS & MEANS.
355	Rep. King	Recommends it move to Ways and Means without recommendation.
361	Rep. Morgan	Reminds Rep. King that Fiscal is looking for their recommendation on the policy of the bill.
369	Rep. King	States his concerns.
372		VOTE: 8-1 AYE: 8 - Hass, Jenson, Kafoury, King, Kruse, Lee, Morgan, Close NAY: 1 - Monnes Anderson The motion Carries.
	Chair Close	

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Chair Close

Closes the work session on HB 3557. Adjourns the meeting at 9:37 a.m.

Submitted By,

Reviewed By,

Shannon Relaford,
Administrative Support

Megan Palau,
Administrator

Transcribed By,

Cheryl Young
Committee Assistant

EXHIBIT SUMMARY

- A – HB 3744-4, amendments submitted by Kristan Mitchell, 22pp.**
- B – HB 3144-1, amendments submitted by Don Otterman, 1p.**
- C – HB 3144, written testimony, submitted by Staff for Mary Kyle McCurdy, 2 p.**
- D – HB 3026-A2, amendments submitted by Gary Conkling, 1p.**
- E – HB 3026, written testimony, submitted by Staff for Ed Sullivan, 2pp.**
- F – HB 3557-3 amendments submitted by Jon Chandler, 3pp.**