

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

June 25, 1999 Hearing Room D

2:00 P.M. Tapes 119 - 121

MEMBERS PRESENT: Rep. Mark Simmons, Chair

Rep. Richard Devlin, Vice-Chair

Rep. Bruce Starr, Vice-Chair

Rep. Roger Beyer

Rep. Randall Edwards

Rep. Dan Gardner

Rep. Kevin Mannix

STAFF PRESENT: Cletus B. Moore, Jr., Administrator

Kevin E. Wells, Administrative Support

MEASURES HEARD: SB 686A Public Hearing

HB 3055 Work Session

SB 1089 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 119, A		
003	Chair Simmons	Calls meeting to order at 2:45 p.m. Opens Public Hearing SB 686A with the ñA11 amendments.
<u>SB 686A PUBLIC HEARING</u>		
025	Richard Gentis	Reads Melanie Pennigntonis written testimony (EXHIBIT A). Opposes SB

		686A with the ñA11 amendments.
080	Clara Kliehorn	Sherwood. Opposes SB 686A with the ñA11 amendments. States the prison site is not desired by those near the proposed site.
100	Terry Withers	President, Oregonians for Responsible Prison Siting (ORPS). Opposes SB 686A with the ñA11 amendments (EXHIBIT B). Explains an error was made in siting the prison on Day Road. Discusses the prison siting processes. States that prisons need to be separated from school sites.
150	Withers	Explains that the prison will have detrimental impacts on the community. Discusses the impact of the prison on local water supplies. Reviews potential sites ORPS supports.
200	Withers	Discusses condemnations resulting from siting the prison on Day Road.
212	Rep. Edwards	Asks for elaboration on Withers' testimony.
215	Withers	Discusses a court case that concerned funding of the prison siting process.
230	Rep. Edwards	Asks when the decision was appealed.
233	Withers	Replies the decision was appealed early in the year.
239	Rep. Mannix	Explains that standard land use processes are not effective for siting a prison; super siting can be effective in siting a prison. Adds that there is no natural place to site a prison.
259	Withers	Agrees that super-siting statute can be effective in certain situations. Notes that it can be used to avoid technicalities of land use law.
276	Rep. Mannix	Agrees with Withers. Points out that the requirement that the prison be sited close to the metro area is not in the super-siting statute.
283	Vice-Chair Starr	Asks how far Sen. Miller proposed that prisons be sited from residential areas.
297	Withers	Replies that Sen. Miller worked with a one-mile buffer.
299	Vice-Chair Starr	Asks if ORPS has worked with the one-mile buffer.
301	Withers	Responds that ORPS did use the one-mile rule.

309	Vice-Chair Starr	Asks if there are residential and school areas within one mile of the Day Road prison site.
318	Withers	Replies that ORPS established criteria that works in the metro area; not a strict one-mile buffer from residential areas. Adds that ORPS was more concerned with separation from schools.
344	Vice-Chair Starr	States that consistency in the one-mile rule is appropriate.
357	Withers	Agrees with Vice-Chair Starr. States that the citizens of Wilsonville need relief from the prison siting controversy. Stresses that the Day Road site meets ORPS criteria.
377	Vice-Chair Devlin	Asks if Withers has been told that the Legislature has to take action on SB 686A or the prison will be sited at the Damasch site.
380	Withers	Replies he has not be told that by anyone.
386	Rep. Edwards	Asks if the super-siting statute needs to be repealed.
390	Withers	Replies that it should be repealed.
401	Chair Simmons	Closes Public Hearing SB 686A. Opens Work Session HB 3055.
<u>HB 3055 WORK SESSION</u>		
407	Rep. Beyer	MOTION: Moves HB 3055 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Gardner
		Chair Simmons The motion CARRIES. REP. MANNIX will lead discussion on the floor.
TAPE 120, A		

002	Chair Simmons	Closes Work Session HB 3055. Opens Work Session SB 1089A.
<u>SB 1089A WORK SESSION</u>		
005	Rep. Beyer	Explains SB 1089A and the ñA2 amendments concern fees for use and storage of chemicals used in dry cleaning (EXHIBIT C).
012	Rep. Beyer	MOTION: Moves to ADOPT SB 1089A-2 amendments dated 6/23/99.
014	Chair Simmons	Notes that the Dry Cleaners Association and other interested parties agree with the ñA2 amendments.
018	Rep. Edwards	Asks what is being restored in ñA2 amendments.
024	Rep. Beyer	Explains ñA2 amendments.
030		VOTE: 6-0 EXCUSED: 1 - Gardner
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
031	Rep. Beyer	MOTION: Moves SB 1089A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Gardner
	Chair Simmons	The motion CARRIES. REP. BEYER will lead discussion on the floor.
040	Chair Simmons	Closes Work Session SB 1089A. Reopens Public Hearing SB 686A.
<u>SB 686A PUBLIC HEARING</u>		

046	David Lake	Co-founder, ORPS. Discusses the founding of ORPS. Stresses that, as the Legislature has decided, schools and prisons do not belong together. Notes that the Day Road site was evaluated over several months and many people support it as a prison site. Explains why Day Road is an appropriate site for a prison. States that residential and business interests need to be considered in siting a prison.
102	Vice-Chair Starr	Asks about the support that existed for the proposed Damasch site for the new prison.
111	Lake	Acknowledges that a few parties supported that site.
117	Vice-Chair Devlin	Points out that the proposed highway near the between Interstate 5 and Highway 99 West may not be built.
127	Lake	Replies that as a long term planning assumption that highway connector is feasible.
133	Chair Simmons	States that his office has received more support for siting the prison at Damasch.
142	Rep. Edwards	Asks if Lake believes in the principle of siting the prison in the Metro area.
144	Lake	States that he does not believe in that principle.
148	Rep. Beyer	Asks if the Governor still supports Damasch as a prison site.
150	Lake	Answers that the Governor is still considering Damasch as a prison site if there is no alternative is offered.
152	Rep. Beyer	Points out that the Governor was offered an alternative site for the prison.
153	Lake	Answers that the Umatilla site does not satisfy the Governor's requirement that the prison be sited in the Metro area.
163	Cathy Rice	Wilsonville. Supports SB 686A with the ñA11 amendments (EXHIBIT D). States that the Day Road site for the prison is a better alternative than the Damasch site because it is farther from schools.
191	David Miller	Opposes SB 686A with the ñA11 amendments. Discusses the costs of siting the prison at the Day Road site. Explains the benefits of having a prison in the Tri-County area.
264	Vice-Chair Devlin	Asks Miller if he is one of the property owners on Day Road.

268	Miller	Replies that his family owns property on Day Road that will be condemned if the prison is sited there.
272	Rep. Edwards	Comments on Legislative Web Audio.
285	Renee Cannon	Beaverton. Supports SB 686A with the ñA11 amendments (EXHIBIT E). Discusses the disadvantages of the Damasch site.
340	Cannon	Comments on the uses of land around the prison sites on Day Road and Damasch.
389	Vice-Chair Starr	Asks about the proposed site at Donald.
408	Cannon	Explains that she is not aware of that proposal.
416	Vice-Chair Starr	Asks about the local support of the Day Road site. Points out that there is significant opposition.
427	Cannon	Clarifies that in the whole Metro area, there is support for the Day Road site, though Tualatin vigorously opposed the site.
TAPE 119, B		
008	Vice-Chair Starr	Stresses that Washington County does not support the Day Road site.
018	Vice-Chair Devlin	Discusses the Donald site.
028	Arnold Chase	Wilsonville. Supports SB 686A with the ñA11 amendments (EXHIBIT F). Explains why the Damasch site is inappropriate for a prison.
056	Gene Reddemann	Supports SB 686A. Supports the new proposal to use the Donald site for the prison or other alternatives (EXHIBIT G).
120	Reddemann	Comments on the collaborative process of siting a prison.
128	Stephanie Eisert	Washington County. Opposes SB 686-A11. Submits written testimony on behalf of Kathy Ulrich (EXHIBIT H). Relates her experience with the prison siting process, noting the personal impact.
180	S. Eisert	Urges that an alternative site be found for the prison.
187	Chair Simmons	Acknowledges the courage it takes to oppose government action.

193	Clark Eisert	Washington County. Opposes SB 686-A11. Stresses that there is no local support for the Day Road site.
225	Eric Dillman	Wilsonville. Supports SB 686-A11. Discusses the prison siting process. Stresses that no one wants a prison in Wilsonville.
290	Dillman	States that the Legislature has to make a decision that will affected the least number of people.
318	Steve Schopp	Asks about the committee process.
325	Rep. Mannix	Explains the committee process.
348	Schopp	Comments on the Governor's authority to begin construction of the prison.
364	Vice-Chair Devlin	Explains that the Damasch site has been legally approved and bonds have been authorized to fund construction. Adds that the Governor's authority to issue those bonds expires June 30, 1999.
398	Schopp	Discusses the prison siting process.
TAPE 120, B		
003	Schopp	Discusses the impact of the Day Road prison site on residential developments. States that local communities have the right to decide what surrounds schools.
050	Schopp	Expresses outrage about the prison siting process.
104	Rep. Mannix	Comments on the work release programs. Explains how those programs operate. Explains the prison work programs mandated by Measure 16. States the two are different concepts.
116	Schopp	Acknowledges the difference.
120	Steven Peterson	Supports SB 686-A11. Stresses that the issue needs to be decided.
145	Dan Willis	Wilsonville. Supports SB 686-A11 (EXHIBIT I). States that bonds do not need to be issued by June 30, 1999, but only the paperwork needs to be filed.
164	Vice-Chair Devlin	States that the State Treasurer's response is definitive on the issue.
169	Rep. Mannix	Stresses that the prison siting issue needs to be resolved during the 1999

		Legislative Session. Discusses the issues that are involved and need to be resolved.
195	D. Willis	Asks for clarification of the process for issuing bonds to fund prison construction.
202	Vice-Chair Devlin	Clarifies the bond issuance issue.
218	D. Willis	Opposes siting the prison at Damasch. Supports the Day Road site as a reasonable alternative considering land use plans.
267	Ryan Willis	Wilsonville. Supports SB 686-A11 (EXHIBIT J). Supports keeping prisons away from schools.
288	Buz Wiedeman	Supports SB 686-A11. States that the Day Road site is appropriate for a prison site considering its land use plan.
347	Rep. Mannix	Notes that he lives very close to the state penitentiary.
383	Wiedemann	States that he respects the opinion of those who oppose the Day Road site.
393	Jeff Wilson	Wilsonville. Supports SB 686-A11. States that both sites are equidistant from his house.
TAPE 121, A		
005	Wilson	Relates the efforts that have gone into opposing the Damasch site. Explains that it is inappropriate to site a prison near a school.
055	Rep. Mannix	States that the committee wants to decide the issue this session.
077	Chair Simmons	Acknowledges that the uncertainty is difficult to live with. States that the Legislature is striving for closure.
086	Wilson	Stresses that siting the prison at Damasch is worse than living in uncertainty.
093	Chair Simmons	Closes Public Hearing SB 686A. Adjourns the meeting at 5:45 p.m.

Submitted By, Reviewed By,

Kevin E. Wells, Amy Fraley,

Administrative Support Committee Coordinator

EXHIBIT SUMMARY

A ñ SB 686, written testimony, Richard Gentis, 1 p

B ñ SB 686, written testimony, Terry Withers, 1 p

C ñ SB 1089, -A2 amendments, staff, 1 p

D ñ SB 686, written testimony, Cathy Rice, 1 p

E ñ SB 686, written testimony, Renee Cannon, 2 pp

F ñ SB 686, written testimony, Arnold Chase, 1 p

G ñ SB 686, written testimony, Gene Reddemann, 3 pp

H ñ SB 686, written testimony, Stephanie Eisert, 1 p

I ñ SB 686, written testimony, Dan Willis, 1 p

J ñ SB 686, written testimony, Ryan Willis, 1 p

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

June 25, 1999 Hearing Room D

3:00 P.M. Tapes 117-118

MEMBERS PRESENT: Rep. Mark Simmons, Chair

Rep. Richard Devlin, Vice-Chair

Rep. Bruce Starr, Vice-Chair

Rep. Roger Beyer

Rep. Randall Edwards

Rep. Dan Gardner

Rep. Kevin Mannix

STAFF PRESENT: Pat Zwick, Administrator

Diane M. Lewis, Administrative Support

MEASURE/ISSUES HEARD: SB 686A Public Hearing

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TAPE/#	Speaker	Comments
Tape 117, A		
007	Chair Simmons	Calls the meeting to order at 8:10 AM and opens a public hearing on SB 686A
<u>SB 686A PUBLIC HEARING</u>		

024	Sen. Eileen Qutub	<p>Senate District 4, testifies in support of conceptual amendments. Discusses the 1998 siting committee, appointed by Senate President Brady Adams, of which she was chair. Explains that the siting committee found that Dammasch and Day Rd. were inappropriate locations for a prison facility and intake center. States reasons why Day Rd. is inappropriate:</p> <ul style="list-style-type: none"> • Surrounding community does not want a prison sited in the area. • Physical site is inferior - - flood plain • Additional costs for infrastructure - - potential for damaging community water supply. • House and Senate floors previously rejected the Day Rd. site.
058	Sen. Qutub	<p>Discusses provisions of conceptual amendments:</p> <ul style="list-style-type: none"> • Prohibit Dammasch State Hospital and Day Rd. as potential sites. • Directs Department of Corrections to construct an intake center and women's correctional facility at Junction City, Tibbett Orchard in South Wilsonville, or farm in Donald, OR. • Extends supersiting authority. <p>Explains that the Donald farm site is 160 acres with a well producing 1,000 gallons of water each minute. States that the Donald site is less than five miles from the Wilsonville exit off Interstate-5. Reports that sewer and gas lines are available. Adds that the owner is willing to sell.</p>
083	Chair Simmons	<p>Thanks the Senator for her efforts in finding a solution for the overall prison siting controversy. Asks when the amendments are to be finished by Legislative Council (LC).</p>
087	Sen. Qutub	<p>Responds that LC will be instructed to have them available by Monday, 6/28/99.</p>
089	Rep. Beyer	<p>Comments that the conceptual amendments brought forward by Sen. Qutub are extremely similar to amendments that he has submitted to LC. Asks if they are the same amendments.</p>
091	Sen. Qutub	<p>Replies that her amendments may be close to the same and she and Rep. Beyer may be working with the same individuals.</p>
095	Rep. Beyer	<p>States that Umatilla may be another site proposed in the amendments.</p>
098	Charlotte Lehan	<p>Mayor of Wilsonville, submits and presents written testimony in regard to SB 686A (EXHIBIT A), submits letters of support for the Day Rd. site (EXHIBIT B), submits storm drainage analysis (EXHIBIT C), and submits maps of Wilsonville and Tualatin indicating boundaries and site locations (EXHIBIT D). Refers to EXHIBIT A, page 1, and explains why the Dammasch site is not supported by the City of Wilsonville.</p>
123	Mayor Lehan	<p>Refers to EXHIBIT A, page 1, and discusses reasons why the City of Wilsonville supports the Day Rd. site. Lists Day Rd. endorsements.</p>

155	Mayor Lehan	Refers to EXHIBIT A, pages 1 and 2, and explains history of how the Day Rd. site was identified and proposed as a correctional facility site.
187	Mayor Lehan	Refers to EXHIBIT A, page 2, and relates opposing arguments to the Day Rd. site. Responds to opposing arguments by discussing alternative solutions to flooding problems and water supply concerns.
235	Mayor Lehan	Refers to EXHIBIT A, page 3, and responds to the argument that the Day Rd. site will interfere with a freeway connection between Interstate-5 and Highway-99.
247	Mayor Lehan	Refers to EXHIBIT A, page 3, and rebuts arguments that the Day Rd. site is located in Washington County and the City of Wilsonville is not.
257	Mayor Lehan	Refers to EXHIBIT A, page 3, and maintains that arguments asserting Tualatin as being the community most impacted by the Day Rd. site are "disingenuous."
275	Mayor Lehan	Refers to EXHIBIT A, page 4, and compares Dammasch and Day Rd "due process." Maintains that the City of Wilsonville has honored their agreement to support prison siting at Day Rd.
308	Chair Simmons	Refers to EXHIBIT A, page 4, regarding opposition that exists from residents living on Grahams Ferry Rd. and Clay St. because they do not want to live near a prison. Comments that Wilsonville does not believe this argument is enough to stop the siting process at Day Rd. Asks if concern about living near a correctional facility was the same argument used by people living near Dammasch State Hospital.
310	Mayor Lehan	Responds affirmatively. Submits that this will be an argument at every proposed site, but should not be the reason for discontinuing the siting process.
337	Rep. Kurt Schrader	House District 23, testifies in support of SB 686A and Day Rd. Comments that the City of Wilsonville is supportive of a correctional facility. Discusses the overwhelming population problem that the intake center in Clackamas County is experiencing. Maintains that time is running short for continued debate. Respectfully requests that the committee adopt amendments supporting Day Rd.
399	Rep. Beyer	Recounts that the City of Wilsonville nominated the City of Molalla to be considered as a correctional site. Does not believe that this is consistent with statements that Wilsonville has always been supportive of siting a prison. Asks if Day Rd. is in Washington County.
410	Rep. Schrader	Responds that Clackamas County has been consistent in its support to facilitate the siting of a prison in Wilsonville.
429	Mayor Lehan	Explains that during discussions with the city manager of Wilsonville, the city manager in Molalla expressed interest in looking at siting a prison around Molalla. Maintains that the City of Wilsonville never nominated Molalla as a site

		and never pursued Molalla as an alternative.
444	Rep. Starr	Comments that the City of Wilsonville has nominated a site that is not within the city limits and is close to another city that is not supportive of having a prison close by.
455	Rep. Schrader	Responds that in the Portland area, urban growth boundaries grow together. Points out that Day Rd. is slated to become an industrial area. Discusses the urban growth plans for the community around the Dammasch site. Maintains that plans for the Day Rd. site have been well buffered to try and ameliorate the concerns of citizens in Tualatin.
TAPE 118, A		
024	Rep. Devlin	Requests that staff check with Metro to see if the Day Rd. site is actually within the urban growth boundary, and simply not designated as an urban reserve at this time. Comments that Mayor Lehan has indicated that the Day Rd. site is not in the potential pathway of an I-5, I-99 connector. Requests that staff check with the Oregon Department of Transportation (ODOT) on their current Statewide Transportation Improvement Program (STIP) and long-range plans, to see if the corridor has actually been narrowed, or if this is Tualatin's desirable alignment for that corridor. States that he believes that the corridor, in the region's plans, and in the state's plans, is significantly wider than this. Maintains that along with the plan for Day Rd. comes a certain allocation for offsite infrastructure and a portion of that is \$10 million dollars for water needs. Asks Mayor Lehan if Wilsonville would be supportive of the Day Rd. site if it did not include this \$10 million dollars.
039	Mayor Lehan	Responds affirmatively. Explains that the \$10 million does not go to the City of Wilsonville. States that the allocation of funds goes to the Tualatin Valley Water District. Submits that Wilsonville will expect to be reimbursed for reasonable systems development costs.
061	Lou Ogden	Mayer of Tualatin, testifies in regard to SB 686A. Relates that he does not understand why SB 686's amendments (EXHIBIT E) are being proposed. Reminds the committee that Day Rd. was defeated in the House and Senate in SB 0003. Maintains that the Department of Corrections analyzed the Day Rd. site and originally found it to be unacceptable. Believes that the reversal of the department's decision to support the Day Rd. site was political. Concurrs that the decision to site a correctional facility at Dammasch Hospital was inappropriate. States that the super siting process is flawed. Reports that jobs are not needed in North Wilsonville. Explains that Wilsonville currently has a 2 to 1, jobs over housing, imbalance.
127	Mayor Ogden	Refutes Mayor Lehan's testimony: <ul style="list-style-type: none"> • Tualatin has not entered into an agreement with Wilsonville to provide water to the Day Rd. or Dammasch site. • Day Rd. site is not in an urban growth boundary. Day Rd. is in an urban reserve created as an arbitrage by the city council for siting possibilities.

165	Mayor Ogden	Discusses key issues: <ul style="list-style-type: none"> • Spending public dollars to prepare a poorly chosen site for infrastructure. • Super siting process demands public input. • Other possibilities exist for siting a prison in Oregon besides Wilsonville. • Taking time is necessary to make correct and lasting decisions regarding siting.
222	Mayor Ogden	Submits map illustrating the Day Rd. site in conjunction with housing developments and communities (EXHIBIT F). Discusses concerns for having a prison so close to homes and schools in Tualatin. Supports siting options proposed by Sen. Qutub.
292	Chair Simmons	Comments that there is logic to placing a prison in a metro area.
316	William Holmes	Resident of Tualatin, testifies in opposition to the Day Rd. site. States that great amounts of public dollars have been wasted on a politically motivated siting process. Contends that choosing the Day Rd. site because time is running out is wrong and unfair. Maintains that the Day Rd. site has not been measured against other sites with the same criteria. Commends the committee for continuing to collect public input at this late date.
390	Michael Feves, Ph.D.	Submits and presents written testimony in regard to health risks of SB 686A (EXHIBIT G), and testifies in opposition to SB 686A. Refers to EXHIBIT G, and lists multiple problems and concerns regarding the Day Rd. site.
TAPE 117, B		
030	Dr. Feves	Refers to EXHIBIT G, page 2, and states that it is time to be fair to the citizens of Oregon and look at realistic alternatives to Day Rd.
042	Marvin S. Hausman MD	Medical Doctor and Expert in Neurodegenerative Disorders, submits and presents written testimony in regard to health risks and human welfare at stake in SB 686A (EXHIBIT H).
100	Dr. Hausman	Refers to written testimony and discusses toxic substances in the Willamette River and Bull Run water supply.
124	Dr. Hausman	Maintains that "Oregon must stop the insanity of endangering the populace of the state and ruining its economic viability by an ill sited event." Urges the committee to continue asking questions regarding the health risks of imposing a correctional facility on the City of Wilsonville and Tualatin.
131	Rep. Beyer	Comments that the only people drinking water from the Willamette River are the citizens of Corvallis. Asks how statistical data reported in EXHIBIT H, regarding diseases in the entire state, can be attributed to drinking water from the Willamette River.

139	Dr. Hausman	Responds that Oregon Department of Environmental Quality (ODEQ), was given \$6 million to come up with a biologic model regarding water toxicity in Oregon. States that this was never completed. Comments that he has provided the committee with two biologic models that prove whether the water being taken out of the Willamette River and the Bull Run water supply is suitable for human use. Maintains that no epidemiological study was ever conducted on the citizens of Corvallis. Explains that the governor is unwilling to conduct an impact study on the Donald farm site, proposed by Sen. Qutub, which has available water and potentially no hazardous waste.
160	Dr. Feves	States that Oregon is volcanic terrain. Explains that this is the reason that Oregon's ground water is high in heavy metals including arsenic.
181	Karen Bragg Pursley	Sherwood, Oregon, submits and presents written testimony in support of SB 686A (EXHIBIT I).
220	Rep. Rep. Beyer	Asks Pursley if she will be selling her property.
223	Bragg-Pursley	Responds affirmatively. States that she will be selling her property, regardless of where a prison is sited.
227	Stacy Rumgay	North Wilsonville Industrial Association, submits and presents written testimony in support of SB 686A (EXHIBIT J).
311	Sen. Randy Miller	Senate District 13, testifies in opposition to the Day Rd. site. Concurs with previous testimony that the Dammasch site is inappropriate. Maintains that local citizens are supporting the possibility of infrastructure being brought to the Day Rd. community and are not supporting a correctional facility. States his support for the Donald farm site proposed by Sen. Qutub. Emphasizes the importance for the committee to take time in its consideration of all possible sites.
393	Rep. Larry Wells	House District 30, testifies in support of the Day Rd. site. Explains that supporters of the Day Rd. site asked him to testify in support of SB 686A. Concurs that the Dammasch site is too valuable a property for a prison.
TAPE 118, B		
009	Rep. Devlin	Asks if Rep. Wells recognizes that the legislature is involved in the process of prison siting because the governor wants the legislature to be involved.
012	Rep. Wells	Replies that one way to look at the situation is that the legislature took the decision-making process back from the governor.
019	Rep. Devlin	Comments that the governor has the authority to proceed at Dammasch. States that the only reason that legislature is taking any action is because the governor wants another alternative.

026	Rep. Beyer	Asks for comments why the governor stated that Dammasch was the preferred site and then turned around and announced that Day Rd. is the preferred site.
030	Rep. Wells	Responds that the state already owned the Dammasch site and was not going to have to go out and purchase additional property. Explains that as time went on, and information was collected, the true value of Dammasch was discovered. States that he is not aware of specifics regarding initial discussions of Day Rd.; however, it became clear it was a much better site for a state correctional facility.
043	Rep. Beyer	Comments that at the beginning of the process, the Day Rd. site was looked at along with every other possible site that could fit a prison facility and intake center. States that the Department of Corrections initially rejected the Day Rd. site. Comments that when the process became a political one, the Day Rd. site once again became a possibility. Remarks that the most non-political site would have been the Dammasch site.
053	Rep. Wells	Responds that regardless of the process's history, he will continue to support the Day Rd. site.
065	Sen. Miller	Comments that the original siting authority failed to follow its own rules and did not obey the law regarding siting. Maintains that this is what enabled the Dammasch site to be picked. Asks the committee and Rep. Wells to look at the positive aspects of the Donald farm site.
083	Rep. Devlin	Asks Sen. Miller if the governor had originally followed the correct supersiting process by forming a committee and thoroughly investigating each site, would Day Rd. have met the criteria.
088	Sen. Miller	Responds that he does not believe the community surrounding Day Rd. would have been supportive. Maintains that water problems at the Day Rd. site are substantial and will be very expensive to deal with.
107	Mike Mueller	City of Tualatin resident, submits and presents written testimony in opposition to SB 686A (EXHIBIT K). Refers to his written testimony and states that "the Day Rd. site would have been rejected had it been subjected to the same criteria under which Dammasch was selected." States his support for the conceptual amendments brought forward by Sen. Qutub.
188	Gene McLean	City of Tualatin resident, testifies in opposition to SB 686A. Comments that factual information has been considered secondary to political information. Emphasizes that siting a prison at Day Rd. will be harmful to the value of his property, and the property of his neighbors. Comments that more respect and consideration is being paid to future inmates and their families as opposed to the families living in the surrounding community.
245	Bob Mitchell	Sherwood resident, submits written testimony (EXHIBIT L) and testifies in opposition to SB 686A. States that he is personally offended by the manner in which the City of Wilsonville has handled the Day Rd. proposal. Maintains that this process has been the biggest waste of tax dollars he has ever seen.

266	John Skourtes	Wilsonville resident, testifies in support of SB 686A and asks the committee to go to the Day Rd. site and see what the area is like and how it will be physically impacted by the infrastructure that a prison will bring. Asks the committee to review reports discussing the Day Rd. impact.
290	Rep. Devlin	Asks Mitchell and Skourtes if they have property around the Day Rd. site.
292	Mitchell	Responds negatively.
295	Skourtes	Responds affirmatively. Explains that he owns the most valuable property on Day Rd. States that his property is zoned industrial and he will take a loss if he sells it to the state.
305	Rep. Devlin	Asks if Skourtes has documented offers for his property in the last year.
307	Skourtes	Responds that he purchased the property in January 1998.
310	Rep. Devlin	Asks if Skourtes is aware that the \$10,000 that would be paid to property owners, beyond the agreed sale price of their property, has been removed in amendments proposed by Rep. Mannix.
326	Skourtes	Responds that he is unaware of what Rep. Devlin is talking about.
330	Susan Rychlick	Washington County Resident, submits and presents written testimony in opposition to SB 686A (EXHIBIT M).
365	Ross Guilford	Wilsonville resident, testifies that the "opportunity costs" of Dammasch are at least \$4.5 million per year in property tax revenue. States that this revenue is used to fund schools. Maintains his opposition to placing a prison close to schools. States that the lesser of "two evils" is the Day Rd. site.
		NOTE: Staff submits additional written testimony regarding SB 686A for the record (EXHIBIT N).
406	Chair Simmons	Closes the public hearing on SB 686A and adjourns the meeting at 10:05 AM.

Submitted By, Reviewed By,

Diane M. Lewis, Pat Zwick,

EXHIBIT SUMMARY

A ñ SB 686A, written testimony, Mayor Charlotte Lehan, 5 pp.

B ñ SB 686A, packet of letters, Mayor Charlotte Lehan, 18 pp.

C ñ SB 686A, storm drainage analysis, Mayor Charlotte Lehan, 8 pp.

D ñ SB 686A, Maps, Mayor Charlotte Lehan, 8 pp.

E ñ SB 686-A11 amendments dated 6/21/99, Rep. Kevin Mannix, 10 pp.

F- SB 686A, Map including Tualatin, Mayor Lou Ogden, 2 pp.

G ñ SB 686A, written testimony, Dr. Michael Feves, 2 pp.

H ñ SB 686A, written testimony, Dr. Marvin Hausman, 8 pp.

I ñ SB 686A, written testimony, Karen Bragg Pursley, 1 p.

J ñ SB 686A, written testimony, Stacey Rumgay, 2 pp.

K ñ SB 686A, written testimony, Michael Mueller, 2 pp.

L ñ SB 686A, written testimony, Bob Mitchell, 2 pp.

M ñ SB 686A, written testimony, Susan Rychlick, 2 pp.

N ñ SB 686A, additional letters submitted by staff, 4 pp.