

## **HOUSE COMMITTEE ON WATER AND ENVIRONMENT**

**May 19, 1999 Hearing Room D**

**1:00 P.M. Tapes 171 - 176**

**MEMBERS PRESENT: Rep. Jim Welsh, Chair**

**Rep. Jackie Taylor, Vice-Chair**

**Rep. Jason Atkinson**

**Rep. Richard Devlin**

**Rep. Juley Gianella**

**Rep. Deborah Kafoury**

**Rep. Jeff Kruse**

**Rep. Jeff Merkley**

**Rep. Susan Morgan**

**STAFF PRESENT: Kristina McNitt, Administrator**

**Danielle Hamilton, Administrative Support**

**MEASURES HEARD: SB 882 Public Hearing and Work Session**

**SB 987-A Work Session**

**SB 580 Work Session**

**SB 615-A Work Session**

**SB 1060-A Work Session**

**SB 988 Work Session**

**SB 300 Work Session**

**SB 91-A Work Session**

**SB 440-A Work Session**

**SB 467-A Work Session**

**SB 993 Public Hearing and Work Session**

**SB 1102 Public Hearing and Work Session**

**SB 675-A Public Hearing and Work Session****SB 474 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.

TAPE/#	Speaker	Comments
<b>TAPE 171, A</b>		
004	Chair Welsh	Calls the meeting to order at 1:30 p.m. Opens a public hearing on SB 882.
<b><u>SB 882 PUBLIC HEARING</u></b>		
020	Kristina McNitt	Committee Administrator. Gives a brief description of the bill. Indicates that the ñ2 amendments ( <b>EXHIBIT A</b> ) have been submitted for consideration by the committee.
030	Rep. Al King	House District 44. Testifies in support of SB 882. States that the ñ2 amendments allow yurts to be considered legal transitional housing for homeless and migrant workers. Explains that yurts cost approximately \$6,000, making them a very affordable alternative for low-income housing. Indicates that building code authorities have expressed a desire to include yurts in state building codes. Mentions that his district contains the largest yurt manufacturer outside of Mongolia. Asserts that yurts are more fire resistant than stick-built homes and would have no problem meeting building codes.
082	Chair Welsh	Wonders why yurts are more fire resistant than normal homes.
083	Rep. King	Replies that yurts use reflective material to retain heat, rather than insulation, making them highly heat resistant. Mentions that locally grown wood is used in the construction of yurts.
096	Sen. Veral Tarno	Senate District 24. Testifies in support of SB 882. Provides an overview of the Canopy Project in Curry County. Indicates that the bill is necessary to allow yurts to be used in the project. Says that there are additional changes he would like to make if time permits. Expresses support for the ñ2 amendments.
115	Chair Welsh	Inquires as to the nature of the amendments Sen. Tarno. Suggests that the committee may be able to conceptually amend the bill.
132	Ron Eber	Representative, Department of Land Conservation and Development (DLCD). Testifies in support of SB 882 ( <b>EXHIBIT B</b> ). Indicates that DLCD supports allowing yurts to be constructed on private campgrounds. Says that the draft amendments ( <b>EXHIBIT C</b> ) reflect DLCD concerns, while allowing the Land Conservation and Development Commission (LCDC) to provide for an increase

		in yurt usage in the future.
171	Bob Rindy	<p>Representative, DLCD. Testifies in support of the ñ2 amendments to SB 882. Indicates that the ñ2 amendments should be amended to clarify that yurts are not to be constructed on farm or forestland. Describes the conceptual amendment to the ñ2 amendments:</p> <ul style="list-style-type: none"> <li>• On page 2, line 11, after "municipality." insert "Accommodations described in this section shall be allowed on not more than two parcels in each county or municipality, except for lots or parcels subject to any statewide goals for the protection of agricultural and forest lands."</li> </ul>
194	Rep. King	Expresses support for the conceptual amendments proposed by DLCD.
198	Rindy	Comments that the ñ2 amendments allow yurts to be constructed in rural communities, which would be unaffected by the conceptual amendments.
203	Rep. King	Assumes that most yurts would be constructed in or near the urban growth boundary, as opposed to rural areas.
208	Chair Welsh	Notes that the ñ2 and conceptual amendments expand the intent of the original bill.
211	Sen. Tarno	Comments that the conceptual amendments would not hinder the ability of his constituent to utilize yurts in the Canopy Project.
215	Rep. King	Clarifies that the amendments have no effect on the construction of yurts on private property.
218	Eber	Mentions that the number of yurts proposed for the Canopy Project fall within the limits outlined in the bill while allowing for future growth.
233	Chair Welsh	Inquires whether the property chosen for the project is zoned appropriately.
235	Eber	Answers affirmatively. Mentions that the bill contains a clause authorizing yurts in mixed farm/forest areas and that the conceptual change would be required in that section as well.
274	Rep. Al King	Suggests that the ñ2 amendments do not oblige cities or counties to implement a yurt program. Asserts that the Land Use Board of Appeals (LUBA) would be able to address any effort to place yurts in exclusive farm use (EFU) zones.
290	Chair Welsh	Suggests that the suggested changes be submitted to Legislative Counsel to be drafted into official form.

295	Charlie Swindells	Representative, 1000 Friends of Oregon. Testifies in opposition to SB 882. Expresses hope that yurts will not be allowed in flood plain areas.
339	Shan Gordan	Resident of Salem. Testifies in opposition to SB 882 ( <b>EXHIBIT D</b> ). Recalls a previous example of a community center project that included the construction of yurts. Argues that the primary issue is moving people into rural lands. Submits that cheap housing may draw large numbers of people into rural areas, thereby creating infrastructure problems. Expresses a desire for size limitations to be placed on yurts.
412	Peter Grundfossen	Representative, Association of Oregon Housing Authorities. Testifies in support of the ñ2 amendments to SB 882. States that there are over 6,000 homeless people in Oregon who could benefit from yurt housing.
<b>TAPE 172, A</b>		
024	Art Schlack	Representative, Association of Oregon Counties (AOC). Testifies in support of SB 882. Suggests that the ñ2 amendments should reference medical and health facilities and social service agencies as receiving preference when siting yurt housing. Indicates that such facilities would need to go through the land use process.
053	Rep. Gianella	Inquires whether AOC insists that medical and social services are to be located close to yurt housing.
056	Shlack	Replies affirmatively. Indicates that the amendments give preference to locations with access to grocery stores and public transportation and suggests that medical facilities and social service agencies be given preference as well.
065	Rep. Merkley	Asks Mr. Grundfossen whether he supports the size requirements.
068	Grundfossen	Answers he supports such requirements, adding that structures up to 20 feet in diameter would be sufficient.
074	Rep. Merkley	Wonders whether such yurts would include cooking and/or bathroom facilities.
088	Grundfossen	Replies that the goal is to establish a few yurts in a location where common toilet and kitchen facilities could also be located, under the supervision of local nonprofit organizations.
093	Chair Welsh	Reiterates that the public would be given the opportunity to have input.
094	Grundfossen	Concurs with the chair.
095	Rep. King	Explains that the purpose of the bill is not to make yurts full service, but merely

		to allow people in need to have a roof over their heads until they are ready and able to move into standard housing.
097	Rep. Merkley	Requests an estimate of how long such structures would be used.
104	Rep. King	Replies that the intent is for people to stay in such structures for short periods of time, rather than taking up permanent residence.
107	Rep. Merkley	Asks Rep. King whether he supports the 20-foot size limitation.
110	Rep. King	Replies that yurts within the limit should be sufficient to house several people.
112	Chair Welsh	Closes the public hearing on SB 882 and opens a work session on SB 987-A.
<b><u>SB 987-A WORK SESSION</u></b>		
128	Gary Wilhelms	<p>Senate President's Office. Testifies on behalf of Senate President Brady Adams in support of SB 987-A. Indicates that the ñ4 amendments (<b>EXHIBIT E</b>) and the ñ6 amendments (<b>EXHIBIT F</b>) have been submitted for consideration by the committee and are also supported by President Adams. Provides an overview of the amendments:</p> <ul style="list-style-type: none"> <li>• The ñA4 amendments clarify that the removal of dams constructed illegally does not require legislative approval</li> <li>• The ñA6 amendments clarify that privately owned dams may be removed by the owner without legislative approval</li> </ul>
154	Rep. Taylor	Wonders whether SB 987-A was designed to address the Savage Rapids dam situation.
160	Wilhelms	Replies that that situation was one of the primary motivators for the bill.
166	Rep. Taylor	Expresses concerns with undermining the process by which state agencies have attempted to address the issue of salmon restoration.
172	Wilhelms	Replies that actions taken by the legislature establishes the policies that agencies are charged with carrying out.
183	Glenn Stonebrink	Representative, Oregon Cattlemen's Association. Testifies in support of SB 987-A. Provides informational materials in regard to the Flood Control Act of 1944 ( <b>EXHIBIT G</b> ) which recognizes the right of states to develop watersheds while providing federal recommendations. Asserts that the legislature has the same right for the destruction of dams as it has for their construction.
231	Martha Pagel	Director, Water Resource Department. Testifies in opposition to SB 987-A

		<b>(EXHIBIT H).</b> Explains that public health and safety are potentially at risk as a result of dam removal. Expresses concern regarding disruption of hydroelectric power generation resulting from voluntary dam decommissioning. Mentions that only one dam has been removed due to safety concerns. Indicates that the Water Resources Department has no jurisdiction over dams on the Snake and Columbia rivers.
293	Rep. Gianella	Inquires how public safety relates to dam removal.
300	Pagel	Replies that the state has the authority to require removal of a structure that threatens people or property. Mentions that the dam, which was removed, was being undermined and was threatening to give way, creating the potential for death and destruction downstream.
305	Rep. Gianella	Asks about potential dangers associated with Snake River dams.
308	Pagel	Replies that she is unaware of any such problems. Explains that dams on the Snake and Columbia rivers are federal structures and are not subject to state water law.
321	Rep. Gianella	Mentions the materials provided by Mr. Stonebrink and asks how it might apply to federal structures.
331	Pagel	Replies that federal policy recognizes and defers to state water rights, except in cases of flood control on rivers such as the Snake.
342	Rep. Taylor	Expresses concern regarding the effect the bill might have on dikes and levies in her district.
367	Pagel	Replies that the bill could potentially affect dikes.
383	Doug Meyers	Representative, Water Watch; Trout Unlimited. Testifies in opposition to SB 987-A <b>(EXHIBITS I, J)</b> . Says the bill would unnecessarily politicize a decision making process rightly held by the Water Resource Commission. Reiterates that dam removal is rare. Suggests that the bill would require the legislature to be involved in a lengthy process.
425	Chair Welsh	Comments that the process is political in nature and that the bill reflects that reality.
<b>TAPE 171, B</b>		
013	Meyers	Responds that the decision whether to remove a dam should "be made on the basis of science, not politics."

022	Rep. Kruse	<b>MOTION: Moves to ADOPT SB 987-A4 amendments dated 5/10/99.</b>
032		<b>VOTE: 8-1</b>  <b>AYE: 8 - Atkinson, Devlin, Gianella, Kafoury, Kruse, Merkley, Morgan, Welsh</b>  <b>NAY: 1 - Taylor</b>
	Chair Welsh	<b>The motion CARRIES.</b>
038	Rep. Kruse	<b>MOTION: Moves to ADOPT SB 987-A6 amendments dated 5/13/99.</b>
042	Rep. Merkley	Says that it is unwise to remove authority from an agency that has used it properly for many years. Asserts that the issue of dam removal can be addressed in more appropriate ways than bringing it before the legislature.
048		<b>VOTE: 7-2</b>  <b>AYE: 7 - Atkinson, Devlin, Gianella, Kafoury, Kruse, Morgan, Welsh</b>  <b>NAY: 2 - Merkley, Taylor</b>
	Chair Welsh	<b>The motion CARRIES.</b>
057	Rep. Kruse	<b>MOTION: Moves SB 987-A to the floor with a DO PASS AS AMENDED recommendation.</b>
061	Rep. Kafoury	Compares the issue to prison siting, adding that it is unwise to return delegated authority to the legislature. Expresses opposition to the bill in its amended form.
066	Rep. Taylor	Indicates that the bill will likely be vetoed by the Governor.
077	Rep. Devlin	Concurs with Rep. Kafoury that the decision making authority should not be taken back by the legislature. Clarifies that the prison siting issue has been taken up by the legislature at the request of the Governor.
083	Rep. Kruse	Submits that the legislature is becoming involved in the issue because the Water Resources Council is not acting in the best interest of Grants Pass. Asserts that

		the legislature should not be deterred from doing the right thing out of fear of a veto.
090	Rep. Gianella	Notes that line 14 of the bill requires core samples to be taken from behind the dam, adding that the Governor should agree that such action is prudent.
<b>095</b>		<b>VOTE: 5-4</b>  <b>AYE: 5 - Atkinson, Gianella, Kruse, Morgan, Welsh</b>  <b>NAY: 4 - Devlin, Kafoury, Merkley, Taylor</b>
	<b>Chair Welsh</b>	<b>The motion CARRIES.</b>  <b>REP. KRUSE will lead discussion on the floor.</b>
097	Chair Welsh	Closes the work session on SB 987-A and opens a work session on SB 580.
<b><u>SB 580 WORK SESSION</u></b>		
106	Kristina McNitt	Committee Administrator. Gives a brief description of the bill.
130	Margaret Watson	Representative, Southern Oregon Historical Society. Testifies in support of SB 580 ( <b>EXHIBIT K</b> ). States that museums are educational facilities and that only officially recognized museums will be allowed to engage in the program. Says there are protections for farm resources written into the bill. Mentions that the Hanley Farm lies within the urban growth boundary. Suggests that proceeds from the museum may help sustain the farm with which it coexists. Assures that there are no plans to expand the museum.
182	Julie Curtis	Manager, Oregon Heritage Commission. Testifies in support of SB 580 ( <b>EXHIBIT L</b> ). States that the bill will help the commission preserve and communicate Oregon's cultural heritage. Mentions that heritage tourists spend a great deal of money to experience real history. Says that only government agencies or historical societies will be allowed to institute living history operations.
229	Jessica James	Volunteer, Southern Oregon Historical Society. Testifies in support of SB 580. Describes her experience working at various historical sites.
251	Rep. Atkinson	Comments that the Hanley Farm is in his district. Acknowledges the museum's tourism benefits to the community, as well as its historical value.
272	Rep. Morgan	Applauds the efforts of the curators of Hanley farm in making history available



		to both visitors and locals. Says that the museum is a good way to get a hands-on understanding of life in Oregon's past.
286	Rep. Gianella	Wonders if the farm has experienced problems related to school bus traffic.
292	Watson	Replies that the farm currently cannot accommodate large groups of school children, due to a lack of adequate bathroom facilities.
296	Rep. Kafoury	Inquires about the exceptions process and asks why Hanley farm chose to come to the legislature instead of seeking an exemption.
303	Watson	Replies that the society came to the legislature on recommendation by the county. Estimates that the exception process would cost as much as \$15,000 and would have most likely failed anyway.
309	Rep. Merkley	Wonders why the society would not qualify under the exceptions process, given that the museum resides on the farm itself.
318	Watson	Replies that politics would have prevented the exception from being granted.
321	Rep. Merkley	Notes that LCDC does not oppose the project.
328	Watson	Expresses frustration with Jackson County's history with LCDC and the delay in opening the museum to the public.
336	Rep. Merkley	Asks about the location of administration buildings on the site.
341	Watson	Replies that the language was lifted directly from existing law.
353	Rep. Merkley	Asks whether administration buildings are subject to the same requirements as are those where historical activities take place.
369	Watson	Replies that the law allows for a single administration building, in order to provide maintenance and classroom facilities.
372	Rep. Merkley	Requests confirmation that the administration building may be sited on exclusive farm use (EFU) land.
375	Watson	Answers affirmatively.
381	Rep. Merkley	Asks if the law currently allows this.

382	Watson	Replies that the bill was lifted directly out of existing land use laws.
389	Rep. Merkley	Requests the source of the request for requiring administration buildings within a quarter mile of the historical site.
400	Ron Eber	Representative, DLCD. Indicates that the current provision allows marginal lands in Lane and Washington counties to be used for living history museums. Explains that the bill would extend the provision to the rest of the state, while dropping the specific reference to the Portland Metropolitan urban growth boundary.
428	Rep. Merkley	Asks if any amendments have been submitted.
<b>TAPE 172, B</b>		
002	McNitt	Replies that the bill amendments ( <b>EXHIBIT M</b> ) have been submitted for consideration by the committee.
010	Watson	Clarifies that the museum is within the urban growth reserve.
014	Rep. Devlin	Requests a description of the exception process.
021	Eber	Provides an explanation of the exception process. Indicates that demonstration that the site was locationally dependent and could not be sited elsewhere is usually required to receive an exception. Explains that the process would be much lengthier than the one set forth by the bill.
031	Rep. Taylor	Asks Mr. Eber for his recommendation as to which route the museum should take.
042	Eber	Replies that DLCD does not oppose the bill, as similar language has been applied elsewhere.
053	Rep. Taylor	Wonders if the bill will open a door that will prove difficult to close.
057	Eber	Replies negatively.
058	Rep. Taylor	Discusses her experiences with historical sites in Astoria, concurring that historical tourists are beneficial to communities.
069	Randy Tucker	Representative, 1000 Friends of Oregon. Testifies in opposition to SB 580 ( <b>EXHIBIT N</b> ). Explains that 1000 Friends opposes the bill from a land use perspective, in that it authorizes other projects statewide, which may prove to be larger and more intrusive than Hanley Farm. Asserts that it is poor land use

		policy to create additional non-farm uses for EFU lands.
094	Rep. Atkinson	Comments that it is important to preserve history. Argues that there are insufficient alternative sites to warrant use of the exception method. Mentions that the Agricultural Extension Service of Oregon State University is located near to the museum.
117	Tucker	Assumes that the Agricultural Extension Service is probably related to agricultural activity, as is the museum. Expresses concern that the bill does not limit facilities to such activities.
128	Rep. Atkinson	<b>MOTION: Moves to ADOPT SB 580-1 amendments dated 4/20/99.</b>
130		<b>VOTE: 9-0</b>
	Chair Welsh	<b>Hearing no objection, declares the motion CARRIED.</b>
133	Rep. Atkinson	<b>MOTION: Moves SB 580 to the floor with a DO PASS AS AMENDED recommendation.</b>
137	Rep. Merkley	Expresses support for the bill, as it does not seem to extend the provision too far.
146		<b>VOTE: 8-0-1</b> <b>EXCUSED: 1 - Morgan</b>
	Chair Welsh	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. ATKINSON will lead discussion on the floor.</b>
158	Chair Welsh	Closes the work session on SB 580 and opens a work session on SB 615-A.
<b><u>SB 615-A WORK SESSION</u></b>		
188	Jon Chandler	Director of Governmental Affairs, Oregon Building Industry Association. Testifies in support of SB 615-A. Gives a brief description of the bill.
199	Rep. Kruse	<b>MOTION: Moves SB 615-A to the floor with a DO PASS</b>

		<b>recommendation.</b>
208	Rep. Taylor	Asserts that the bill would not be beneficial for the smaller towns in her district. Indicates that she will support the bill, as it is permissive in nature.
218	Rep. Morgan	Says the bill will allow smaller communities to redirect transportation plan resources into areas where they will be more beneficial.
235		<b>VOTE: 6-1-2</b> <b>AYE: 6 - Atkinson, Gianella, Kruse, Morgan, Taylor, Welsh</b> <b>NAY: 1 - Devlin</b> <b>EXCUSED: 2 - Kafoury, Merkley</b>
	<b>Chair Welsh</b>	<b>The motion CARRIES.</b>  <b>REP. MORGAN will lead discussion on the floor.</b>
253	Chair Welsh	Closes the work session on SB 615-A and opens a work session on SB 1060-A.
<b><u>SB 1060-A WORK SESSION</u></b>		
258	Kristina McNitt	Committee Administrator. Gives a brief description of the bill. Indicates that the ñA4 amendments ( <b>EXHIBIT O</b> ) and the ñA5 amendments ( <b>EXHIBIT P</b> ) have been submitted for consideration by the committee.
268	Sen. Gary George	Senate District 2. Testifies in support of SB 1060-A ( <b>EXHIBIT Q</b> ). Expresses a desire to protect and enhance beach access for Oregonians. Says the bill requires maintenance of beach access at the time of sale of coastal property. Explains that the bill is an attempt to move away from penalties for restricting access in favor of benefits for increasing access. Indicates that efforts were made to ensure that the Parks Department will not be made responsible for every aspect of beach access.
333	Chair Welsh	Mentions that there is a possible fiscal impact associated with the maintenance of beach access points.
340	Sen. George	Concurs with the chair. Indicates that the ñA5 amendments clarify that the state will not be solely responsible for maintenance.
361	Chair Welsh	Requests an explanation of the ñA4 amendments.

366	Craig Allen	Legislative Assistant to Sen. George. Explains that the ñA4 amendments clarify the filing and accounting process for easements.
387	Chair Welsh	Comments that the amendments should take the bill back to its original fiscal and revenue impact.
391	Sen. George	Discusses the bill's signage requirements.
396	Chair Welsh	Asks if the amendments retain the property tax exemption.
400	Sen. George	Replies affirmatively.
410	McNitt	Indicates that the Senate approved the bill 30-0.
412	Jim Lockwood	Director, Oregon Parks and Recreation Department. Testifies in support of SB 1060-A and the ñA4 and ñA5 amendments. Explains that statute requiring Parks Department employees to enter private property also requires those employees to keep the property clean.
<b>TAPE 173, A</b>		
003	Lockwood	Says that the Parks Department would need to clarify in each case that easements were granted for the purpose of cleaning up the property.
023	Rep. Morgan	Wonders if access points could be funded with money provided by Ballot Measure 66.
026	Lockwood	Replies that the department would most likely need to use Ballot Measure 66 funds, adding that private donations or day use fees could also be used.
036	Ann Evans	Representative, Oregon Parks and Recreation Department. Mentions that the ability to enter into easement agreements with property owners will be limited by the availability of funds from Ballot Measure 66.
041	Rep. Kafoury	Requests clarification regarding the fiscal statement's indication that there will be no net change in the status of current access points.
045	Lockwood	Replies that the department cannot estimate the number of easements that might be required or how much they might cost. Discusses the variables that must be considered when calculating the cost of individual easements.
061	Evans	Recalls that the fiscal impact is related to the effect of the bill on local governments. Explains that local governments would be minimally affected because one public access point would be traded for another.

070	Rep. Kafoury	Requests an explanation of how the trade would take place.
072	Evans	Replies that the fiscal impact addresses the elimination of existing public access through the sale or transfer of land. Indicates that such instances would merely require a designation of another parcel of land as a public access point.
081	Rep. Taylor	Inquires whether existing easements would receive enhanced exemptions by the bill.
090	Evans	Responds that the bill addresses a particular type of access and was not intended to affect any existing access points through private property granted through a different mechanism.
106	Rep. Devlin	Asks for clarification that the state would be responsible for finding an alternative access point if the original was located on state land.
110	Evans	Replies affirmatively.
112	Rep. Devlin	Assumes that alternatives for access points located on city or county property would be the responsibility of the corresponding government.
113	Evans	Concurs with Rep. Devlin.
115	Bob Rindy	<p>Representative, DLCD. Testifies in support of SB 1060-A. States that the department is concerned about the potential loss of lateral access points in favor of perpendicular access points. Suggests a conceptual amendment to the A4 amendments:</p> <ul style="list-style-type: none"> <li>On lines 12-13, after "The replacement shall be one or more points of public access and shall be located within the affective property, or" insert "except for lateral access".</li> </ul>
158	Sen. George	Expresses support for the conceptual amendment, adding that the change would not hinder public access.
165	Rep. Gianella	<p><b>MOTION: Moves to AMEND SB 1060-A4 amendments on page 1, in line 12, after "The replacement shall be one or more points of public access and shall be located within the affected property or," insert "except for lateral access, then one-half mile of the location of the lost access".</b></p>
176		<b>VOTE: 9-0</b>
	Chair Welsh	Hearing no objection, declares the motion <b>CARRIED</b> .

178	Rep. Gianella	<b>MOTION: Moves to ADOPT SB 1060-A4 amendments dated 5/19/99 as conceptually amended.</b>
		<b>VOTE: 9-0</b>
	Chair Welsh	<b>Hearing no objection, declares the motion CARRIED.</b>
185	Rep. Gianella	<b>MOTION: Moves to ADOPT SB 1060-A5 amendments dated 5/19/99.</b>
189		<b>VOTE: 9-0</b>
	Chair Welsh	<b>Hearing no objection, declares the motion CARRIED.</b>
194	Chair Welsh	Mentions that the bill has a subsequent referral to the Committee on Revenue. Indicates that the subsequent referral must be rescinded in order to send the bill to the floor.
201	Chair Welsh	<b>MOTION: Moves the SUBSEQUENT REFERRAL of SB 1060-A to the Committee on Revenue BE RESCINDED.</b>
205		<b>VOTE: 9-0</b>
	Chair Welsh	<b>Hearing no objection, declares the motion CARRIED.</b>
207	Rep. Gianella	<b>MOTION: Moves SB 1060-A to the floor with a DO PASS AS AMENDED recommendation and that the subsequent referral to the Committee on Revenue BE RESCINDED.</b>
212	Rep. Merkley	Mentions a previous bill related to the vacation of a public right-of-way to the ocean and asks if the bill overturns existing land use decisions in such a way as to affect that case.
228	Rindy	Replies that the conceptual amendment prevents existing land use laws from being overturned. Says he is unsure whether the case referred to by Rep. Merkley might be affected by the bill in its amended form.
236	Rep. Merkley	Notes that the conceptual amendment addresses only part of the section in question.

240	Rindy	Replies that the conceptual amendment affects both parts of the section.
250	Randy Tucker	Representative, 1000 Friends of Oregon. Testifies in opposition to the ñA5 amendments. Mentions that 1000 Friends supported the A-engrossed bill in the Senate.
273	Rep. Taylor	Wonders if the conceptual amendment proposed by DLCD addresses the problem.
274	Tucker	Replies that he will need to investigate further before such a determination can be made.
286		<b>VOTE: 8-1</b>  <b>AYE: 8 - Atkinson, Devlin, Gianella, Kruse, Merkley, Morgan, Taylor, Welsh</b>  <b>NAY: 1 - Kafoury</b>
	<b>Chair Welsh</b>	<b>The motion CARRIES.</b>  <b>REP. TAYLOR will lead discussion on the floor.</b>
292	Chair Welsh	Closes the work session on SB 1060-A and opens a work session on SB 988.
<b><u>SB 988 WORK SESSION</u></b>		
298	Kristina McNitt	Committee Administrator. Gives a brief description of the bill.
310	Sen. Gary George	Senate District 2. Testifies in support of SB 988. States that sea lions and seals, known collectively as pinnipeds, are causing a great deal of harm to the salmon population. Says the bill requests that the state be allowed to regulate pinniped populations within state waters. Discusses damage caused to the salmon population by the unusually high pinniped population. Suggests that pinnipeds also present a potential danger to humans.
375	Rep. Taylor	Requests an explanation of "optimum sustainable population" as referred to in Section 2, subsection 3.
382	Glen Stonebrink	Representative, Oregon Cattlemenís Association. Testifies in support of SB 988 <b>(EXHIBIT R)</b> . Indicates that determining the optimum sustainable population of pinnipeds has been the greatest barrier to addressing the problem of predation. Explains that the bill refers to pinnipeds found in the waters under jurisdiction of



		the United States, which extends from the coastline into the ocean. Says that pinnipeds located in the waters of the state cause most of the damage to salmon runs, which is why the bill is designed to allow the state to manage their population there.
429	Rep. Taylor	Wonders if the Oregon Department of Fish and Wildlife (ODFW) would be charged with the responsibility for "decimating" the pinniped population in state waters.
<b>TAPE 174, A</b>		
004	Stonebrink	Replies that is not the case, explaining that the sustainable population would be a number higher than zero.
010	Rep. Taylor	Recalls a 1991 bill relating to marine mammals. Expresses concern that the bill gives the state, rather than scientists, the authority to define sustainable population. Mentions that seals and sea lions are popular tourist attractions.
028	Sen. George	Reiterates that the bill requires the state to seek federal approval for the reduction of the pinniped population and that biologists will be consulted. Says that large numbers of seals and sea lions create an impenetrable barrier for salmon trying to reach spawning grounds.
046	Rep. Devlin	Asks whether the federal government has transferred such responsibility to other states in the past. Wonders if the state will seek federal funds for pinniped reduction.
052	Stonebrink	Replies that he knows of no such authority being granted to a state in the past. Indicates that the National Marine Fisheries Service (NMFS) has made statements suggesting that they would welcome state efforts to curb predator populations. Recalls a suggestion by Sen. Bill Fisher that pinniped hunting might serve as a revenue-generating program for ODFW. Mentions that the federal government provided the Macau tribe in Washington with over \$300,000 to kill a whale, but expresses doubt that money would be given to Oregon for pinniped reduction.
070	Rep. Taylor	Asserts that the comparison with the Macau is flawed, as the tribe has treaty rights to whaling, while the State of Oregon has no treaty rights to pinnipeds. Suggests that tourists would be put off by seal hunting.
085	Sen. George	Reiterates that the bill is merely a request for approval to deal with the problem. Suggests that predation is a much greater threat to salmon than actions on the part of landowners that carry stiff penalties.
101	Rep. Atkinson	Wonders if control of the marine mammal population should be under the jurisdiction of the NMFS.
105	Stonebrink	Replies that the NMFS, as an agency of the Department of Commerce, currently

		has jurisdiction over marine mammals.
108	Rep. Atkinson	Asks if the NMFS is imposing requirements without providing the funds necessary to follow them.
110	Stonebrink	Responds affirmatively, adding that the imposed requirements do not even meet the goals of the Marine Mammals Protection Act.
117	Rep. Atkinson	Expresses support for the bill. Indicates that he is uneasy about making ODFW responsible for a role that should be played by the federal government. Asserts that the failure of the federal government to address marine mammal populations while simultaneously imposing regulations on landowners is "atrocious." Argues that the NMFS should be defunded for its failure to address declining salmon populations.
145	Robin Brown	Representative, ODFW. Testifies in opposition to SB 988 ( <b>EXHIBIT S</b> ). Acknowledges concerns about declining salmon populations. Mentions that the Marine Mammal Protection Act is up for reauthorization this year and that ODFW has proposed amendments to that act that would help address the problem. Confirms that ODFW has interpreted the bill's definition of optimum sustainable population for pinnipeds to be zero. Suggests that the federal act will allow transfer of authority to Oregon so long as optimum sustainable populations remain at levels yet to be determined by the federal government. Anticipates that the Secretary of Commerce will not grant authority to the state until the optimum sustainable population is determined.
208	Chair Welsh	Requests an explanation as to why ODFW assumes the optimum sustainable population to be zero.
210	Brown	Replies that most marine mammals travel across state boundaries, meaning that the desired population within Oregon waters would be zero, since the goal is to limit predation in salmon runs.
229	Stonebrink	Says the bill clarifies that marine mammals not in the waters of Oregon are in the ocean, and that those in the ocean represent the optimum sustainable population.
245	Rep. Merkley	Suggests that Mr. Stonebrink's explanation lends support to ODFW's assumption that the optimum sustainable population in state waters would be zero.
247	Stonebrink	Responds that it is not the intent of the bill to make that determination, reiterating that the goal is to manage the pinniped population, rather than eliminate them.
257	Rep. Taylor	Concurs with ODFW's assertion.
258	Rep. Merkley	Requests clarification as to how it could be interpreted otherwise.

266	Stonebrink	Clarifies that the program to be implemented is addressed in one section, while the definition of optimum sustainable population is addressed in another.
281	Rep. Merkley	Offers an example of an ocean population of sea lions of 2,500, which would be considered the optimum sustainable population. Explains that the state could then kill all sea lions in the waters of the state and still be in compliance with the maintenance of the population.
284	Stonebrink	Replies that is not necessarily the case, since the Department of Commerce would need to approve any state plan for reducing the pinniped population. Reiterates that the state must set an optimum sustainable population prior to requesting approval from the federal government to begin a program of population reduction.
315	Rep. Merkley	Acknowledges the potential benefits of state control, but asks why the state could not merely adopt the federal definition of optimum sustainable population.
325	Stonebrink	Explains that the NMFS has been unable to define the term. Reiterates that the pinniped population has increased appreciably over the past several years.
347	Rep. Taylor	Inquires whether an effort has been made by the NMFS to inventory the pinniped population in the Pacific Northwest.
365	Brown	Responds affirmatively. Indicates that the NMFS has worked on population assessments to chart marine mammal species throughout the Pacific Northwest. Adds that OSFW has assisted those efforts under contract with the NMFS.
390	Rep. Taylor	Concurs that seals have become much more visible during the past several years. Wonders if an agreement is likely to be reached in the future as to how to address the problem.
<b>TAPE 173, B</b>		
002	Brown	Replies that California sea lions and harbor seals have doubled in population during the past several decades. Indicates that the harbor seal population appears to be reaching equilibrium. Describes the difficulties associated with determining when a species has entered the lower range of optimum sustainable population.
025	Rep. Kruse	Wonders if the impact of pinnipeds on other species, specifically salmon, has also been measured.
032	Brown	Replies affirmatively, adding that such studies have been conducted only for the past few years.
040	Rep. Kruse	Inquires as to how scientists determine what it is that pinnipeds have been consuming.

045	Brown	<p>Describes the techniques have been used over the years:</p> <ul style="list-style-type: none"> <li>• Analysis of stomach contents of marine mammals killed incidentally in fishing nets</li> <li>• Analysis of the fecal matter of live pinnipeds</li> <li>• Observation of predation at the surface of waterways</li> </ul> <p>Says it is nearly impossible to receive a permit to take animals in order to study their eating habits.</p>
056	Rep. Kruse	Wonders if research is being performed on ocean-based sea lions. Mentions that pinnipeds compete with salmon for food, in addition to preying on the salmon themselves.
064	Brown	<p>Says that research into such matters is difficult, expensive, and time consuming, which is why researchers have focused efforts on other methods of study.</p> <p>Mentions that pinnipeds also consume other species that prey on salmon and steelhead.</p>
074	Rep. Kruse	Requests confirmation that ODFW currently has no power to take action to address the pinniped population.
077	Brown	Responds affirmatively.
079	Stonebrink	Refers to a NMFS report included in the handout, which has indicated that pinnipeds will continue to depress the salmon population.
089	Rep. Devlin	Inquires whether the increase in pinniped populations is a result of loss of habitat elsewhere or to a reduction in species that prey on them.
098	Brown	Speculates that sea lion populations have been rebounded as a result of strong protections imposed by the federal government.
112	Chair Welsh	Closes the work session on SB 988 and opens a work session on SB 300.
<b><u>SB 300 WORK SESSION</u></b>		
116	Martha Pagel	Representative, Water Resources Department. Testifies in support of SB 300 ( <b>EXHIBIT T</b> ). Explains that the bill removes the requirement that water rights users begin construction to develop the resource within one year of acquisition. Asserts that the requirement is becoming more difficult to achieve, given the number of permits that are required, and that there is no justifiable basis for the requirement.
147	Rep. Devlin	<b>MOTION: Moves SB 300 to the floor with a DO PASS recommendation.</b>

157	Rep. Kafoury	Inquires whether there will still be a time limit in place for development of the water right.
163	Pagel	Replies that the 5-year requirement for completion is still in effect.
167		<b>VOTE: 8-0-1</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 1 - Morgan</b>
	Chair Welsh	<b>The motion CARRIES.</b>  <b>REP. ATKINSON will lead discussion on the floor.</b>
174	Chair Welsh	Closes the work session on SB 300 and opens a work session on SB 91-A.
<b><u>SB 91-A WORK SESSION</u></b>		
190	Scott Ashcomb	Representative, Oregon Association of Nurserymen. Testifies in support of SB 91-A. States that throughout the application process the bill retains administrative rules that were in effect at the time the application for a water right was filed. Mentions that a problem existed during the 1980s related to the retroactive application of Willamette Basin rules, which would have been alleviated had the bill been law at that time. Indicates that the Water Resource Department has acted fairly in the past.
223	Martha Pagel	Representative, Water Resource Department. Testifies in support of SB 91-A ( <b>EXHIBIT U</b> ). Suggests that there is not a problem at this time but that the bill will not cause a problem.
234	Rep. Kruse	<b>MOTION: Moves SB 91-A to the floor with a DO PASS recommendation.</b>
248	Rep. Kafoury	Indicates that she will vote against the bill, as it is not necessary.
250	Rep. Devlin	Indicates that he will support the bill, as it will alleviate the concerns of some applicants.
258		<b>VOTE: 6-1-2</b>  <b>AYE: 6 - Atkinson, Devlin, Gianella, Kruse, Taylor, Welsh</b>

		<b>NAY: 1 - Kafoury</b> <b>EXCUSED: 2 - Merkley, Morgan</b>
	<b>Chair Welsh</b>	<b>The motion CARRIES.</b>  <b>REP. KRUSE will lead discussion on the floor.</b>
288	Chair Welsh	Closes the work session on SB 91-A and opens a work session on SB 440-A.
<b><u>SB 440-A WORK SESSION</u></b>		
298	Kristina McNitt	Committee Administrator. Gives a brief description of the bill.
307	Dave Hunnicutt	Representative, Oregonians in Action (OIA). Testifies in support of SB 440-A. States that the bill relates to a 1997 court case that indicated a problem exists with the 120-day requirement for local governments to make a decision on a land use application. Explains that local governments lose jurisdiction on applications once they are sent to circuit court.
352	Rep. Kruse	Asks if OIA and 1000 Friends of Oregon both support the bill.
356	Hunnicutt	Replies that there is no opposition to the bill.
364	<b>Rep. Kruse</b>	<b>MOTION: Moves SB 440-A to the floor with a DO PASS recommendation.</b>
369		<b>VOTE: 6-0-3</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 3 - Devlin, Morgan, Taylor</b>
	<b>Chair Welsh</b>	<b>The motion CARRIES.</b>  <b>REP. KRUSE will lead discussion on the floor.</b>
425	Chair Welsh	Closes the work session on SB 440-A and opens a work session on SB 467-A.

**TAPE 174, B****SB 467-A WORK SESSION**

007	Dave Hunnicutt	Representative, OIA. Testifies in support of SB 467-A ( <b>EXHIBIT V</b> ). States that the bill is designed to clarify requirements for notification regarding court decisions related to land use. Discusses problems associated with failure to notify interested parties. Indicates that the ñA4 amendments ( <b>EXHIBIT W</b> ) have been submitted for consideration by the committee. Mentions that there is some disagreement whether the time period should be set at 10 or 14 days.
055	Chair Welsh	Asks which time period is specified within the ñA4 amendments.
057	Hunnicutt	Replies that the ñA4 amendments call for a 14-day period.
066	Jon Chandler	Director of Governmental Affairs, Oregon Building Industries Association (OBIA). Testifies in support of the ñA4 amendments to SB 467. States that the bill should go forward with either the 10 or 14 day time requirement.
073	Art Shlack	Representative, AOC. Testifies in support of the ñA4 amendments to SB 467. States that counties currently have up to 150 days to make land decisions. Indicates that procedural requirements imposed by the legislature over the years have made it more difficult to meet the time requirement. Says that many counties have 10-day appeal periods, which would need to be changed to 14 days if the bill were to become law. Suggests that the committee conceptually amend the ñA4 amendments to change the 14-day time period to 10 days.
118	Charlie Swindells	Representative, 1000 Friends of Oregon. Testifies in opposition to the ñA4 amendments to SB 467 ( <b>EXHIBIT X</b> ). Says that the phrases "adversely affected" and "aggrieved" should be stricken from the amendments, as they could be interpreted too generally.
144	Ron Eber	Representative, DLCD. Testifies in support of the ñA4 amendments to SB 467. Explains the necessity of maintaining the 14-day requirement. Provides a chart ( <b>EXHIBIT Y</b> ) demonstrating the need to retain the longer deadline because numerous, lengthy delays that may occur. Asserts that the appeals process should be shortened instead.
181	Rep. Devlin	Requests clarification regarding how an appeal is filed.
200	Eber	Replies that the process by which an appeal is filed is determined by the local jurisdiction. Says that time limits begin on the day that notice is sent.
213	Rep. Devlin	Opines that mail delays are another reason why lengthening the time period would be beneficial. Requests clarification regarding the distance from affected property that would require notification.

222	Schlack	<p>Replies that the distance varies, depending on the type of land:</p> <ul style="list-style-type: none"> <li>• Urban growth boundaries require notification for those within 100 feet</li> <li>• Non-resource lands in rural areas require notification for those within 250 feet</li> <li>• Resource lands in rural areas require notification for those within 500 feet, which would be increased to 750 feet by the bill</li> </ul>
227	Rep. Devlin	Supposes that notification might only include a single property owner in rural areas.
232	Schlack	Reiterates that decisions are subject to public hearings and cannot be made administratively. Recalls his experience working as a Polk County commissioner. Explains that steps are sometimes skipped in order to meet time requirements, making a reduction in the time allotment that much more onerous.
250	Rep. Devlin	Suggests that it is easier to pass a 14-day appeals process than it is to pass a bill extending the entire 150-day process.
257	Hunnicut	Indicates that Mr. Swindell has suggested that the phrases "adversely affected" and "aggrieved" be conceptually amended.
284	Chair Welsh	Closes the work session on SB 467-A and opens a public hearing on SB 993.
<b><u>SB 993 PUBLIC HEARING</u></b>		
310	Rod Harder	Executive Director, Oregon Sportsman's Defense Fund. Testifies in support of SB 993. Provides police information ( <b>EXHIBIT Z</b> ) related to a case in Roseburg where a bear taken on damage could not be given to the landowner from whose property it was taken and was instead dumped illegally. Says that the bill would offer a landowner first right of refusal for the carcass of a bear or cougar taken on damage.
356	Rep. Kruse	Closes the public hearing on SB 993 and opens a public hearing on SB 1102.
<b><u>SB 1102 PUBLIC HEARING</u></b>		
363	Jim Lockwood	Director, Oregon Parks and Recreation Department. Testifies in support of SB 1102. Indicates that the Parks Department is currently developing a Southern Oregon plan. Says the bill allows the department to cooperate with the State of California in projects that require such action to be taken.
414	Rep. Atkinson	Comments that such efforts should not be considered catering to special interests, as they benefit parks that are available to all Oregonians. Asserts that Oregon should do more to enhance state parks and historical sites.
<b>TAPE 175, A</b>		



011	Lockwood	Clarifies that the Governor has not opposed the bill directly, but rather suggested that the Parks Department merely study the various proposals.
022	Rep. Atkinson	Says that there have been a large number of promising proposals brought forth during the session, including unusual facilities such as dive parks.
023	Rep. Kruse	Clarifies that the bill would not require the acquisition of property or capital improvements.
027	Rep. Devlin	Concurs with Rep. Atkinson, adding that citizens of Washington County are also seeking to have a state park sited in their area.
040	Rep. Kruse	Closes the public hearing on SB 1102.
043	Chair Welsh	Opens a public hearing on SB 675-A.
<b><u>SB 675-A PUBLIC HEARING</u></b>		
045	Kristina McNitt	Committee Administrator. Gives a brief description of the bill. Indicates that the ñA2 amendments ( <b>EXHIBIT AA</b> ) have been submitted for consideration by the committee.
051	Jean Wilkinson	Representative, Oregon Cattlemenís Association. Testifies in support of the ñA2 amendments to SB 675-A ( <b>EXHIBIT BB</b> ). Says that the state regulates water quality management by requiring the development of management plans. Indicates that the amendments apply to Section 401 of the federal Clean Water Act (CWA). Suggests that federal lands are currently governed by multiple overlapping plans, creating unnecessarily burdensome requirements.
100	Wilkinson	Explains that the 9 <sup>th</sup> Circuit Court decided against environmental groups that had filed suit, adding that those groups are seeking supreme court review of the case. Says that the state should have the ability to waive duplicative requirements. Indicates that the Oregon Department of Forestry (DOF) has been given jurisdiction over water quality on forestlands, freeing the Oregon Department of Agriculture (ODA) to regulate the remaining agricultural lands appropriately. Adds that the Department of Environmental Quality (DEQ) can petition ODA if it believes that plans will meet standards, while retaining its watchdog status.
163	Pete Test	Associate Director, Oregon Farm Bureau (OFB). Testifies in support of SB 675-A. Says the bill allows the state to perform 401 certification when necessary. Reiterates that the bill will offer ODA comparable authority over agriculture lands that DOF has over forestlands. Indicates that the amendments eliminate any reference to discharge as it relates to non-point sources.
208	Lauri Aunan	Assistant to the Director, DEQ. Testifies in opposition to SB 675-A ( <b>EXHIBIT CC</b> ). States that the bill would weaken DEQ authority to review and certify licensed activities for violations of clean water standards. Says that in addition to

		the examples given by the bill's proponents, the bill would apply to snow salting on Mount Hood and to dredging of the Willamette River. Asserts that DEQ certification provides a defense in third party lawsuits. Suggests that the bill will create inequity.
252	Chair Welsh	Closes the public hearing on SB 675-A and opens a public hearing on SB 474.
<b><u>SB 474 PUBLIC HEARING</u></b>		
267	Kristina McNitt	Committee Administrator. Gives a brief description of the bill.
280	Don Schellenberg	Representative, OFB. Testifies in support of SB 474. States that Section 2 of the bill is nearly identical to OFB policy. Supports the fact that the bill provides incentives to minimize impact of land use planning on agriculture.
325	Jerry Schmidt	Representative, Oregon Association of Realtors (OAR). Testifies in support of SB 474 ( <b>EXHIBIT DD</b> ). States that the bill will not result in additional litigation.
334	Larry George	Executive Director, OIA. Testifies in support of SB 474 ( <b>EXHIBIT EE</b> ). Suggests that the bill represents a policy statement in that it guides state agencies to consider the impact that land use planning will have on private landowners. Opines that the land use system would work better if private landowners were allowed to play a larger role.
395	Betty Bissell	Resident, Dundee, Oregon. Testifies in support of SB 474 ( <b>EXHIBIT FF</b> ). Offers a situation involving her property as an example of how land use planning can go wrong. Suggests that land use planning suffers from "litigation lunacy." Asserts that land use rules should be reviewed in the least restrictive way possible.
<b>TAPE 176, A</b>		
032	Bob Rindy	Representative, DLCD. Testifies in opposition to SB 474 ( <b>EXHIBIT GG</b> ). Indicates that the bill will provide "a number of footholds for lawsuits." Suggests that passage of the bill will allow judges to reinterpret its provisions. Says there is no precedent for determining the least restrictive options for local zoning and that appeals will always be possible.
084	Charlie Swindells	Representative, 1000 Friends of Oregon. Testifies in opposition to SB 474 ( <b>EXHIBIT HH</b> ). Supports the sentiments contained in the bill, but argues that they should remain in the farm bureau handbook. Says that existing and ongoing litigation would be complicated by passage of the bill. Refers to past efforts by 1000 Friends to simplify land use planning.
107	Rep. Devlin	Wonders where the provisions of the bill might be codified.

115	Rindy	Replies that such broad principles are often interpreted by judges in court decisions.
125	Rep. Devlin	Submits that the bill uses broad terms, rather than "clear and objective standards."
132	Rindy	Concurs with Rep. Devlin, adding that DLCD tries to remove such broad terms from statute wherever possible. Suggests it is impossible to determine how such terminology might be interpreted.
144	Chair Welsh	Comments that any language would be debated by lawyers and adjudicated by judges. Closes the public hearing on SB 474 and declares the meeting to be in recess.
-----RECESS-----		
177	Chair Welsh	Reconvenes the meeting and opens a work session on SB 1102.
<b><u>SB 1102 WORK SESSION</u></b>		
181	Rep. Kruse	<b>MOTION: Moves SB 1102 to the floor with a DO PASS recommendation.</b>
184		<b>VOTE: 6-0-3</b> <b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	Chair Welsh	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. DEVLIN will lead discussion on the floor.</b>
192	Chair Welsh	Closes the work session on SB 1102 and opens a work session on SB 467-A.
<b><u>SB 467-A WORK SESSION</u></b>		
210	Rep. Kruse	<b>MOTION: Moves to AMEND SB 467-A4 amendments on page 1, line 18, deleting "14" and inserting "12", and on page 2, line 23, deleting "14" and inserting "12".</b>
212		<b>VOTE: 6-0-3</b>

		<b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	<b>Chair Welsh</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>220</b>	<b>Rep. Kruse</b>	<b>MOTION: Moves to ADOPT SB 467-A4 amendments dated 5/19/99 as conceptually amended.</b>
<b>225</b>		<b>VOTE: 6-0-3</b> <b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	<b>Chair Welsh</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>228</b>	<b>Rep. Kruse</b>	<b>MOTION: Moves SB 467-A to the floor with a DO PASS AS AMENDED recommendation.</b>
232	Rep. Devlin	Indicates that he is pleased that a compromise has been reached on a 12-day period. Says that he will support the bill as amended in committee, but may vote against it on the floor.
<b>242</b>		<b>VOTE: 6-0-3</b> <b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	<b>Chair Welsh</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. MORGAN will lead discussion on the floor.</b>
245	Chair Welsh	Closes the work session on SB 467-A and opens a work session on SB 988.
<b><u>SB 988 WORK SESSION</u></b>		
<b>251</b>	<b>Rep. Kruse</b>	<b>MOTION: Moves SB 988 to the floor with a DO PASS recommendation.</b>
253	Rep. Atkinson	Expresses concern that the NMFS will choose not to work with the State of Oregon, but indicates that he will support the bill, as Congress is unlikely to take action on the matter.

268		<b>VOTE: 5-1-3</b>  <b>AYE: 5 - Atkinson, Gianella, Kruse, Morgan, Welsh</b>  <b>NAY: 1 - Devlin</b>  <b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	Chair Welsh	<b>The motion CARRIES.</b>  <b>REP. KRUSE will lead discussion on the floor.</b>
280	Chair Welsh	Closes the work session on SB 988 and opens a work session on SB 993-A.
<b><u>SB 993-A WORK SESSION</u></b>		
282	Rep. Gianella	<b>MOTION: Moves SB 993-A to the floor with a DO PASS recommendation.</b>
288		<b>VOTE: 5-1-3</b>  <b>AYE: 5 - Atkinson, Gianella, Kruse, Morgan, Welsh</b>  <b>NAY: 1 - Devlin</b>  <b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	Chair Welsh	<b>The motion CARRIES.</b>  <b>REP. GIANELLA will lead discussion on the floor.</b>
298	Chair Welsh	Closes the work session on SB 993-A and opens a work session on SB 675-A.
<b><u>SB 675-A WORK SESSION</u></b>		
305	Rep. Kruse	<b>MOTION: Moves to ADOPT SB 675-A2 amendments dated 5/19/99.</b>
		<b>VOTE: 6-0-3</b>

		<b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	<b>Chair Welsh</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>320</b>	<b>Rep. Kruse</b>	<b>MOTION: Moves SB 675-A to the floor with a DO PASS AS AMENDED recommendation.</b>
<b>323</b>		<b>VOTE: 5-1-3</b> <b>AYE: 5 - Atkinson, Gianella, Kruse, Morgan, Welsh</b> <b>NAY: 1 - Devlin</b> <b>EXCUSED: 3 - Kafoury, Merkley, Taylor</b>
	<b>Chair Welsh</b>	<b>The motion CARRIES.</b>  <b>REP. KRUSE will lead discussion on the floor.</b>
<b>345</b>	<b>Chair Welsh</b>	<b>Closes the work session on SB 675-A and opens a work session on SB 474.</b>
<b><u>SB 474 WORK SESSION</u></b>		
<b>362</b>	<b>Rep. Kruse</b>	<b>MOTION: Moves SB 474 to the floor with a DO PASS recommendation.</b>
<b>366</b>		<b>VOTE: 5-0-4</b> <b>EXCUSED: 4 - Devlin, Kafoury, Merkley, Taylor</b>
	<b>Chair Welsh</b>	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. GIANELLA will lead discussion on the floor.</b>
<b>375</b>	<b>Chair Welsh</b>	<b>Closes the work session on SB 474 and adjourns the meeting at 6:05 p.m.</b>

Danielle Hamilton, Jennifer Peck,  
Administrative Support Committee Coordinator

Transcribed By,

Patrick Brennan,  
Administrative Support

#### **EXHIBIT SUMMARY**

**A ñ SB 882, -2 amendments, Rep. Al King, 9 pp.**

**B ñ SB 882, testimony, Richard Benner, 2 pp.**

**C ñ SB 882, conceptual amendments, Sen. Veral Tarno, 1 p.**

**D ñ SB 882, testimony, Shan Gordon, 1 p.**

**E ñ SB 987, -A4 amendments, Gary Wilhelms, 1 p.**

**F ñ SB 987, -A6 amendments, Gary Wilhelms, 1 p.**

**G ñ SB 987-A, informational materials, Glen Stonebrink, 1 p.**

**H ñ SB 987-A, testimony, Martha Pagel, 3 pp.**

**I ñ SB 987-A, testimony, Doug Myers, 1 p.**

**J ñ SB 987-A, testimony, Doug Myers, 1 p.**

**K ñ SB 580, testimony, Margaret Watson, 9 pp.**

**L ñ SB 580, testimony, Julie Curtis, 2 pp.**

**M ñ SB 580, -1 amendments, staff, 1 p.**

**N ñ SB 580, testimony, Randy Tucker, 1 p.**

**O ñ SB 1060, -A4 amendments, staff, 1 p.**

**P ñ SB 1060, -A5 amendments, staff, 1 p.**

**Q ñ SB 1060-A, testimony, Sen. Gary George, 2 pp.**

**R ñ SB 988, testimony, Glen Stonebrink, 9 pp.**

**S ñ SB 988, testimony, Robin Brown, 3 pp.**

**T ñ SB 300, testimony, Martha Pagel, 2 pp.**

**U ñ SB 91-A, testimony, Martha Pagel, 3 pp.**

**V ñ SB 467-A, testimony, Dave Hunnicutt, 2 pp.**

**W ñ SB 467, -A4 amendments, staff, 21 pp.**

**X ñ SB 467-A, testimony, Charlie Swindells, 3 pp.**

**Y ñ SB 467-A, chart, Ron Eber, 1 p.**

**Z ñ SB 993, police report, Rod Harder, 26 pp.**

**AA ñSB 675, -A2 amendments, staff, 2 pp.**

**BB ñSB 675-A, testimony, Jean Wilkinson, 2 pp.**

**CC ñ SB 675-A, testimony, Lauri Aunan, 8 pp.**

**DD ñ SB 474, testimony, Jerry Schmidt, 1 p.**

**EE ñ SB 474, testimony, Larry George, 2 pp.**

**FF ñ SB 474, testimony, Betty Bissell. 5 pp.**

**GG ñ SB 474, testimony, Bob Rindy, 1 p.**

**HH ñ SB 474, testimony, Charlie Swindells, 2 pp.**