

## SENATE COMMITTEE ON WATER AND LAND USE

March 30, 1999 Hearing Room B

1:00 p.m. Tapes 48 - 50

**MEMBERS PRESENT:** Sen. Veral Tarno, Chair

Sen. Tony Corcoran, Vice-Chair

Sen. Gary George

Sen. Marylin Shannon

Sen. Thomas Wilde

**MEMBER EXCUSED:**

**STAFF PRESENT:** Raymond J. Kelly, Administrator

Diana Bronson, Administrative Support

**MEASURE/ISSUES HEARD:** SB 547 Work Session

SB 87 Public Hearing and Work Session

SB 127 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
TAPE 48, A		
003	Chair Tarno	Opens hearing at 1:06 p.m. and opens work session on SB 547.
<u>SB 547 WORK SESSION</u>		

011	Ray Kelly	Summarizes SB 547 and the ñ1 amendments. Submits <b>(EXHIBIT A)</b> .
021	Mike McArthur	Judge, Sherman County. Presents map of Sherman County <b>(EXHIBIT B)</b> and states that Sherman County is 831 square miles with 1800 people and shrinking. Testifies in support of SB 547.
090	Sen. Wilde	States the wording of the ñ1 amendments needs the word "people" at line 13 to read "of 15,000 or less ėpeopleí."
103	Chair Tarno	Responds that it is a good point.
104	Sen. George	<b>MOTION: Moves to ADOPT SB 547-1 amendments dated 3/17/99.</b>
		<b>VOTE: 3-0</b> <b>EXCUSED: 1 ñ Shannon, Corcoran</b>
	Chair Tarno	<b>Hearing no objection, declares the motion CARRIED.</b>
108	Sen. George	<b>MOTION: Moves SB 547 to the floor with a DO PASS AS AMENDED recommendation.</b>
132	Kelly	<b>VOTE: 3-1</b> <b>AYE: 3 - George, Wilde, Tarno</b> <b>NAY: 1 ñ Corcoran</b> <b>EXCUSED: 1 ñ Shannon</b>
	Chair Tarno	<b>The motion CARRIES.</b>  <b>SEN. TIMMS will lead discussion on the floor.</b>
119	Sen. Corcoran	Notes his ėnayí vote on SB 547 is because the ñ1 amendments will broaden SB 547 without protecting prime farmland.
134	Chair Tarno	Closes work session on SB 547 and opens public hearing on SB 87.

**SB 87 PUBLIC HEARING**

135	Kelly	States this is the fourth time the committee has heard SB 87. Summarizes SB 87. States there are three amendments. Submits <b>(EXHIBIT C)</b> .
183	Bill Cross	Commercial Real Estate Economic Coalition (CREEC). Presents <b>(EXHIBIT D)</b> . States CREEC introduced SB 87 and asked legislative counsel to draft amendments to respond to the concerns raised at earlier hearings on SB 87.
241	Cross	Continues testimony in support of SB 87.
249	Sen. Corcoran	Asks Cross to identify any areas, other than Metro, that have a lack of commercial and industrial property right now.
254	Cross	Responds that he does not know specifically.
268	Sen. Corcoran	Asks if there is anyone in the State of Oregon that thinks Portland has a problem with jobs.
270	Cross	Responds that while the economy has generally been good, Portland has lost opportunities for industrial and commercial projects because, in part, of inadequate lands.
292	Sen. Wilde	Expresses the opinion that the ñ3 amendments help SB 87 in setting aside lands for future projects.
332	Sen. George	Asks for reasons behind the backlash received on SB 87.
349	Cross	Replies he does not know of any backlash, per se.
384	Sen. Corcoran	States the presentation of SB 87 and the ñ3 amendments seems to be from interest groups coming to the legislature because a disagreement with the local government, and then they try to have the legislature change policy. States he has a hard time feeling sorry for Portland with an unemployment rate of 5 percent, while his district is at 11 percent.
410	John Weigant	Testifies in opposition to SB 87. Presents <b>(EXHIBIT E)</b> . States that diversity promotes quality by allowing local innovation. States SB 87 severely limits diversity.

**TAPE 49, A**

017	Weigant	Continues testimony.
060	Sen. Wilde	Asks what he feels about Metroís 20/40 plan.

063	Weigant	Replies the 20/40 plan has been driven by an ambitious economic projection.
083	Sen. Wilde	Asks how Weigant can support a 50-year projection for the future if the 20/40 plan is just ambition. Asks for Weigant's suggestions as to what he would have in its place.
090	Weigant	Replies that he would ask local planning commissions to make the best decisions they can according to their best judgment.
099	Chair Tarno	Asks Weigant if he is a former planner.
101	Weigant	Replies that he received his training at the University of Oregon and was a planner for the Oregon District 4 Council of Governments in Corvallis.
107	Chair Tarno	Asks Weigant's opinion as to the importance of finding a balance between housing, industrial and commercial lands.
118	Sen. George	Describes enforcing new laws on density areas.
132	Weigant	Concludes that the essence of Sen. Wilde's comments were that local communities need more power to do what is right.
136	Bob Clay	City of Portland, Bureau of Planning. Presents <b>(EXHIBIT F)</b> . Testifies in opposition of SB 87 in that it duplicates requirements that have already been accomplished.
185	Clay	Continues testimony.
246	Don Jones	Testifies in support of SB 87 as originally proposed. Presents <b>(EXHIBIT G)</b> . States the language in the amendments is ambiguous and potentially contentious.
290	Jones	Continues testimony in support of SB 87.
355	Chair Tarno	Asks if Jones was here during the 1997 Session regarding annexation.
358	Jones	Replies that he was.
370	Sen. George	States he appreciates the work Jones has done with his exhibit. Asks where Jones sees Oregon with the growth factor.
391	Jones	States the people who are voting on annexation do not understand what they are voting on.

**TAPE 48, B**

025	Sen. George	States Jones hit right on the questions asked.
029	Sen. Corcoran	Agrees with Jones, in that people are not in tune with the planning process. States the biggest issue is that people do not want to pay more taxes.
057	Mary Kyle McCurdy	1000 Friends of Oregon. Presents <b>(EXHIBIT H)</b> . States that 1000 Friends testified at the first hearing and are here now to testify in opposition to the amendments. States that requiring Metro, and all large or fast growing cities, to provide a 20 year land supply for all employment needs is unnecessary.
103	Kyle McCurdy	Continues testimony in opposition SB 87 and the amendments.
122	Jon Chandler	Director of Governmental Affairs, Oregon Building Industry Association. Testifies in support of SB 87.
180	Chandler	Continues testimony in support of SB 87.
247	Sen. Corcoran	States he understands SB 87 will not change the 11 percent unemployment in Douglas County, and that SB 87 is another instance of a grudge match between a local government and monied interests who could not resolve their differences.
279	Chandler	States he was not involved in the drafting of SB 87. States it is unfair to call it a grudge match.
322	Phillip Fell	League of Oregon Cities (LOC). States he appreciates the changes made in the amendments, but there are continued concerns as the language is ambiguous.
370	Fell	LOC. Continues testimony regarding the LOC's concerns with the amendments.
423	Don Smith	Clackamas Citizens for Responsible Growth. Testifies in opposition to SB 87.

**TAPE 49, B**

008	Smith	Continues testimony in opposition to SB 87.
050	Sen. George	Asks how Smith reconciles his testimony by stating there is a limited supply of land, but that everything is market driven.
056	Smith	States the senator raises a good point. States development has not taken place in an orderly

		manner and that SB 87 is about 25 years too late.
080	Chair Tarno	Closes public hearing on SB 87 and opens work session on SB 87.
<b><u>SB 87 WORK SESSION</u></b>		
087	Sen. George	<b>MOTION: Moves to ADOPT SB 87-3 amendments dated 3 /17/99.</b>
		<b>VOTE: 5-0</b>
	Chair Tarno	<b>Hearing no objection, declares the motion CARRIED.</b>
	Sen. George:	<b>MOTION: Moves SB 87 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>
091		<b>VOTE: 3-2</b>  <b>AYE: 3 - George, Wilde, Tarno</b>  <b>NAY: 2 - Corcoran, Shannon</b>
	Chair Tarno	<b>The motion CARRIES.</b>  <b>SEN. TARNO will lead discussion on the floor.</b>
103	Chair Tarno	Closes work session on SB 87 and opens public hearing on SB 127. Advises that SB 628 will be brought back if time allows as the amendments are not correct.
<b><u>SB 127 PUBLIC HEARING</u></b>		
111	Kelly	Summarizes SB 127.
133	C. T. Christie	Testifies in support of SB 127. Presents <b>(EXHIBIT I)</b> .
153	Sen. Wilde	Asks if Christie's son is involved in farming.

155	Christie	Replies that he is, but the statute says he can only put a manufactured home on his farmland if there is a hardship or it is for management.
164	Sen. Wilde	States he will not argue statute, but believes there is the ability to build a home if it is for an immediate family member and that person is involved in farming activities.
175	John Shafer	Polk County. Testifies in opposition to SB 127.
202	Merilyn Reeves	Friends of Yamhill County. Presents <b>(EXHIBIT J)</b> . Testifies in opposition to SB 127.
274	Sen. George	States he took pictures of Yamhill County and invites Reeves to view them. States he saw hundreds and hundreds of new homes on prime soils.
303	Reeves	States this is not a secondary lands bill. States there is nothing in SB 127 that referring to about prohibiting or lessening the amount of dwellings on those prime lands. States that SB 127, regardless of soils or the size of parcel, will open up more land for dwellings.
332	Sen. Corcoran	Asks if Reeves supported HB 3661.
341	Reeves	States she was not involved in the legislature at that particular time. States that since she fully understood HB 3661, she has been working for about six years to try to minimize its impact.
364		Conversations between Sen. George and Sen. Corcoran.
<b><u>SB 127 WORK SESSION</u></b>		
382	Chair Tarno	Closes public hearing on SB 127 and opens work session.
388	Sen. George	<b>MOTION: Moves SB 127 to the floor with a DO PASS  recommendation.</b>
		<b>VOTE: 3-1</b>  <b>AYE: 3 - George, Wilde, Tarno</b>  <b>NAY: 1 n Corcoran</b>  <b>EXCUSED: 1 n Shannon</b>

	<b>Chair Tarno</b>	<p><b>The motion CARRIES.</b></p> <p><b>SEN. GEORGE will lead discussion on the floor.</b></p>
400	Chair Tarno	Adjourns meeting at 2:56 p.m.
		Testimony from Roger Skoe on SB 127 ( <b>EXHIBIT K</b> ) is submitted into the record.

Submitted By, Reviewed By,

Diana Bronson, Raymond J. Kelly,  
Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A ñ SB 547, proposed amendments, staff, 1 p.**

**B ñ SB 547, map, Mike McArthur, 1 p.**

**C ñ SB 87, proposed amendments, staff, 4 pp.**

**D ñ SB 87, written testimony, Bill Cross, 8 pp.**

**E ñ SB 87, written testimony, John Weigant, 5 pp.**

**F ñ SB 87, written testimony, Bob Clay, 5 pp.**

**G ñ SB 87, written testimony, Don Jones, 6 pp.**

**H ñ SB 87, written testimony, Mary Kyle McCurdy, 3 pp.**



**I ñ SB 87, written testimony, C. T. Christie, 1 p.**

**J ñ SB 127, written testimony, Marilyn Reeves, 1 p.**

**K ñ SB 127, written testimony, Roger Skoe, 1 p.**