

SENATE COMMITTEE ON WATER AND LAND USE

May 04, 1999 Hearing Room B

1:00 p.m. Tapes 76

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: HB 2389-A Public Hearing and Work Session

HB 2390-A Public Hearing and Work Session

HB 2105 Public Hearing and Work Session

HB 2158 Public Hearing and Work Session

HB 2159 Public Hearing and Work Session

HB 2282 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 76, A		
005	Chair Tarno	Opens meeting at 1:17 p.m. and opens public hearing on HB 2389 A.
<u>HB 2389-A PUBLIC HEARING</u>		

007	Rep. Lane Shetterly	House District 34. Presents (EXHIBIT A) . Gives testimony on HB 2389-A and the ñA4 amendments. States SB 2389-A was requested on behalf of a small Baptist Church in Dallas. States a church member has been notified that the land cannot be divided because of the current EFU zoning law requirement of 80 acres. HB 2389-A will allow the siting of a church and obtain a land division so the church will own the land. States the ñA4 amendment restricts land size. States the vote count in the House was 53 ñ 4.
050	Sen. Corcoran	Asks why the four voted against the bill.
053	Rep. Shetterly	States he does not know who voted against the bill.
058	Ron Eber	Department of Land Conservation and Development. Testifies in support of HB 2389-A. States this insures the land issues can go forward.
068	Randy Tucker	1000 Friends of Oregon. Presents (EXHIBIT B) . Testifies that, officially, 1000 Friends opposes HB 2389-A because of the policies of the Board of Directors relating to further fragmentation of the agricultural land base. States they do appreciate the efforts made, but Clare Batson has outlined 1000 Friendsí policy on EFU farm zones.
086	Chair Tarno	Closes public hearing on HB 2389-A and opens work session.
<u>HB 2389-A WORK SESSION</u>		
088	Sen. Corcoran	MOTION: Moves to ADOPT HB 2389-A4 amendments dated 02/24/99.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 ñ Shannon
		Chair Tarno The motion CARRIES. Sen. CORCORAN will lead discussion on the floor.
104	Chair Tarno	Closes work session on HB 2389-A and opens public hearing on HB 2390.
<u>HB 2390-A PUBLIC HEARING</u>		

112	Kelly	Summarizes HB 2390.
118	Rep. Shetterly	States that in 1973, legislation was passed that required agencies to develop land use coordination programs. States that current statutes do not provide for periodic review and HB 2390 corrects that oversight.
158	Chair Tarno	Closes public hearing on HB 2390-A and opens work session.
<u>HB 2390-A WORK SESSION</u>		
163	Sen. Wilde	MOTION: Moves HB 2390A to the floor with a DO PASS recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 ñ Shannon
	Chair Tarno	The motion CARRIES. Sen. WILDE will lead discussion on the floor.
182	Chair Tarno	Closes work session and opens public hearing on HB 2105.
<u>HB 2105 PUBLIC HEARING</u>		
182	Kelly	Summarizes HB 2105.
187	Chair Tarno	States there is no one to testify on behalf of HB 2105 and would like the record to reflect that the House passed the bill out with 56 ayes and no nays. Closes public hearing and opens work session on HB 2105.
<u>HB 2105 WORK SESSION</u>		
194	Sen. Corcoran	MOTION: Moves HB 2105 to the floor with a DO PASS recommendation.
		VOTE: 4-0 AYE: In a roll call vote, all members present vote Aye.

		EXCUSED: 1 ñ Shannon
	Chair Tarno	The motion CARRIES. Sen. TARNO will lead discussion on the floor.
201	Chair Tarno	Closes work session on HB 2105 and opens public hearing on HB 2158.
<u>HB 2158 PUBLIC HEARING</u>		
220	Paul Cleary	Director, Division of State Lands (DSL). Testifies in support of HB 2158. Presents (EXHIBIT C) . States that HB 2158 would add the State Geologist as an ex officio, non-voting member of the Natural Heritage Advisory Council. States HB 2158 passed the House unanimously.
244	Don Hall	State Geologist. Presents (EXHIBIT D) . States the Department of Geology & Mineral Industries supports HB 2158 and urges its passage.
253	Chair Tarno	Closes public hearing and opens work session on HB 2158.
<u>HB 2158 WORK SESSION</u>		
254	Sen. Corcoran	MOTION: Moves HB 2158 to the floor with a DO PASS recommendation.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Tarno	The motion CARRIES. Sen. GEORGE will lead discussion on the floor.
263	Chair Tarno	Closes work session on HB 2158 and opens public hearing on HB 2159.
<u>HB 2159 PUBLIC HEARING</u>		

266	Kelly	Summarizes HB 2159.
268	Cleary	DSL. Presents (EXHIBIT E). States that HB 2159 eliminates duplicative regulation of "treasure trove" by the DSL. States the House passed HB 2159 unanimously on February 5, 1999.
305	Chair Tarno	Closes public hearing and opens work session on HB 2159.
<u>HB 2159 WORK SESSION</u>		
310	Sen. GEORGE	MOTION: Moves HB 2159 to the floor with a DO PASS recommendation.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
		Chair Tarno The motion CARRIES.
		Sen. SHANNON will lead discussion on the floor.
320	Chair Tarno	Opens public hearing on HB 2282.
<u>HB 2282 PUBLIC HEARING</u>		
356	Chris Crane	Legislative subcommittee of the Real Estate Land Use Section of the Oregon State Bar. Testifies on behalf of HB 2282 and explains it is a revision. States this bill cleans up the drafted portions of statutes.
429	Chair Tarno	Asks if the State Bar submitted a letter in support of HB 2282 to the House.
431	Crane	Replies that he is not aware of any letter.
441	Sen. George	Asks for confirmation that HB 2282 is just a clean-up bill and there is no sinister intent and, for the record, when this is all said and done, this will this make sense.
447	Crane	States Crane is the editor and he must decide when to put notes in certain sections. States that this is a way to remove notes and references that make no sense and to help clarify statutory references.

463	Chair Tarno	Close public hearing and opens work session.
<u>HB 2282 WORK SESSION</u>		
469	Sen. Wilde	MOTION: Moves HB 2282 to the floor with a DO PASS recommendation.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Tarno	The motion CARRIES. Sen. WILDE will lead discussion on the floor.
469	Chair Tarno	Adjourns at 1:45 p.m.

Submitted By, Reviewed By,

Diana Bronson, Raymond J. Kelly,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 2389-A, proposed amendments, LC staff, 1 p.

B ñ HB 2389-A, written testimony, Blair Batson, 2 pp.

C ñ HB 2158, written testimony, Paul Cleary, 2 pp.

D ñ HB 2158, written testimony, Don Hall, 1 p.

E ñ HB 2159, written testimony, Paul Cleary, 1 p.