

HOUSE COMMITTEE ON GENERAL GOVERNMENT

February 21, 1997 Hearing Room D

1:00 P.M. Tapes 27 - 28

MEMBERS PRESENT:

Rep. Rep. Ken Strobeck, Chair

Rep. Rep. Dan Gardner, Vice-Chair

Rep. Rep. Jim Hill

Rep. Rep. Bob Montgomery

Rep. Rep. Kurt Schrader

Rep. Rep. Liz VanLeeuwen

Rep. Rep. Tom Whelan

MEMBER EXCUSED:

STAFF PRESENT:

Jeri Chenelle, Administrator

Timaree Whitty, Administrative Support

MEASURE/ISSUES HEARD:

HB 2289 Public Hearing

HB 2186 Work Session

HB 2155 Work Session

HB 2180 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 27, A		
006	Chair Strobeck	Opens meeting at 1:03. Opens public hearing on HB 2289.

HB 2289 PUBLIC HEARING		
018	Rep. Schrader	Reviews provisions of the bill and gives testimony in support of HB 2289.
065	Rep. Schrader	Continues with testimony.
079	Rep. Gardner	Asks if there is language in the bill that would preclude any development greatly impacting the school from finding a funding source that would cover the cost of increasing the area's schools.
081	Rep. Schrader	Responds currently under state law school districts are excluded from doing direct extraction and receiving any money from the development that is causing the impact. Most city ordinances do allow dedications, which is always an option for the developer.
092	Chair Strobeck	Reads portion of letter (EXHIBIT A) from constituent stating, "HB 2289 would not force local communities to consider school capacity in land use decisions, but rather would allow communities to make the choice to consider school capacity or not." Asks if Rep. Schrader agrees this is the intent of this.
113	Laurie Wimmer	Government Relations Consultant, Oregon Education Association-Oregon Association of Classified Employees gives testimony in support of HB 2289 (EXHIBIT B).
144	Eben Fodor	Consultant, Energy and Environmental Planning Associates gives summary of a study on cost of growth in Oregon (EXHIBIT C). Discusses relationship between cost of growth in Oregon and school capacity.
244	Fodor	Continues with presentation.
307	Fodor	Comments on public survey taken on this issue showing support of the bill by almost two to one.
323	Rep. Montgomery	Asks how he came up with the averages in his study and who funded it.
326	Fodor	Responds in regards to funding this was done as independent research, which he paid for from the sales of this study. This was an individual study done over several years research.
368	Rep. Schrader	Requests copies of the research for this study.
382	Gary Conkling	Representative for Beaverton School District gives testimony in support of HB 2289 (EXHIBIT D).
TAPE 28, A		
025	Conkling	Continues with testimony.
030	Rep. Hill	Asks if this bill were to be enacted into law how would school districts achieve additional capacity.
039	Conkling	Responds the city council or planning commission would have to address this on a case by case basis.
		Asks if he could conceive a community constructing a facility without

053	Rep. Hill	the children to fill it ahead of time.
056	Conkling	Responds he can't imagine this, but that he has witnessed several communities that have approved substantial new developments without planning for a school.
080	Rep. Hill	Asks if one outcome might be that developers will provide funding for these new infrastructures.
082	Conkling	Responds the school impact fees that pay for schools are not authorized under Oregon law. Some communities have made arrangements with developers to consider making contributions to the facility equity. Comments there is no other place to turn at this time.
103	Peggy Lynch	Citizen of Washington County gives testimony supporting HB 2289 (EXHIBIT E) .
140	Lynch	Continues testimony.
169	Chair Strobeck	Asks what her remedy would be to develop additional school capacity.
172	Lynch	Responds she is in favor of school impact fees.
195	Sandy Henderson	Citizen, North Clackamas School District gives testimony supporting HB 2289 (EXHIBIT F) .
246	Sandy VanRommel	Citizen of Clackamas County gives testimony supporting HB 2289.
295	John Chandler	Director of Governmental Affairs, Oregon Building Industry Association gives testimony opposing HB 2289 (EXHIBIT G) .
340	Chandler	Comments this is not a school issue, but rather a land use planning issue.
TAPE 27, B		
000	Chandler	Continues with testimony.
042	Chandler	Points out that schools can be a factor in land use planning, but not the sole factor of consideration.
090	Chandler	Continues with testimony. Comments that Measure 47 does not relate to this issue in any way. This issue deals with the building of buildings not the hiring of staff.
150	Rep Schrader	Asks if his son was attending a school that is grossly beyond capacity, would you feel this was good public planning to allow this to occur.
167	Chandler	Responds this is the case and he does not think it is good public policy. He is very aware of the problem; however, this is not a school growth issue.
194	Rep. Schrader	Asks if it is true that denial of subdivisions can be based on criteria such as road inadequacy, and water and sewer systems to the site.
207	Chandler	Responds affirmatively.
209	Rep. Schrader	Asks if it is true that denial of development can be based on park development.
		Responds negatively. Subdivision development cannot be stopped

212	Chandler	because of park development because it is a following of the subdivision development.
224	Rep. Schrader	Comments this may have been true several years ago, but since then the home building community came forward with the systems development charge ordinances in 1989 which put both school and park planning as proactive agencies.
241	Peter Grundfossen	Representative for Association of Housing Authorities gives testimony opposing HB 2289. Comments on the impact of this bill on low income housing. Comments that school capacity should not be the sole consideration for approval of development.
321	Ozzie Rose	Confederation of School Administrators give testimony in support of HB 2289. Comments this is a Measure 47 issue.
348	Brad Gerber	City Council Member, City of Canby gives testimony in support of HB 2289. Comments this is a land use planning issue; however, schools need to be included in land use planning.
412	Chair Strobeck	Closes public hearing on HB 2186. Calls a five minute recess at 2:30 p.m.
TAPE 28, B		
000	Chair Strobeck	Reopens meeting at 2:35 p.m. Opens work session on HB 2186.
<u>HB 2186 - WORK SESSION</u>		
008	Jeri Chenelle	Committee Administrator reviews provisions of the bill.
019	Chair Strobeck	Asks Rep. Schrader to discuss his proposed amendments for the bill.
025	Rep. Schrader	Responds his proposed amendments would put a cap of 65% on the stock fund investments.
061	Rep. VanLeeuwen	Asks if Rep. Schrader is speaking for or against the amendments.
062	Rep. Schrader	Responds in favor of the amendments.
061	Chair Strobeck	Asks for comments from the committee on the proposed amendments.
064	Rep. Whelan	Comments he prefers the initial Treasury's proposal to lift the lid entirely on the stock fund investments. Suggests addressing the accountability of the investment council.
072	Rep. VanLeeuwen	Comments she prefers the -1 amendments over the openness of the bill.
073	Chair Strobeck	Responds the essence of that is to go from a 50 percent lid to a 65 percent lid.
084	Rep. Montgomery	MOTION: Moves HB 2186 to the floor with a DO PASS recommendation.

		VOTE: 5-2 AYE: 5 - Rep. Gardner, Rep. Hill, Rep. Montgomery, Rep. Whelan, Rep. Strobeck NAY: 2 - Rep. Schrader, Rep. VanLeeuwen
	Chair Strobeck	The motion Carries. REP. STROBECK will lead discussion on the floor.
099	Chair Strobeck	Closes work session on HB 2186. Opens work session on HB 2155.
HB 2155 - WORK SESSION		
101	Jeri Chenelle	Committee Administrator reviews provisions of the bill.
112	Chair Strobeck	Comments on similar bills included in members' meeting packets (EXHIBIT H) .
120	Rep. VanLeeuwen	Asks if SB 27 is the same as HB 2155.
130	Chenelle	Responds affirmatively. Explains additional wording added to bill.
147	Rep. Gardner	MOTION: Moves HB 2155 to the floor with a DO PASS recommendation.
	Chair Strobeck	Hearing no objection, declares the motion CARRIED. REP. GARDNER will lead discussion on the floor.
160	Chair Strobeck	Closes work session on HB 2155. Opens work session on HB 2180.
HB 2180 - WORK SESSION		
162	Jeri Chenelle	Committee Administrator reviews provisions of the bill.
178	Rep. Schrader	Asks where the Treasury Department stands on the -3 amendments for this bill.
181	Chair Strobeck	Responds the Treasury Department prepared the amendments. Comments this enables the department to carry out their practices more efficiently.
190	Rep. VanLeeuwen	Asks if it will affect separate accounts set up for specific purposes, i.e. a fish and wildlife account.
196	Darren Bond	Director of Finance, State Treasury responds this will not affect those accounts you are referring to. The Treasury Department works with the Department of Administrative Services to make sure accounting is following statewide standards.
	Rep.	Asks if this would not override the funds set up specifically to go in to

218	VanLeeuwen	an agency's separate account.
220		Responds negatively.
224	Chair Strobeck	Comments the Secretary of State's Audit Division would notify an agency in the event a separate account could not be funded for some reason.
229	Rep. Hill	Comments he will vote against bill if it includes lines one through ten of the -3 amendments.
252	Rep. Gardner	MOTION: Moves to ADOPT HB 2180-3 amendments dated 2/6/97.
		VOTE: 6-1 AYE: 6 - Rep. Gardner, Rep. Montgomery, Rep. Schrader, Rep. VanLeeuwen, Rep. Whelan, Rep. Strobeck NAY: 1 - Rep. Hill
	Chair Strobeck	The motion Carries.
255	Rep. Gardner	MOTION: Moves HB 2180 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-1 AYE: 6 - Rep. Gardner, Rep. Montgomery, Rep. Schrader, Rep. VanLeeuwen, Rep. Whelan, Rep. Strobeck NAY: 1 - Rep. Hill
	Chair Strobeck	The motion Carries. REP. SCHRADER will lead discussion on the floor.
280	Chair Strobeck	Adjourns meeting at 2:56 p.m.

Note: Tape 29 not used.

Submitted By, Reviewed By,

Timaree Whitty, Jeri Chenelle,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2289, letter to Rep. Strobeck dated 2/20/97, Eric Johansen, 1 p.

B - HB 2289, written testimony, Laurie Wimmer, 4 pp.

C - HB 2289, research study, Eben Fodor, 4 pp.

D - HB 2289, written testimony, Gary Conkling, 3 pp.

E - HB 2289, written testimony, Peggy Lynch, 4 pp.

F - HB 2289, written testimony, Sandy Henderson, 1 p.

G - HB 2289, written testimony, Jon Chandler, 2 pp.

H - HB 2155, bill comparison report, Jeri Chenelle, 3 pp.