

HOUSE COMMITTEE ON TRANSPORTATION

June 18, 1997 Hearing Room C

8:30 A.M. Tapes 133 - 136

**MEMBERS PRESENT:**

Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Steve Harper

Rep. Tim Josi

Rep. Jane Lokan

Rep. Lonnie Roberts

Rep. Larry Wells

**STAFF PRESENT:**

Keith Putman, Administrator

Annetta Mullins, Administrative Support

**MEASURE/ISSUES HEARD:**

SJR 27-A - Public Hearing

SB 1137-A - Public Hearing and Work Session

SB 974-A - Work Session

SB 867-A - 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 133, A</b>		
003	Chair Montgomery	Calls meeting to order at 8:39 a.m. and opens the public hearing on SB 1137-A.
<b><u>SB 1137-A - PUBLIC</u></b>		

<b>HEARING</b>		
023	Keith Putman	Administrator, reviews provisions of SB 1137-A.
035	Bob Rindy	Department of Land Conservation and Development (LCDDC), testifies in support of SB 1137 ( <b>EXHIBIT A</b> ).
107	Baruti Artharee	Director, Housing and Community Services, comments that his department is responsible for the mission of developing affordable housing for low to moderate-income citizens, and testifies in support of SB 1137-A:
		* are concerned about the cost of housing and the potential for NIMBYism (not in by back yard)
		* over the past five years state-wide housing costs have increased at a rate double the rate of income
		* are concerned that any delays in development of housing will drive up the cost of housing
118		* NIMBYism is often based on misinformation about who lives in affordable housing and what affordable housing is
		* concern that a vote on annexation will cause low and moderate income citizens to lose out
		* conservative estimate is a shortage of 50,000 units of affordable housing; are seeing an increasing need of approximately 8,000 units per year
		* believes a two-year restriction on enactment of charter provisions which require a city wide vote is not unreasonable
137	Robin McArthur-Phillips	Governor's Land Use Adviser, testifies in support of SB 1137-A ( <b>EXHIBIT B</b> ).
169	Rep. Lehman	Asks what happens in low-growth rural areas where the areas in the city limits are not filled in.
176	McArthur	Explains the city council would make the decision, and notes that the city council also has authority to build roads and extend sewer and water.
184	Rindy	Comments the faster growing cities are the ones that have adopted the provisions, but in their view most of the cities that are adopting the provisions do have in-fill development, but also have earmarked a great deal of land at the edge of the city limits as being next in line for development, whether they are a low-growth small city or a large city.
		Adds that as those perimeter properties want to come in, there will have to be a vote.
222	Rep. Barbara Ross	Testifies in opposition to SB 1137-A ( <b>EXHIBIT C</b> ):
		* believes the opportunity to vote on annexations is positive and creates a dialogue between pro-development and those who have a focus on the environment

		* community has passed 34 of 40 elections
		* has made citizens face responsibility and shoulder the costs to have the kind of neighborhoods people want
		* through the election process, we have to pay for part of this if we are going to have this kind of development--is not appropriate or possible to expect a developer to pay for all the arterials and infrastructure if we are going to have quality neighborhoods--the community must shoulder part of the costs
		* if community has ordinance, the legislature should not block that at the state level
		* thinks this legislation punishes the guys who have been doing things right
267		* voting creates citizen commitment to meet the costs
276	Rep. Lehman	Asks whether local voters should be given the right to vote on expansion or contraction of the urban growth boundary.
277	Rep. Ross	Responds that is not her position; believes the land use plan is done with a series of citizen groups, hearings and dialogue, and interface between the cities and counties, and the urban growth boundary is set
291	Sen. Cliff Trow	Testifies in opposition to SB 1137-A ( <b>EXHIBIT D</b> ):
		* agrees with Rep. Ross' testimony; the compromise in the bill is bad public policy
		* there are a number of reasons to oppose the bill
		* citizens of Corvallis are pleased with the way the system works
		* main reason for opposing the bill is it takes away the peoples' right to vote
		* quotes from editorial in June 17, 1997, Albany Democrat-Herald
		* believes track record of Corvallis shows this is not an anti-environmental kind of situation
360	Rep. Lane Shetterly	Concurs with testimony by Rep. Ross and Sen. Trow, introduces Leslie D. Melville of Philomath and advises that Mr. Melville supports the legislation and will propose an amendment.
384	Chair Montgomery	Comments the committee will not be considering any amendments to SB 1137-A.
394	Rep. Kurt Schrader	Testifies in opposition to SB 1137-A:
		* SB 1137-A would appear to be reasonable, but has seen erosion of citizens' and local community tools to deal with growth
		* question is whether you trust the citizens of the state, and whether the process has been abused by those jurisdiction that have this process; those are reasons to vote no
		* citizens have been excluded from the planning process and it will

		happen in a major way in the rural, fast growing areas
		* citizens are not allowed to testify in public; they can only submit written testimony
433		* appeals do not go to the city council; they go to a hearings officer that does not know the community, and an appeal can only be turned down on technicalities of how the application was introduced
		* need to put the citizens back in the process; schools are excluded
		* is opportunity to say the citizens' view count
		* has been concern counties can reach out and grab areas, it is not true; all this does is allow the citizens who are in a community to review an application by someone from outside
		* urges no vote
<b>TAPE 134, A</b>		
015	Leslie D. Melville	Testifies in support of SB 1137-A ( <b>EXHIBIT E</b> ).
043	Jim Ludwick	Friends of Yamhill County, testifies in opposition to SB 1137-A:
		* has vision of Jon Chandler running through halls of capitol shouting "the voters are coming"
054		* voters approve charter amendments before there can be annexations; it is patterned after the Corvallis model
		* initiatives pass because people feel they are being factored out of the process
		* in past 18 years the McMinnville Planning Commission has not turned down one annexation; Newberg has turned down one in 17 years
		* opponents of citizens voting on annexations have tried to frame the argument as one of anti-growth; it really is one of citizen involvement
065		* displays newspaper ad on annexation in Corvallis
076		* Goal I in SB 100 was citizen involvement; this encourages it
		* urges committee to do nothing to interfere with the initiative process or voting on annexations
081	Vice-Chair Lehman	Asks if the witness believes local voters should be allowed to vote on expansion or contraction of urban growth boundaries.
	Ludwick	Responds that if citizens cannot vote on annexations, they should be allowed to vote on expansion or contraction of urban growth boundaries, it should be a choice of one or the other.
	Lehman	Asks where we should limit the citizens' rights on what they vote on.
090	Ludwick	Responds he thinks the other side should be questioned.
104	Terry Prince	Planning Commissioner, City of Canby, testifies he is opposed to SB 1137-A because of lack of citizen involvement.
125	Keith Hay	Citizen from Newberg, testifies in opposition to SB 1137-A:

		* violates fundamental rights of local citizens to manage their own governmental affairs within the scope of home rule
146		* only local people, after the builders have gone home, can make the decisions honestly because they have to live with the decisions
		* Newberg worked many weekends getting signatures and following all requirements to get the charter changed and the citizens voted in favor
		* bill is trying to use statutory law to cancel the constitutional right for other citizens and other cities
157		* makes no common sense
		* does not constitute good public policy
		* there has already been a 20-year study of voter amendments by the City of Corvallis
175	Jim Morrison	Citizen of Newberg, testifies in opposition to SB 1137-A:
		* was chief petitioner on the annexation issued passed by Newberg, and past member of the planning commission
		* the lack of following the comprehensive plan was of most concern
		* city has not had a chance to adopt the ordinances necessary, and in order to get control, the citizens passed the annexation initiative
195		* citizens live there, developers don't; citizens are interested in maintaining the city as defined by the comprehensive plan
200		* Newberg is being developed in small parcels with cul-de-sacs and high density housing, not in concert with the comprehensive plan
		* suggests the committee not vote for SB 1137-A and allow all the citizens in Oregon the opportunity to develop the kind of communities they want to live in
225	Helen Berg	Mayor, City of Corvallis, testifies in opposition to SB 1137-A <b>(EXHIBIT F):</b>
		* for over 20 years the people of Corvallis have voted on all annexations except health hazard annexations and have remained in compliance with and committed to the Oregon land use planning program and its laws
236		* reviews materials submitted
243		* does not always agree with the decisions by the citizens or the city council, but does respect the decisions and does everything to uphold them
		* NIMBYs (not in my back yard) do not prevail
262		* Corvallis opposes the moratorium and supports a study on growth before the next legislative session
	Scott Taylor	Mayor, City of Canby, testifies in opposition to SB 1137-A:
		* describes Canby as a small city

		* city has spent the last three years going through a visioning process involving over 1,000 of the 12,000 people in the community
		* every effort was made to involve the citizens in the community meetings after the passage of Measure 47
		* SB 1137 takes out the citizen participation in the community
		* cannot find a linkage between the moratorium and the studying of the costs of growth; they can occur without each other
		* Canby has been studying the cost of growth, will continue to do that, and will be happy to participate in any study
311		* SB 1137-A breaks apart the participation of the community and makes the government look like it doesn't care
325	Mary Kyle McCurdy	1,000 Friends of Oregon, testifies in opposition to SB 1137-A <b>(EXHIBIT G)</b> .
372	Chair Montgomery	Announces that the committee will not hear SJR 27 until the afternoon.
375	Nathan Clayton	Resident of Canby, testifies in opposition to SB 1137-A:
		* feels the only reason the compromise was made in SB 1137-A was that the cities that have it would go home and be quiet; they do not believe in the compromise
		* applauds Canby city council and planning commission for being in support of voters rights to vote on annexations; the citizens did not have to go through the initiative process
415	Rep. Roberts	Ask for explanation of what SB 1137-A does.
433	Keith Putman	Administrator, responds there are currently eight cities that allow a city-wide vote on annexation and would be allowed to continue, and that there is no prohibition of a city annexing during the two years, but a city, other than the eight cities, could not require a city-wide vote.
<b>TAPE 133, B</b>		
034	Nadine Windsor	Newberg residents, testifies in opposition to SB 1137-A:
		* everyone was eager to sign the initiative
		* cannot understand how in a democratic society big money can beg for SB 1137-A
051	Barry Lucas	Canby City Council, opposes SB 1137-A:
		* concerns citizens of Canby that some citizens that have home rule have charters and are responsible for the management of their communities, yet their vote can be taken away from them
		* moratorium overrides the basic rights of the citizens
064	Jeff Lamb	Chairman, Oregon Communities for a Voice in Annexation (OCVA), testifies in opposition to SB 1137-A:
		* does not believe it is appropriate for elected officials to reverse the

		decisions of the voters
		* governor would support legislation that would deny people the right to even hold elections because every election that has been held has been won
		* voting on community health is most fundamental
094		* submits copies of letters, news articles and editorials <b>(EXHIBIT H)</b>
		* need more, not less input
113	Rep. Lehman	Comments that the governor's position on the Eugene law and this bill are very consistent; he says the ones that are passed should stay in place and we should halt future ones.
120	John Englebret	McMinnville, testifies in opposition to SB 1137-A <b>(EXHIBIT I):</b>
		* asks if anybody has demonstrated a need for the bill
139		* people want the right to vote
		* cities are being hurt by business as usual between the planning commissions and big developers
		* will of people is the most important
		* there is no demonstrated need for SB 1137-A, only a perceived one
182	Ed Eppley	Corvallis, testifies in opposition to SB 1137-A:
		* is rental property owner in Corvallis
		* has found that since the last five years a larger and larger percent of expenses are being spent on upgrading or making the rentals more competitive or attractive than other units; the only ones who benefit are the tenants
		* provides good quality housing and is a good quality community
215	Rep. Roberts	Asks for a show of hands of those in the audience opposed to SB 1137-A.
223	Michael Papedophilis	Corvallis, testifies in opposition to SB 1137-A:
		* bill appears to be leaving Corvallis with privileges to vote on a process
		* Article I, Section 20 says if you had started today to give to eight municipalities the privilege of voting for annexation, it would probably be unconstitutional
		* this is a class that is being isolated for two years
		* believes SB 1137-A is unconstitutional
260	Jim Draper	States he is opposed to SB 1137-A.
264	Steve McLaughlin	Corvallis resident and businessman, testifies in opposition to SB 1137-A:
		* became active in city politics because of annexation ordinance

		* just a few years ago <u>USA Today</u> did a survey of American cities and Corvallis was rated number two in micropolitan areas for livability
296		* supports annexation process in Corvallis
		* cites specific annexations in Corvallis
332	Judy Rudolph	Corvallis, testifies in opposition to SB 1137-A:
		* points have been spoken to by Mayor Berg, Senator Trow and Rep. Ross
323	Leona Crist	Philomath, testifies in opposition to SB 1137-A:
		* tells of problems encountered in divorce and sale of property
		* individual people and estates can be treated differently depending on wealth
		* expectancies are a condition
		* lands are in trust and will be developed on the condition
		* opposes any ways or means of unwanted growth
353	Ed McLain	Corvallis, testifies in opposition to SB 1137-A:
		* assisted in writing charter amendments
400		* explains reasons Corvallis charter amendment was passed
<b>TAPE 134, B</b>		
024	Donna Sernians	Philomath, testifies in opposition to SB 1137-A:
		* urges a no vote on SB 1137-A
033	Terrence Kaye	Attorney and business owner, testifies in opposition to SB 1137-A:
		* petitioner for the initiative has been filed in Salem to place the voter approval requirement on the ballot in Salem
		* has been involved in land use planning since the beginning
		* measure prejudices something that has been shown to be effective
		* there is nothing more critical than keeping the public confidence in the land use planning process
		* it is a discriminatory bill
		* suggests if voting is so bad, the growth study being proposed can identify and fix what is wrong
072		* when voters or communities go through the process, they still have state mandates and changes along the way
		* as a land use attorney, measure is unconstitutional,
		* asks that the committee not prejudice the voters
		* is not a good bill and does not deserve approval
083	Liz Frenkel	Corvallis, testifies in opposition to SB 1137-A:
		* it is a question of trusting the people
		* this is an issue of the people of Oregon, not just Corvallis or single



		communities
		* committee must weigh the merits of SB 1137-A
102	Marilyn Koenitzer	Corvallis, testifies in opposition to SB 1137-A:
		* feels long-time involvement in land use planning is about out the window --if we cannot let citizens vote throughout the state, then what are we doing
		* thinks it is unconstitutional to have a moratorium so some cities can vote and some cannot
		* thinks Land Conservation and Development Commission (LCDC) needs to look at what is going on in land use planning in Oregon to make it more flexible
		* LCDC should look at annexation as a tool
		* has no personal monetary gain and committee should look at the morality of doing this to the citizens of Oregon
135	Dennis Venable	Albany, testifies in opposition to SB 1137-A:
		* would like to have the right to review annexation applications
		* mobile home park being put in across the street is in a flood plain
148	Larry DeBates	Yamhill County, testifies in opposition to SB 1137-A:
		* compelling reasons for opposing the bill have come from people closely involved with planning at the local level
		* thinks it is bad legislation and unneeded
169	Daniel Reyes	Albany, testifies in opposition to SB 1137-A:
		* is intimidated by power of committee
		* if SB 1137-A were to pass, it will open a flood gate
		* closing a door to one group of people and opening up another one to a business group of people allows the developers to make their money and move on, but families have to stay and live with what was done
214	May Dasch	Philomath, testifies in opposition to SB 1137-A: <b>(EXHIBIT J)</b>
260	Sandra Bishop	League of Women Voters, testifies in opposition to SB 1137-A <b>(EXHIBIT K).</b>
316	Henry Reeves	Resident of rural Yamhill County, testifies in opposition to SB 1137-A:
		* is deeply concerned about legislation designed to take away the basic fundamental rights of certain citizens
		* amendments to the original bill created a second class of citizens and made a bad bill a terrible bill
		* growth is going to continue and is not opposed to growth, but is concerned about the quality and cost of growth
340		* studies indicate growth does not pay its way

		* citizens should have opportunity to participate in annexations
		* rights of citizens should not be suspended while the study is undertaken; if needed, the study can be undertaken regardless
		* supporters have some financial stake to gain by passage of this legislation
372	Fred VanNatta	Oregon Association of Realtors, testifies in support of SB 1137-A <b>(EXHIBIT L):</b>
		* in 1973 served on a five-member committee that wrote the last version of SB 100 and suggested they put in the bill citizen participation because he did not want the planners to be doing all the planning
		* supported allowing folks in the counties to vote on the zoning in the counties, but lost that battle and folks are not allowed to vote on zoning in rural areas
		* whether the system works in Corvallis has a lot to do with each viewpoint
402		* Corvallis has the most expensive housing in the Willamette Valley because of limitations in annexations
		* people trying to build affordable housing are not building around Corvallis, but in nearby communities
		* there have been 55 votes on annexations in Corvallis; 36 have passed and 19 have failed, and some had to go to the ballot box five times to get passed
434		* if Salem adopts the provision, it will change the way Salem grows; the present comprehensive plan says we should build in the hills in south Salem, but growth will move to the east where a special district is already available, i.e. Turner, Aumsville, Stayton and Jefferson
<b>TAPE 135, A</b>		
025	Jon Chandler	Oregon Building Industry Association (OBIA), submits a prepared statement for OBIA and Dennis Derby, Double D Development, Inc. <b>(EXHIBIT M)</b> and testifies in support of SB 1137 -A:
		* there is, by law, citizen involvement in every part of the state
		* voting on annexations has nothing to do with citizen involvement; it has to do with whether or not the land use system is going to work as it was intended
046		* asks what a community would look like if citizens were allowed to vote on whether there would be density development, infill development, or to allow five-acre home sites, or whether housing projects get sited
		* cites subdivision project in Corvallis, and adds that the developer is developing in Benton County under county zoning
081	Don Miner	Oregon Manufactured Housing Association, testifies in support of SB 1137-A:

		* Oregon's land use laws contemplate that non-farm, non-forest housing is going to occur inside urban growth boundaries and principally inside cities
		* more land must be brought into the city in order for the housing to be built
		* if land is not brought into cities, housing can be built inside the urban growth boundary on wells and septic tanks
		* it will be expensive housing and will put pressure on expanding the urban growth boundary into the future, or housing can be shifted to another city
		* in the case of Corvallis, housing is being shifted to Albany, Lebanon and Sweet Home, or housing could not be built
101	Phillip Fell	League of Oregon Cities, testifies in support of SB 1137-A:
		* board is concerned about community impact which widespread annexation votes could have
		* concerned that it could force development into unincorporated areas and prevent cost efficient provision of services by the city
110		* would force development into neighboring communities that are unprepared for it
		* League supports the bill but rejects many of the reasons given for supporting it
		* League does not believe annexation votes drive up housing costs
		* issue is the free market works in Corvallis the same as it does in Lake Oswego and West Linn, two communities with high housing prices and no annexation vote requirement
123		* bill addresses the question of management and cost of growth
		* believes data is incomplete and governor has said he will work with them to take a look at who pays for and who benefits from growth during the interim
		* League believes there is no good vote on SB 1137-A
		* League believes if the cost of growth is addressed directly, rather than treat the symptom, we will be ahead of the game and develop better legislation and better growth management programs
		* League believes this body has shown no hesitancy to override local votes and feel the best way to protect the votes in those communities which have already taken them is to have a two-year cooling off period and reevaluate the process of managing and paying for growth
143	Chair Montgomery	Closes the public hearing and opens the work session on SB 1137-A.
<b><u>SB 1137-A - WORK SESSION</u></b>		

151	Rep. Lehman	Comments he will be a no vote on the bill, but would move it to the floor.
153	Rep. Lehman	<b>MOTION: Moves SB 1137-A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 3-4</b> <b>AYE: 3 - Josi, Roberts, Montgomery</b> <b>NAY: 4 - Harper, Lehman, Lokan, Wells</b>
	<b>Chair</b>	<b>The motion FAILS.</b>
161	Chair Montgomery	Closes the work session on SB 1137-A and declares the meeting in recess at 10:40 a.m. until adjourning of the House in the afternoon.
161	Chair Montgomery	Reconvenes the meeting at 3:45 p.m. and opens the public hearing on SJR 27-A.
<b><u>SJR 27-A - PUBLIC HEARING</u></b>		
165	Keith Putman	Reviews provisions of SJR 27-A, and the SJR 27-A3 ( <b>EXHIBIT N</b> ) and SJR 27-A6 amendments ( <b>EXHIBIT O</b> ).
170	Chair Montgomery	Comments the SJR 27-A3 amendments mean if on August 4 the City of Troutdale wants to go for a ballot measure, they need the super majority; if they go on November x, at a statewide election, they would not need the super majority.
178	Putman	Clarifies that SJR 27 would not be effective until passed this November; it would be in effect the following November.
175	Rep. Josi	Comments the two differences between the -A3 amendments and the Senate A-Engrossed version is Measure 47 and 50, and the distinction between local elections and statewide elections.
193	Rep. Josi	Asks if the chair would object to a member of the committee requesting an amendment for language similar to that which came from the Senate with the exception of the Measure 50 instead of 47.
	Rep. Lehman	Lehman comments he has had the amendment drafted.
204	Rep. Roberts	Notes language in the SJR 27-A3 amendments on page 9 in lines 9 and 10, (8)(a), and comments on "eligible".
218	Chair Montgomery	Advises the committee will not consider the SJR 27-A3 amendments.
237	Chair Montgomery	Declares the meeting in recess at 3:52 p.m. for a Call of the House.
237	Chair Montgomery	Reconvenes the meeting at 4:05 p.m. and reconvenes the public hearing on SJR 27-A.
250	Phil Keisling	Secretary of State, reads a prepared statement in support of SJR 27-A ( <b>EXHIBIT O</b> ).
300	Keisling	Continues presentation.

350	Keisling	Urges committee to pass SJR 27-A in a form similar to the original version; believes the SJR-A6 amendments are close to original version of bill.
356	Chair Montgomery	Declares the meeting in recesses at 4:14 p.m. for a Call of the House at 4:14 p.m. until 4:48 p.m.
356	Chair Montgomery	Reconvenes the meeting at 4:48 p.m. and continues the public hearing on SJR 27-A.
404	Don Loving	Public Affairs Director, Oregon American Federation of State, County and Municipal Employees (AFSCME), Chairman of the Board, Chehalem Park and Recreation District in Newberg, and member of the Board of Directors of the Special Districts Association of Oregon, testifies in support of SJR 27-A with the SJR 27-A6 amendments <b>(EXHIBIT P)</b> .
457	Loving	Adds it has been heard often that small districts try to sneak things by the people, and comments that the Chehalem Park and Recreation District has never sat as a group to attempt to sneak something by the people.
<b>TAPE 136, A</b>		
036	Paul Thalhofer	Mayor, City of Troutdale and member of board of directors of the Mayors Association, testifies in support of SJR 27-A with the -A6 amendments <b>(EXHIBIT R)</b> .
079	Thalhofer	Responds to previous testimony:
		* has not heard anybody say the people should be urged to not vote
		* nobody can sneak anything over anybody; everyone is sufficiently informed of the issues
100	Eric Kvarsten	City Manger, City of Troutdale, and representing the League of Oregon Cities, testifies in support of SJR 27-A with the - A6 amendments.
110	Bob Davis	Gresham resident and President of For Restoring Oregon's Governmental Services (FROGS), testifies in support of SJR 27-A <b>(EXHIBIT S)</b> .
167	Chair Montgomery	Comments that Linda Malone, Mayor of Sandy, has submitted a letter.
175	Joe Krumm	North Clackamas School District, testifies in support of SJR 27-A <b>(EXHIBIT T)</b> .
210	Rep. Lehman	Asks how many people voted in the election and how many votes they were short.
	Krumm	Responds they were short of 50 percent by 2,200 people; they have been looking to find about 4,400 ineligible voters, and that there was a 46 percent turnout.
215	John Marshall	Oregon School Boards Association, explains efforts by North Clackamas to verify elections:
		* North Clackamas spent numerous hours at no small expense to try to

		verify their election results under the unworkable provisions that are being changed in SJR 27-A
		* does not believe a public entity should have to spend resources on trying to verify if they met the super majority requirements
		* urges the committee to amend SJR 27-A and give Oregonians an opportunity to consider the issue
		* schools will have to be built and how to do that will have to be figured out locally
246	Rep. Lokan	Asks how close they came in the election process.
	Krumm	Explains they are still looking for ineligible voters, that they have identified 4,000, and suspects they will find another 400.
252	Sandra Bishop	League of Women Voters of Oregon, testifies in support of SJR 27-A:
		* when voters passed Measure 47 in 1996 they were in favor of property tax relief; very few voters were aware of the hidden provision requiring a 50 percent registered voter turnout at non-general elections on revenue measures in addition to the majority vote necessary to pass the measure itself
		* the consequences to local governments of all types has been and will continue to be catastrophic
		* the 50 percent requirement requires non-participants in elections
287	Randy Tucker	Director of Democracy Program, Oregon State Public Interest Research Group (OSPIRG), testifies in support of SJR 27-A:
		* OSPIRG has been concerned with public participation in the process
		* opposes double majority on the grounds it encourages people not to vote by making their non vote worth more than a no vote
		* the double majority also undermines the value of the participation of the citizens who do vote
312	Carol Samuels	League of Oregon Cities, testifies in support of SJR 27-A and the -A6 amendments:
		* supports comments previously presented
		* believes voters deserve an opportunity to tell people what they meant when they voted for Measure 47, given Measure 46 was voted on simultaneously
325	David Buchannan	Executive Director, Oregon Common Cause, testifies in support of SJR 27-A:
		* feels process should be transparent to the elector
		* favors bill because the provision written into the law is designed to specifically aide one side in the outcome of an election; it is designed to frustrate the transparency of the electoral process
348	Chair Montgomery	Closes the public hearing on SJR 27-A, announces that the committee also has the SJR 27-A7 and -A8 amendments but will not go into work

		session.
378	Rep. Lehman	Comments the SJR 27-A7 amendments move the date from the November of 1997 to the May of 1998 election.
383	Chair Montgomery	Opens the work session on SB 867-A.
<b><u>SB 867-A - WORK SESSION</u></b>		
391	Keith Putman	Administrator, reviews provisions of SB 867-A.
410	Rep. Harper	<b>MOTION: Moves SB 867-A to the floor with a DO PASS recommendation.</b>
416		<b>VOTE: 6-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Lehman</b>
	Chair Montgomery	<b>The motion CARRIES.</b> <b>REP. HARPER will lead discussion on the floor.</b>
430	Chair Montgomery	Closes the work session on SB 867-A and opens the work session on SB 974-A.
<b><u>TAPE 135, B</u></b>		
<b><u>SB 974-A - WORK SESSION</u></b>		
015	Keith Putman	Administrator, reviews provisions of SB 974-A and the -A3 amendments ( <b>SEE EXHIBIT F OF COMMITTEE MINUTES DATED JUNE 17, 1997</b> ).
038	Rep. Roberts	Asks why the bill has the emergency clause.
045	Ken Keudell	Administrator, Construction Contractors Board, responds the emergency clause would allow the agency to get started in creating the system and begin spending funds on July 1.; it will be several months before there is a licensing program if the bill passes.
	Keudell	Adds they are not concerned with the -A3 amendment.
065	Rep. Josi	Comments he was against the bill and generally in favor of less government, but has received 15 phone calls from Realtors in his district telling horror stories of home inspectors and how people had lost equity on their homes.
075	Rep. Josi	<b>MOTION: Moves to ADOPT SB 974-A3 amendments dated 06/11/97.</b>
080	Rep. Lokan	Comments she received several calls and one call requested that members of two associations who have met minimum standards be grandfathered in, and asks if SB 974-A would allow that.

083	Chair Montgomery	Responds there is no grandfather clause in the bill.
085	Rep. Wells	Comments he will oppose this because he has concerns about the additional level of government and does not want to add to boards or create new boards for individual groups of people unless there is a lot of agreement within the groups, but there seems to be a lot of division.
098	Rep. Lehman	Comments that builders can build the house with no training other than meeting the registration requirements and paying the money, and this is where it is easy to pick on the little guy, but the inspectors are not coming in saying they want to improve their professionalism and the builders are not saying we need this, but the Realtors are coming forward to ask that they be protected from the inspectors.
116	Rep. Roberts	Comments he will vote to send the bill to the floor, but it does not mean he will vote for it on the floor.
		<b>VOTE: 6-1</b> <b>AYE: 6 - Harper, Josi, Lehman, Lokan, Roberts, Montgomery</b> <b>NAY: 1 - Wells</b>
	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b>
127	<b>Rep. Josi</b>	<b>MOTION: Moves SB 974-A to the floor with a DO PASS AS AMENDED recommendation.</b>
132	Rep. Harper	Comments he thinks it is obscene to take \$276,000 out of the pockets of small businesses and add to the size of bureaucracy without a clear need being demonstrated.
137	Chair Montgomery	Comments he thinks it is obscene that the agency is adding one and one-half people and if it is not clarified, he will definitely vote no on the floor, but will vote to get it out of committee.
141	Rep. Lokan	Comments she has concerns about the people whose homes are being inspected, and the inspector should be trained enough to recognize whether there is a problem; they can then go after the builders.
151		<b>VOTE: 4-3</b> <b>AYE: 4 - Josi, Lokan, Roberts, Montgomery</b> <b>NAY: 3 - Harper, Lehman, Wells</b>
	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b> <b>LOKAN will lead discussion on the floor.</b>
160	Chair Montgomery	Closes the work session on SB 974-A and adjourns the meeting at 5:30 p.m.



Annetta Mullins, Keith Putman,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - SB 1137, prepared statement, Bob Rindy, 3 pp**

**B - SB 1137, prepared statement, Robin McArthur-Phillips, 1 p**

**C - SB 1137, prepared statement, Rep. Ross, 1 p**

**D - SB 1137, prepared statement, Sen. Trow, 1 p**

**E - SB 1137, prepared statement, Leslie Melville, 1 p**

**F - SB 1137, prepared statement, letters and statistics, Helen Berg, 8 pp**

**G - SB 1137, prepared statement, Mary Kyle McCurdy, 3 pp**

**H - SB 1137, editorials, news articles and letters, Jeff Lamb, 60 pp**

**I - SB 1137, prepared statement, John Englebrecht, 1 p**

**J - SB 1137, prepared statement, May Dasch, 1 p**

**K - SB 1137, prepared statement, Sandra Bishop, 1 p**

**L - SB 1137, prepared statement, Fred VanNatta, 3 pp**

**M - SB 1137, prepared statement, Jon Chandler, 2 pp**

**N - SJR 27, SJR 27-A3 amendments, staff, 13 pp**

**O - SJR 27, SJR 27-A6 amendments, Rep. Lehman, 1 p**

**P - SJR 27, prepared statement, Phil Keisling, 3 pp**

**Q - SJR 27, prepared statement, Don Loving, 1 p**

**R - SJR 27, prepared statement, Paul Thalhoffer, 1 p**

**S - SJR 27, prepared statement, Bob Davis, 1 p**

**T - SJR 27, prepared statement, Joe Krumm, 1 p**