

CONFERENCE COMMITTEE ON SB 1211

July 3, 1997 Hearing Room A

4:00 P.M. Tapes 1

MEMBERS PRESENT:

Sen. Bob Kintigh, Chair

Sen. Veral Tarno

Sen. Thomas Wilde

Rep. Leslie Lewis

Rep. Jim Welsh

Rep. Cynthia Wooten

MEMBER EXCUSED:

STAFF PRESENT:

Jim Stembridge, Policy Analyst

Nora Carlson, Administrative Support

MEASURE/ISSUES HEARD:

SB 1211 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 1, A		
001	Chair Kintigh	Calls meeting to order at 4:20 p.m. Opens work session on SB 1211.
<u>SB 1211 WORK SESSION</u>		
003	Chair Kintigh	Reviews provisions of the proposed amendments on SB 1211 [EXHIBIT A].
010	Rep. Lewis	Explains that the Association of Oregon Counties had approached her with a proposed conceptual amendment to delete "provide such" language from line 17, page 1 of the bill and insert "make available."

012	Chair Kintigh	Asks about the county's obligation.
021	Rep. Lewis	Responds that landowners have an obligation to know and understand their property and building conditions that exists.
024	Rep. Wooten	Suggests that language should be included that "makes available" information whenever a landowner applies for a building or development permit for construction.
032	Chair Kintigh	Asks about accepting responsibility.
033	Rep. Wooten	Responds that providing the information implies an obligation required for enforcement, and making information available puts the burden of proof on the property owner as oppose to the public official.
039	Sen. Wilde	Comments that in order to build a house, a person has to physically be in the proximity of required documents and questions the need to have "provide such" language in the bill.
048	Chair Kintigh	Comments that previous discussions held provided that information would be available when a person applies for a building permit.
052	Sen. Wilde	Comments that language should be defined to clarify the type of information that will be made available.
060	Rep. Welsh	Suggests that a member from a local government agency be invited to provide testimony.
064	Art Schlack	Representing Association of Oregon Counties, responds that "make available" language would require that the information be made available in a number of different forms.
089	Chair Kintigh	Comments that the information is to be made available to all who reside outside the urban growth boundary.
090	Schlack	Responds that maps, provided by the Dept. of Forestry, will limit the scope of information made available and will be attached to everything outside of the urban growth boundary.
100	Sen. Tarno	Comments on splitting hairs and that "make available" language could also mean to "provide information."
106	Schlack	Responds that it is a question of liability; shares concern on liability issues relating to the bill.
115	Rep. Lewis	MOTION: Moves to ADOPT SB 1211-16 amendments dated 7/3/97 and that the measure be FURTHER AMENDED by replacing "provide such" with "make available" on line 17, page 1.
117	Chair Kintigh	Hearing no objection, declares the motion CARRIED.
124	Sen. Wilde	MOTION: Moves SB 1211 to the floor with the recommendation that the House concur in Senate amendments dated 07/03/97 and that the Measure be repassed.

126	Rep. Wooten	Asks if language which exempted private property owners was removed from the bill.
135	Chair Kintigh	Confirms that language was removed in the House committee.
141	Rep. Wooten	Comments on the importance of bringing the proposed legislation to Oregon.
145	Chair Kintigh	AYE: 6 - Rep. Lewis; Rep. Welsh; Rep. Wooten; Sen. Tarno; Sen. Wilde and Sen. Kintigh
147	Chair Kintigh	The motion Carries. REP. WELSH AND SEN. KINTIGH will lead discussion on the floor.
149	Chair Kintigh	Adjourns meeting at 4:30 p.m.

Submitted By, Reviewed By,

Nora Carlson, Jim Stembridge,

Administrative Support Policy Analyst

EXHIBIT SUMMARY

A - SB 1211, proposed amendments and supporting materials, committee staff, 8 pp