

CONFERENCE COMMITTEE ON SB 196

June 26, 1997 Hearing Room E

2:00 PM Tape 001

MEMBERS PRESENT:

Sen. Ted Ferrioli, Chair

Sen. Bill Fisher

Sen. Thomas Wilde

Rep. Mike Fahey

Rep. Dennis Luke

MEMBER EXCUSED: Rep. Leslie Lewis

STAFF PRESENT:

Mark Volmert, Administrator

Nancy Masee, Administrative Support

MEASURE/ISSUES HEARD:

SB 196 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 001, A		
003	Chair Ted Ferrioli	Opens meeting at 2:10 PM, and opens work session on SB 196. Says Rep. Lewis has to be absent, and she has requested the committee meeting be held tomorrow so that she can be present. Therefore, the chair would like to postpone the meeting.
010	Rep. Luke	Asks that some issues be discussed so that amendments can be drawn and that Rep. Lewis can then be apprised of these amendments before the next meeting.
015	Chair Ferrioli	Agrees that this may be done.
<u>SB 196 WORK</u>		

SESSION		
020	Rich Angstrom	Managing Director, Oregon Concrete and Aggregate Producers Association (OCAPA), discusses the A-engrossed and B-engrossed versions.
049	Sen. Ferrioli	Says the resolution process described by Mr. Angstrom is in current statute ORS 197.320. Asks if he is suggesting this bill modify the statute.
051	Angstrom	Responds that the county was not complying and the parties made an agreement to work the process through.
062	Sen. Ferrioli	Says that the resolution described is in current statute.
072	Jon Chandler	Oregon Building Industry Association (OBIA), says that on occasion there is a disconnect between local government and what others believe should happen. Suggests working with the B-engrossed language with additional proposed amendments.
105	Bob Rindy	Division of Land Conservation and Development (DLCD), and Mike Rupp. Says SB 196 is a housekeeping measure. Most changes in work programs are local government requests. Suggests authorizing the DLCD Director to make changes.
125	Mike Rupp	DLCD, describes Cannon Beach incident where the commission heard the case regarding periodic review. Says a decision by the Director in the wetland case was appealed by the city and landowner and won. It is rare that the commission hears these cases. Says DLCD views this as a housekeeping measure.
152	Chair Ferrioli	Asks if the problem was solved with the existing statute.
155	Rupp	Says the commission directed the city to amend their work plan. Says the Senate version would not have allowed that.
170	Chair Ferrioli	Asks how they solved the problem with the current statute.
176	Rindy	Says the House amendment would authorize the commission to direct the local government to modify the plan.
293	Chair Ferrioli	Says that is clearer in the A version than in the B. The modification was added that local government be the requester.
214	Rindy	Feels that the B-engrossed leaves the commission's authority alone. It adds the Director's authority. It clarifies that the Director's authority is limited. Supports the B-engrossed version.
237	Art Schlack	Association of Oregon Counties (AOC), discusses A and B engrossed. Supports the B engrossed because the commission would have the ability it has in statute and the authority of the commissioner in response to a request by local government.
263	Schlack	Says DLCD language needs to be looked at to say that the Director authorizes the modification in the work program that has been requested by local government.
268	Chair	Asks if instead of "approved" it should say "authorize the modification?"

	Ferrioli	
262	Sen. Wilde	Asks if one local government can effect changes in another local government's work plan.
284	Chair Ferrioli	Says "director authorize" language does not balance the equity.
297	Chandler	Says "direct" needs to be in the language. Line 5, "may direct" or "director may authorize."
309	Sen. Fisher	Says line 13, after program, "or," line 13, after persons put a period and strike the rest of line 13 and 14.
360	Rindy	Says there is no opposition to that language.
374	Chair Ferrioli	Says Legislative Counsel needs to make the modification and we move forward tomorrow.
370	Chair Ferrioli	Adjourns meeting at 2:40 PM.

Submitted By, Reviewed By,

Nancy Masee, Mark Volmert,

Administrative Support Administrator