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SENATE COMMITTEE ON LIVABILITY

April 24, 1997 Hearing Room C

3:00 P.M. Tapes 50 -52

MEMBERS PRESENT:

Sen. Ted Ferrioli, Chair

Sen. Bob Kintigh, Vice-Chair

Sen. Kate Brown

Sen. Ginny Burdick

Sen. Eileen Qutub

MEMBER EXCUSED:

STAFF PRESENT:

Christin Smith, Administrator

Nora Carlson, Administrative Support

MEASURE/ISSUES HEARD:

SB 185 Public Hearing and Work Session

SB 947 Public Hearing and Work Session

SB 734 Public Hearing

SB 1044 Public Hearing

SB 374 Public Hearing

SB 585 Public Hearing

SB 831 Public Hearing

SB 814 Public Hearing

SB 1014 Public Hearing

SB 1038 Public Hearing

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 50, A		
003	Chair Ferrioli	Calls meeting to order at 3:08 p.m. Opens public hearing on SB 185.
<u>SB 185</u> <u>PUBLIC</u> <u>HEARING</u>		
018	Lydia Taylor	Deputy Director for the Department of Environmental Quality (DEQ), submits and provides testimony in support of SB 185 (EXHIBIT A), issues discussed: * public health * sanitary registration
070	Jon Yunker	Director, Department of Administrative Services (DAS), provides testimony in support of SB 185.
096	Sen. Burdick	Asks about the number of DEQ employees who register at their own cost.
098	Taylor	Responds that she does not know the number of people registered but believes the number to be small.
100	Sen. Burdick	Asks if it has to be at the agency's cost for people to be registered.
102	Taylor	Responds that it would depend on the policy of the agency.
122	Sen. Burdick	Asks about the process to change job descriptions if an employee is required to be registered.
124	Taylor	Responds that a statement is included in the job description.
129	Sen. Burdick	Asks about changes to job descriptions due to agency shifts.
135	Taylor	Responds that an employee would be given a period of time to become qualified.

146	Sen. Bill Fisher	District 23, provides testimony in opposition to SB 185, issues discussed: * agency agreements * licensed workers
188	Toby Harris	Representing Conference of Local Environmental Supervisors, submits and provides testimony in opposition to SB 185 (EXHIBIT B).
254	Eugene Regan	Douglas County resident, provides testimony in opposition to SB 185.
288	Sen. Kintigh	Asks whether a person who performs emission tests should be registered.
300	Regan	Responds that they should not be required to be registered but adds that if someone is making public health and environmental decisions, they should be registered as sanitarians.
305	Sen. Kintigh	Questions on water testing.
320	Chair Ferrioli	Asks if persons who work with infectious diseases should be registered.
325	Harris	Responds that there are specialty codes that do not falls under the act, and adds that people who are making public health decisions need to be registered.
337	Sen. Kintigh	Observes that the regulation of pesticides fall under the Department of Agriculture and asks if people working with pesticides should be registered.
340	Harris	Responds that they should not be registered.
348	Sen. Qutub	Questions regarding employer-required registration.
374	Dave Barrows	Representing Chemical Waste Management, provides testimony in support of SB 185, issues discussed: * declining revenues * maintaining strong environmental programs
408	Sen. Burdick	Asks about DEQ projected costs related to registering DEQ employees.
410	Barrows	Responds that figures were based on training cost and loss of employee time.
TAPE 51, A		
018	Joni Low	Representing League of Oregon Cities, provides testimony in support of SB 185, issues discussed: * DEQ budget concerns * enforcement of nuisance ordinances

041	Michael McLuckie	Multnomah County Sanitarian, provides testimony in opposition to SB 185.
062	Paul Kennedy	Registered sanitarian, provides testimony in opposition to SB 185.
075	Chair Kintigh	Questions concerning positions that would be exempt.
088	Matthew Jocqua	Registered Sanitarian, provides testimony in opposition to SB 185.
108	Susan Schwendiman	Representing the Citizens of Oregon, provides testimony in opposition to SB 185.
139	Sen. Burdick	Asks Ms. Schwendiman if it would be acceptable if the scope of the bill was narrowed to specify which employees would be exempt.
145	Schwendiman	Agrees and comments that much discussion was held on which employees should be exempted but that the task force did not resolve the issue.
150	Sen. Brown	Asks whether the legislature should decide what category should be excluded or whether the task force should decide.
156	Schwendiman	Responds that she would favor the approach of allowing the task force to decide.
175	Chuck Herrick	Registered Sanitarian, submits and provides testimony in opposition to SB 185 (EXHIBIT C).
225	Herrick	Continues with testimony concerning sanitarian registration.
245	Sen. Brown	Comments that his testimony on environmental sanitarians appears to be extremely broad in definition and asks to provide clearer definition.
247	Herrick	Responds that it is environment in terms of man-made environmental problems and further describes problem areas.
265	Chair Ferrioli	Asks for clarification that not every DEQ employee needs to be registered.
270	Herrick	Responds that it should only be required for people who perform the duties of a sanitarian.
316	Sen. Brown	Questions concerning exams.
362	Patrick Meyer	President, Oregon Environmental Health Association, provides testimony in opposition to SB 185.
400	Meyer	Continues with testimony on education requirements.
423	Chair Ferrioli	Asks about the interdisciplinary nature of DEQ employees.
TAPE 50, B		
020	Taylor	Responds that most policy decisions are made through team approach.
030	Sen. Burdick	Asks what could be done to clarify the definition of a sanitarian.
032	Taylor	Responds that they have examined different approaches and that in most states registration is accomplished through title registration.

040	Sen. Brown	Asks if the examination is given on a national level.
045	Taylor	Responds that the Board contracts to have the exam tests done and that the exam takes about 3 weeks to complete; assumes it is not a local test.
050	Mike Dewey	Representing Oregon Waste Systems, provides testimony in support of SB 185.
	Susan K. Wilson	Administrator, Health Division Licensing Program, testimony on SB 185, submitted but not read (EXHIBIT D).
	Jeffrey Davis	Oregon Coalition of Local Health Officials, testimony on SB 185, submitted but not read (EXHIBIT E).
055	Chair Ferrioli	Closes public hearing on SB 185; opens work session on SB 185.
<u>SB 185 WORK SESSION</u>		
065	Sen. Brown	MOTION: Moves SB 185 to the floor with a DO PASS recommendation.
068	Chair Ferrioli	VOTE: 4-1 AYE: 4 - Brown, Kintigh, Qutub, Ferrioli NAY: 1 - Burdick
070	Chair Ferrioli	The motion CARRIES. SEN. BROWN will lead discussion on the floor.
075	Chair Ferrioli	Closes work session on SB 185; opens public hearing on SB 947.
<u>SB 947 PUBLIC HEARING</u>		
111	Brad Higbee	Representing Metro Council, submits and provides testimony in support of SB 947 (EXHIBIT F).
135	Robert Carnahan	Assistant Fire Chief, Clackamas County, submits and provides testimony in support of SB 947 (EXHIBIT G).
162	Kent Squires	Representing Special Districts of Oregon, submits and provides testimony in support of SB 947 (EXHIBIT H).
170	Judy Hammerstad	Clackamas County Commissioner, submits and provides testimony in support of SB 947 (EXHIBIT I).
191	Sen. Qutub	Asks about cost savings.
193	Hammerstad	Identifies savings at approximately \$300,000.
203	Sen. Brown	Comments on correspondence she has received and cites concerns on public input and council objectivity.

213	Hammerstad	Responds that the public will have opportunity to be heard and that the Boundary Commissioners are appointed, with no particular allegiance towards jurisdictions.
218	Chair Ferrioli	Questions concerning Boundary Commission appointments.
220	Hammerstad	Responds that each county nominates one representative.
235	Squires	Continues with testimony on process, issues discussed: * service delivery * fiscal constraints
272	Sen. Burdick	Asks for description of opportunities for public participation.
280	Hammerstad	Responds that public participation would be at the boundary commission level, with appeals through Court of Appeals.
304	Sen. Burdick	Asks if the bill requires public participation at the local level.
309	Hammerstad	Agrees and comments on cities that may not welcome this option.
314	Sen. Qutub	Comments on Lake Oswego wanting to annex the Kruse Way area and questions how a person could be unbiased in that instance.
322	Hammerstad	Responds that the bill does not waive the right of remonstrance; does not change annexation law.
348	Ray Bartel	Chair, Boundary Commission, submits and provides testimony in opposition to SB 947 (EXHIBIT J).
420	Bartel	Continues with testimony on the Metro Policy Advisory Committee (MPAC) proposals.
TAPE 51, B		
020	Bartel	Continues with testimony on the contested case process.
060	Sy Kornbrodt	Boundary Commission member, submits and provides testimony in opposition to SB 947 (EXHIBIT K). * member allegiance * future expansions
100	Kornbrodt	Continues with testimony on requirements for annexation.
110	Ken Martin	Executive Officer, Boundary Commission, responds that he is available to answer committee questions concerning SB 947.
115	Larry Eckhardt	Fire Chief, Hoodland Fire District #74, responds that he supports SB 947.
117	Duane Robinson	President, Special Districts Association of Oregon, submits and provides testimony in support of SB 947 (EXHIBIT L).
130	Peggy Lynch	Washington County resident, submits and provides testimony in opposition to SB 947 (EXHIBIT M).
		Continues with testimony on cooperative agreements and service

188	Lynch	agreements.
225	Sue Lamb	Member, City Council of Tualatin, provides testimony in opposition to SB 947.
295	Sen. Brown	Asks whether the commissioners have strong ties to Metro.
300	Lamb	Responds that they do not.
302	Chair Ferrioli	Invites individuals signed up on the witness list to respond as to whether they are proponents of the legislation
303	Allen Fletcher	Proponent of SB 947.
304	Bob Rath	Proponent of SB 947.
305	Dan Burke	Proponent of SB 947.
306	Kevin Hanway	Proponent of SB 947.
307	Charlie Hale	Testimony in support of SB 947, submitted but not read (EXHIBIT N).
316	Maxine Selling	Representing Patton/Scholls Ferry Road Neighborhood Association, provides testimony in support of SB 947.
344	Burton Weast	Special Districts of Oregon, provides testimony in support of SB 947.
380	Sen. Brown	Asks what happens to the residents that are outside of an annexation area.
388	Weast	Responds that under annexation law, the decision is between the local jurisdiction and property owners.
390	Chair Ferrioli	Closes public hearing on SB 947; opens work session on SB 947.
<u>SB 947</u> <u>WORK</u> <u>SESSION</u>		
392	Sen. Kintigh	MOTION: Moves to ADOPT SB 947-2 amendments dated 4/22/97 and that the measure be FURTHER AMENDED by deleting blank line on Page 6, line 1, and inserting " date of 6/30/97."
394	Chair Ferrioli	VOTE: 4-1 AYE: 4 - Brown, Burdick, Kintigh, Ferrioli NAY: 1 - Qutub The motion CARRIES.
402	Sen. Kintigh	MOTION: Moves SB 947 to the floor with a DO PASS AS AMENDED recommendation.
404	Chair Ferrioli	VOTE: 4-1 AYE: 4 - Brown, Burdick, Kintigh, Ferrioli

		NAY: 1 - Qutub
410	Chair Ferrioli	The motion CARRIES. SEN. FERRIOLI will lead discussion on the floor.
412	Chair Ferrioli	Closes work session on SB 947; opens a public hearing on SB 734.
TAPE 52, A		
SB 734 PUBLIC HEARING		
020	Chair Ferrioli	Closes public hearing on SB 734; opens public hearing on SB 1044.
SB 1044 PUBLIC HEARING		
022	Chair Ferrioli	Closes public hearing on SB 1044; opens public hearing on SB 374.
SB 374 PUBLIC HEARING		
023	Chair Ferrioli	Closes public hearing on SB 374; opens public hearing on SB 585.
SB 585 PUBLIC HEARING		
024	Chair Ferrioli	Closes public hearing on SB 585; opens public hearing on SB 831.
SB 831 PUBLIC HEARING		
025	Chair Ferrioli	Closes public hearing on SB 831; opens public hearing on SB 814.
SB 814 PUBLIC HEARING		
026	Chair Ferrioli	Closes public hearing on SB 814; opens public hearing on SB 1014.
SB 1014 PUBLIC HEARING		
027	Chair Ferrioli	Closes public hearing on SB 1014; opens a public hearing on SB 1038.
SB 1038 PUBLIC HEARING		

038	Chair Ferrioli	Invites Mr. Woodcock forward and asks if he has had an opportunity to work with state agencies regarding natural hazards on private property.
040	Lyle Woodcock	Josephine County resident, responds that discussion was held with the Oregon Department of Forestry and the Division of State Lands but that the Oregon Parks and Recreation Department has expressed concern with the issue of ocean beach language in the bill.
051	Chair Ferrioli	Proposes to write a letter to agencies to request forming a working group to seek agreement on bill language.
	Jill Zarnowitz	Chief, Oregon Department of Fish & Wildlife, testimony on SB 588, submitted but not read (EXHIBIT O).
	Paul Cleary	Director, Division of State Lands, testimony on SB 1038, submitted but not read (EXHIBIT P).
	David Morman	Manager, Oregon Department of Forestry, testimony on SB 1038, submitted but not read (EXHIBIT Q).
	Jill Zarnowitz	Chief, Oregon Department of Fish & Wildlife, testimony on SB 1038, submitted but not read (EXHIBIT R).
058	Chair Ferrioli	Adjourns meeting at 5:15 p.m.

Submitted By, Reviewed By,

Nora Carlson, Christin Smith,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 185, written testimony, Lydia Taylor, 11 pp

B - SB 185, testimony and written materials, Toby Harris, 17 pp

C - SB 185, written testimony, Chuck Herrick, 2 pp

D - SB 185, written materials, Susan Wilson, 1 pp

E - SB 185, written testimony, Jeffrey Davis, 1 pp

F - SB 947, written testimony and written materials, Brad Higbee, 2 pp

G - SB 947, written testimony, Robert Carnahan, 6 pp

H - SB 947, written testimony, Kent Squires, 10 pp

I - SB 947, written testimony, Judy Hammerstad, 6 pp

J - SB 947, written testimony and written materials, Ray Bartel, 12 pp

K - SB 947, written testimony, Sy Kornbrodt, 2 pp

L - SB 947, written testimony, Duane Robinson, 2 pp

M - SB 947, written testimony, Peggy Lynch, 3 pp

N - SB 947, written testimony, Charlie Hales, 1 pp

O - SB 588, written testimony, Jill Zarnowitz, 1 pp

P - SB 1038, written testimony, Paul Cleary, 6 pp

Q - SB 1038, written testimony, David Morman, 3 pp

R - SB 1038, written testimony, Jill Zarnowitz, 2 pp
