

HOUSE COMMITTEE ON
LEGISLATIVE RULES

May 9, 1995 Hearing Room
4:00 p.m. Tapes 54 -

MEMBERS PRESENT:

Rep. Ray Baum, Chair
Rep. Lee Beyer, Vice-Chair
Rep. Tony Corcoran
Rep. Peter Courtney
Rep. Lynn Lundquist
Rep. Bill Markham
Rep. Patti Milne
Rep. Lonnie Roberts
Rep. John Watt

MEMBER EXCUSED:

STAFF PRESENT:

Cathryn Epley, Committee Administrator
Cynthia Charrey, Committee Assistant

MEASURES HEARD:

HB 2872 - Work Session
SB 536 - Work Session
SB 176 - Public Hearing and Possible Work Session
SB 706 - Public Hearing and Possible Work Session
SB 1005 - Public Hearing and Possible Work Session
SB 1006 - Public Hearing and Possible Work Session
SB 1135 - Public Hearing and Possible Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE 54, Side A

003 CHAIR BAUM: Calls meeting to order at 4:00 p.m.

005 OPENS PUBLIC HEARING ON SB 1135.

006 REP. PETER COURTNEY: Testifies in support of SB 1135

057 JIM DYER: Testifies in support of SB 1135.

100 ELIZABETH FRIEDMAN : Testifies in support of SB 1135.

124 REP. MARKHAM: Questions penalties under bills.

128 REP. COURTNEY: Lists penalties and infractions for REP. MARKHAM.

153 REP. WATT: Questions what is a lawful order by a flagger>

157 ELIZABETH FRIEDMAN: explains.

CLOSES PUBLIC HEARING ON SB 1135

OPENS WORK SESSION SB 1135

MOTION: BEYER MOVES SB 1135

REP. COURTNEY will lead the floor discussion

CLOSES WORK SESSION ON SB 1135

OPENS PUBLIC HEARING ON SB 1005 1006

203 SENATOR BRADY ADAMS: Testifies in support of SB 1005 and 1006.

255 REP. BEYER: Questions SB 1006.

264 SENATOR ADAMS: It would require legislative approval as drafted.

303 REP. WATT: With regard to the little dam on bear Creek. That has been earmarked for removal for quite some time. Would -3 amendments prohibit removal.

323 SENATOR ADAMS: No.

339 REP. BEYER: Is there a definition on what a diversion dam is?

344 SENATOR ADAMS: -2 AMENDMENTS are on the advice of LC and define it.

RECESS HEARING ON SB 1006 AND 1005

OPENS PUBLIC HEARING ON SB 176

375 JOHN POWELL, OREGON ASSOCIATION OF CONSERVATION DISTRICTS: Testifies in support of SB 176.

Tape 55, Side A

003 BEYER MOVES

012 REP CORCORAN WILL LEAD THE FLOOR DISCUSSION

CLOSES WORK SESSION ON SB 176

OPENS WORK SESSION ON HB 2872

024 TOM CLIFFORD, LEGISLATIVE COUNSEL: Testifies in support of -9 amendments to HB 2872.

046 CHAIR BAUM: Requests members examine -9 amendments.

055 REP WATT: All we're doing is stating an organizational session will commence in December?

061 wattL

063 beyer:

CLOSES WORK SESSION ON HB 2872

OPENS PUBLIC HEARING ON SB 706

082 SENATOR WALDEN: Testifies in support of SB 706.

110 JOHN MC CULLEY, TREE FRUIT GROWERS: Testifies in support of SB 706.

114 REP. BEYER; Didn't we already pass a similar bill out this session.

120 JOHN MCCULLEY: No.

130 JOHN MCCULLEY: Tetimony on SB 706 continues.

136 REP. WATT: Isn't it true there is minimal amount of seasonal housing being built. what effect will this have on the increase of building?

146 JOHN MCCULLEY: Responds to Rep. Watt's question.

165 John NATIONAL : Testifies in support of SB 706. Refers to -2 Amendment.

177 REP. BEYER: This exemptions applies only on farms, and only to the extent that the work is done by owner...

185 John: Replies to REP. BEYER'S question.

211 REP. BEYER: This appears to be the same limitation we apply to home owners.

222 JOHN: The only difference is.....

240 BEYER: questions IEW have concerns on this.

250 PEGGY COLLINS, MANAGER, CODE DEVELOPMENT & COMPLIANCE, BUILDING CODES
DIVISIONS: Testifies in support of SB 706.

287 REP. BEYER: What issues are not resolved?

291 PEGGY COLLINS: Responds to REP BERYER's question.

301 REP. BEYER:

310 PEGGY COLLINS: Answers Rep. Beyer's question.

322 REP. WATT: Did building codes testify on their concerns on the Senate Side

326 PEGGY COLLINS: Yes.

336 CHAIR: I would suggest....

CLOSES PUBLIC HEARING ON 706

REOPENS PUBLIC HEARING ON SB 1005 & SB 1006

373 ERIC HARTMAN: Testifies against SB 1005 & SB 1006.

Tape 54, Side B

026 WATER WATCH: Testifies in opposition to SB 1005 & 1006.

090 Joe ROELANDER: Testifies in opposition to SB 1005 & SB 1006.

138 REP. MARKHAM: HAS his usual case of hystrionics over this bill.

164 REP. BEYER: How long has that dam been there?

168 Joe: I believe it was built in 1929.

174 REP BEYER: Is fish mortality a new issue?

177 Joe, No it isn't.

184 REP. BEYER: The state will have to bear the cost of removing the damn.

186 JOE: Responds to REP BEYER'S question.

202 LIZ FRANKEL, OREGON CHAPTER SIERRA CLUB: Testifies in opposition to SB
1005 & SB 1006.

236 rep. WATT: How do you justify 800 members agains

250 MARTHA PAGEL: Testifies in support of SB 1005 & SB 1006

291 WTER RESOURCES DEPARTMENT; Testifies in support of SB 1005 & SB 1006

300 ASSISTANT SUGGESTS MEETING ADJOURN AS SHE HAS RECEIVED A VERY SERIOUS
PAPER CUT FRM PASSING OUT WRITTEN TESTIMONY AND IT HURTS A GREAT DEAL AND
IS LIABLE TO MAKE HER CRANKIER THAN ANY DAM UNDER DISCUSSION.

337 COMMITTEE ASSISTANT RESOLVES TO LOOK UP EXACT DEFINITION OF "BRIEFLY"
SINCE NO ONE HERE SEEMS TO HAVE A GRASP OF THE WORD'S MEANING.

355 REP. WATT: What is the approximate percentage of fish kill over that
dam?

361 Water Resources: I don't know.

375 REP. WATT MAKES THE WATER RESOURCES GUY SQUIRM LIKE A FISH ON A HOOK.

399 bEYER: What was the original purpose of the dam?

405 WTER RESOURCES GUY: It was originally a diversion dam.

Tape 55, Side B

005 WATER RESOURCES GUY CONTINUES TO SQUIRM,

008 BEYER: I f the dam weren't there would it still meet irrigation needs?

012 WTER RESOURCES BUY: Answers Rep. Beyer's question.

073: REP. LUNDQUIST:

075 WATER RESOURCES GUY: Answers Rep. Lundquist's question.

112 REP. BEYER: Does the ?
WATER RESOURCES: Yes it does.
REP. BEYER: What happens if we can't get federal money.
GUY:
148 PAGEL:
165 REP. BEYER: Is this a precedent?
PAGEL: It is unprecedented.
173 REP. WATT: The diversion now is 190 cu ft/second?
GUY: Yes, and extension permit granted for 170, that would drop to 150.
Clarifies further.
PAGEL: Gives more detail of the certificated amount.
197 SALLY CROSS, OREGON NATURAL RESOURCES COUNCIL, states their opposition
to the measure.
212 ROY , OREGON DEPARTMENT OF FISH AND WILDLIFE, offers to provide, if the
committee wishes, presentations on fish passage conclusions. Speaks to the
bill.
> States there are ## unpermitted diversions
> Want tools to move quickly on fish passage problems
259 REP. NORRIS does not offer comments on the retention or demolition of
the dam. Provides materials from an organization with 5,000 signatures in
support of keeping the dam.
285 REP. BEYER: Asks whether it's appropriate for the legislature to get
into the water appropriation business?
REP. NORRIS: Responds that in terms of policy, the legislature does now.
Suggests that legislature should promote storage as an important part of
the water management issue.
318 JIM MYRON, OREGON TROUT, states the organization's opposition to the
measure.
OPENS WORK SESSION ON SB 1005
328 MOTION
WATT - TO FLOOR DO PASS
CLOSES WORK SESSION ON SB 1005
OPENS WORK SESSION ON SB 1006
375 MOTION
WATT - 2 AMENDS
NO OBJECTION
MOTION
WATT - -A-3 AMEND

NO OBJECTION

390 MOTION

WATT - SB 1006 TO THE FLOOR, AS AMENDED, WITH A DO PASS RECOMMENDATION

400 REP. COURTNEY: How much work was done on this bill in the Senate?

TAPE 56, SIDE A

005 REP. COURTNEY:

018 REP. MARKHAM: Comments that

026 REP. WATT calls for the question.

033 REP. COURTNEY:

MOTION CARRIES

OPENS WORK SESSION ON SB 536

055 COLLEEN SEALOCK, ELECTIONS DIRECTOR,

077 REP. BEYER: Asks about the range of cost for the pamphlet?

SEALOCK: The lower figure comes from the last general election; this bill seeks about a 50% cost recovery. The Secretary of State's office has no position

motion

WATT TO FLOOR WITH DO PASS

104 REP. MILNE:

110 REP. BEYER is concerned about pricing people out of the market.

motion carries - CORCORAN, ROBERTS EXCUSED

ADJOURNS MEETING AT 6:10 P.M.