

HOUSE COMMITTEE ON
NATURAL RESOURCES

Hearing Room
Tapes - 92

MEMBERS PRESENT:

Rep. Veral Tarno, Chair
Rep. Terry Thompson, Vice-Chair
Rep. Tony Corcoran
Rep. Bill Fisher
Rep. Tim Josi
Rep. Leslie Lewis
Rep. Dennis Luke
Rep. Lisa Naito
Rep. Chuck Norris
Rep. Judy Uherbelau
Rep. Larry Wells
Rep. Jim Welsh

STAFF PRESENT:

Mark Bauer, Committee Administrator
Sandy Ceballos, Committee Assistant

MEASURES HEARD:

HB 3461 - Work Session
SB 600 - Work Session
SB 286 - Work Session

SB 830 - Work Session
SB 944 - Work Session
SB 1127 - Work Session
SB 279 - Public Hearing and Work Session
HB 3236 - Public Hearing and Work Session
SB 159 - Public Hearing and Work Session
SB 1089 - Public Hearing and Work Session
SB 950 - Public Hearing and Work Session
SB 571 - Public Hearing and Work Session
SB 149 - Public Hearing and Work Session
SB 1113 - Public Hearing and Work Session
SB 911 - Public Hearing and 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 , A

005 CHAIR TARNO: Calls the meeting to order at 1:40 PM.

Opens the Public Hearing on HB 3236
Witnesses: REP. TOM BRIAN

030 REPRESENTATIVE TOM BRIAN: Testifies in support of HB 3236. Submits Exhibit A.

CHAIR TARNO: Recesses the Public Hearing on HB 3236

Opens the Public Hearing on SB 159
PHIL KEISLING, SECRETARY OF STATE

039 PHIL KEISLING, SECRETARY OF STATE: Testifies in support of SB 159.

CHAIR TARNO: Recesses the Public Hearing on SB 159.

Opens the Public Hearing on SB 279
Witnesses: Rod Douglas
Marcele Daeges
Nancy Tracy

Chris Taylor, OSPIRG
Rob Guttridge, K.B. Recycling

060 ROD DOUGLAS: Urges a do pass recommendation.
-Responds to the possibility of a proposed amendment to this bill from
Chair Tarno.

090 MARCELE DAEGES: Testifies in opposition to SB 279 [EXHIBIT B].
-Summarizes written testimony.

136 NANCY TRACY: Testifies in opposition to SB 279 [EXHIBIT C].

175 DAEGES: Voices a further opposition to SB 279 from another company.

185 CHRIS TAYLOR, OSPIRG: Testifies in opposition to SB 279 [EXHIBIT D].
-Discusses increased plastics recycling.
-Everyone is currently in compliance with Oregon's law.
-Responds to Rep. Luke in regarding a "step back" in the recycling system.

258 ROB GUTTRIDGE, K.B. RECYCLING: Testifies in opposition to SB 279.
-Responds to Rep. Fisher as to what part of the bill tells people to stop
recycling plastics.

342 CHAIR TARNO: Introduces -A13 amendments.

Closes the Public Hearing on SB 279

Opens theWork Session on SB 279

360 GARY OXLEY, UNITED GROCERS & FOOD SERVICE PACKAGING: Introduces SB
279A-13 amendments and urges passage; explains what the amendments do.

377 MOTION: REP. LUKE: Moves the A-13 amendments to SB 279, BE ADOPTED.

CHAIR TARNO: Hearing no objections, the amendments are ADOPTED.

400 MOTION: REP. LUKE: Moves SB 279, AS AMENDED, be sent to the Floor with a
DO PASS recommendation.

Discussion follows.

450 VOTE: In a roll call vote, all members present vote AYE; REP. WELSH is
EXCUSED, but later votes AYE.

CHAIR TARNO: The motion CARRIES.

REP. WELLS will lead the discussion on the Floor.

480 CHAIR TARNO: Closes the Work Session on SB 279

TAPE 86, A

011 Opens theWork Session on SB 600

050 SENATOR JOHNSON: Addresses the (-A4) amendments to SB 600 [EXHIBIT E].
-Explains the amendments.

100 -Continues to explain the (-A4) amendments to the committee; provides
clarification of what is being amended.

150 -Continues to testify in regard to the (-A13) amendments.

210 SEN. JOHNSON: Discusses the protections under this bill.
-Urbanization goal of the state land use system.

260 -Responds to question from Rep. Uherbelau.
-Discusses the federal Dolan Case and inclusion in Oregon Law and this
bill.

288 REP. UHERBELAU: Dolan was decided under the US constitution.

290 SEN. JOHNSON: Clarifies the use of the Dolan Case from the US
constitution.

310 REP. UHERBELAU: Comments further on the Dolan case; requests a more
direct question regarding development.

323 SEN. JOHNSON: Line 5, page 9: Reads what is written therein.
-Case by case basis.

347 MOTION: REP. FISHER: Moves the SB 600-A4 amendments, BE ADOPTED.

CHAIR TARNO: Hearing no objections, the amendments are ADOPTED.

353 MOTION: REP. FISHER: Moves SB 600, AS AMENDED, be sent to the Floor with
a DO PASS recommendation.

Discussion follows.

TAPE 85, B

010 REP. NAITO: Will be voting no.
-Discusses some of the inclusions in the bill.
-Does not see the need for this bill.

041 REP. LEWIS: I will support; feels that the bill is narrowly drafted.
-States why she will be supporting the bill.

095

VOTE: 7-5
 AYE: 7 - Fisher, Lewis, Luke, Norris, Tarno, Wells, Welsh
 NAY: 5 - Corcoran, Josi, Naito, Thompson, Uherbelau

CHAIR: The motion CARRIES.

REP. LEWIS and REP. WELSH will lead the discussion on the Floor.

CHAIR TARNO: Closes the WORK SESSION on SB 600

112 MOTION: REP. NAITO: Moves the rules be suspended for the purpose of
allowing REP. WELSH to cast his vote on SB 279.

118 REP. WELSH: Votes AYE.

CHAIR TARNO: Opens the WORK SESSION on SB 286

127 MARK BAUER: Discusses amendments [EXHIBIT F & G].

140 REP. CORCORAN: Explains the (-A3) amendments, Exhibit F.

Discussion follows, and it is apparent there is confusion regarding the -A2
amendments. LC will be contacted for clarification.

178 CHAIR TARNO: Recesses the WORK SESSION on SB 286

Opens the WORK SESSION on SB 830

173 MARK BAUER: Discusses the (-A3) [EXHIBIT H] and the (-A2) [EXHIBIT I]
amendments.

229 REP. NAITO: Solves some legal problems as the bill is written.

242 DICK ANGSTROM: Explains the (-A2) amendments to SB 830. (Exhibit I)

290 JENIFER ROBISON, DIVISION OF STATE LANDS: In agreement with the (-A2)
and the (-A3) amendments.

305 REP. LUKE: Questions bracketed language.

309 ROBISON: Clarifies: submits EXHIBIT J.

367 MOTION: REP. LUKE: Moves the (-A2) amendments to SB 830, BE ADOPTED.

CHAIR TARNO: Hearing no objections, the amendments are ADOPTED.

MOTION: REP. LUKE: Moves the (-A3) amendments to SB 830, BE ADOPTED.

Discussion follows.

401 REP. NAITO: Supports the motion on the (-A3) amendments.

TAPE 86, B

010 REP. FISHER: Opposes adoption of the A3 amendments.

013 CHAIR TARNO: The amendments are ADOPTED.

014 MOTION: REP. LUKE: Moves SB 830, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE; REPS. JOSI and LEWIS are EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. LUKE will lead the discussion on the Floor.

CHAIR TARNO: Closes the WORK SESSION on SB 830

Opens the WORK SESSION on SB 1127

030 SENATOR STAN BUNN: Testifies in support of SB 1127; proposes amendments [EXHIBIT K].

-Explains amendments and the bill to the committee.
-Private funding for the task force and additional sources of revenue

067 ROY HEMINGWAY, SALMON POLICY ADVISOR TO GOVERNOR KITZHABER: Discusses the focus of the task force.

102 CHAIR TARNO: Discusses a specific section of the exhibit and hand written information (Exhibit K).

120 HEMINGWAY: Clarifies the handwriting, which are word inserted by recommendation of LC. "of salmonid species".

159 REP. CORCORAN: Comments that we need a lot more salmon in the water; the program is important; funding is a concern of mine.

180 SEN. BUNN: I think that agency needs more money.
-Specific language in the bill to indicate other possible sources of revenue.

237 DAVID MOSKOWITZ, ASSOC. DIR. RESOURCE CONSERVATION: Pleased with the direction of the amendments; support the direction; three concerns; (monitoring, coordination, restoration focus?, natural salmonid stocks language)

279 RUDY ROSEN, OREGON DEPARTMENT OF FISH & WILDLIFE: Responds to questions from Rep. Luke

301 REP. NAITO: Clarifies the fiscal impact for REP. LUKE.

318 SEN. BUNN: Provides further clarification.

372 REP. NORRIS: If we are going to approve this, maybe we should sign a letter to the co- chairs urging this be part of proposed add back program.

407 REP. CORCORAN: Agrees with REP. NORRIS. Letter should reference that if they aren't funded as an add back, they should be given consideration in the emergency board process.

420 CHAIR TARNO: Expresses his concerns.

TAPE 87, A

005 MOTION: REP. NAITO: Moves the conceptual amendments on the proposed amendments to the A-Engrossed bill agreed to by the Governor's office, SEN. BUNN and SEN. DUKES, with the handwritten language indicating salmonid species, BE ADOPTED.

CHAIR TARNO: Hearing no objections, so ordered.

014 MOTION: REP. NAITO: Moves to suspend the rules.

015 REP. LUKE: Objects. Would like to see an impact statement, if possible.

019 SEN. BUNN: Fiscal is badly backed up, elaborates.

020 REP. LUKE: Removes his objection.

Discussion follows.

047 MOTION: REP. NAITO: Moves to suspend the rules for the purpose of moving SB 1127, as conceptually amended, be sent to the Floor.

CHAIR TARNO: Hearing no objections, the rules are suspended.

049 MOTION: REP. NAITO: Moves SB 1127, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE; REPS. FISHER, JOSI & LEWIS are EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. THOMPSON will lead the discussion on the Floor.

064 CHAIR TARNO:Closes the WORK SESSION on SB 1127

Opens theWORK SESSION on SB 159

STAFF: Submits Exhibit M for the record.

090 GARY RUTLEDGE, OREGON DEPT. OF FORESTRY: Testifies in support of SB 159. (Exhibit N)

120 MOTION: REP. LUKE: Moves SB 159A be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE; REPS. JOSI & NAITO are EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. WELSH will lead the discussion on the Floor.

CHAIR TARNO: Closes the Work Session on SB 159A.
Re-opens the WORK SESSION on SB 286

124 REP. CORCORAN: Explains the previous problem.

MOTION: REP. LUKE: Moves SB 286, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE; REPS. JOSI & NAITO are EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. CORCORAN will lead the discussion on the Floor.

CHAIR TARNO: Closes The WORK SESSION on SB 286

Opens The WORK SESSION on SB 944

194 KENT ROBERTS, PORT OF NEWPORT: Discusses (-3) amendments. Notes typos. Responds to REP. LUKE question regarding proposed amendments [EXHIBIT L].

249 -Continues to clarify questions from Rep. Luke in reference to Yaquina Bay.

310 MOTION: REP. THOMPSON: Moves the conceptual amendments to the -3 amendments to SB 944 BE ADOPTED.

329 CHAIR TARNO: Restates the amendments for clarification. Hearing no objections, the amendments are ADOPTED.

MOTION: REP. THOMPSON: Moves the -3 amendments to SB 944, as conceptually amended, BE ADOPTED.

CHAIR TARNO: Hearing no objections, so ordered.

Discussion follows.

360 REP. NORRIS: Requests clarification of vessels are covered.

365 JOHN RAYBURN, PORT OF NEWPORT: Defines what coverage includes.

383 MOTION: REP. THOMPSON: Moves to suspend the rules for the purpose of moving SB 944, AS AMENDED, be sent to the Floor with a DO PASS

recommendation.

VOTE: In a roll call vote, all members present vote AYE; REP. JOSI is EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. THOMPSON will lead the discussion on the Floor.

CHAIR TARNO: Closes the Work Session on SB 944
Opens the Public Hearing on SB 950
Witnesses: Judy Crockett, Association of Oregon Recyclers
Bob Danko, Department of Environmental Quality
Terry Witt, Oregonians For Food and Shelter
Chris Taylor, OSPIRG

TAPE 88, A

015 JUDY CROCKETT, ASSOCIATION OF OREGON RECYCLERS: Testifies in opposition to SB 950. (Exhibit O)

098 BOB DANKO, DEPARTMENT OF ENVIRONMENTAL QUALITY: Testifies in opposition to SB 950 [EXHIBITS P].

129 REP. FISHER: Requests clarification of purpose of SB 950.

190 REP. LUKE: Questions the process of plastic recycling; questions the responsibility of the manufacturer.

196 DANKO: Describes the process. Notes that the original manufacturer has no responsibility in the recycling process, other than to produce the plastic legally.

215 REP. LUKE: I don't understand why the bill is here; must be a perceived problem.

218 DANKO: Responds. Discusses FIFRA.

Discussion of the purpose of the bill follows.

314 TERRY WITT, OREGONIANS FOR FOOD AND SHELTER: Testifies in support of SB 950 [EXHIBIT R].

411 -Continues to testify in support of SB 950

TAPE 87, SIDE B

020 WITT: Continues to testify and gives explanations of the impact on the revenues of the state of Oregon.
-Shows the committee products which he has referred to in his oral testimony.

079 -Responds to Rep. Corcoran regarding a definition of toxicity

100 -[EXHIBIT T].
-Recycling the chemicals and fertilizers; limited if not nonexistent for plastics that are contaminated by pesticides.

143 -food contained in plastic products which were recycled.

148 REP. UHERBELAU: Questions constitutionality.

160 WITT: Responds to questions from Rep. Uherbelau.
-We prefer the legislative route.

175 REP. UHERBELAU: Offers criticism of the witnesses' testimony, which seems to imply that one of our assistant A.G.'s is incompetent.

186 REP. LUKE: Questions effect of failure of bill to pass.

188 WITT: An option is to have the product made from an item that is currently being recycled.
-Discusses the mechanisms for compliance.

218 REP. LUKE: If I take these containers to my land fill, what are they going to do with them; how do they currently recycle them?

227 WITT: Responds.

260 CHAIR TARNO: What is the recycling rate in Washington?

265 WITT: Responds that he doesn't know.
-Responds to Rep. Uherbelau question regarding the perception of products being recycled.

295 CHRIS TAYLOR, OSPIRG: Testifies in opposition to SB 950[EXHIBIT S].
345 -Continues to testify the problems with the previous testimony in regard

to the bill.
-This is a law which is unnecessary.

397 -Responds to Rep. Fisher regarding whether or not his opinion is based on theory.

TAPE 88, B

CHAIR TARNO: Closes the Public Hearing on SB 950

Opens the Work Session on SB 950

12 MARK BAUER: Introduces and discusses the (-A7) amendments to SB 950.

045 MOTION: REP. CORCORAN: moves the -7 proposed amend to SB 950

CHAIR TARNO: Hearing no objections, the amendments are ADOPTED.

048 MOTION: REP. CORCORAN: Moves SB 950, AS AMENDED, be sent to the Floor with a DO PASS recommendation.

Discussion follows

VOTE: 8-2
AYE: 8 - Corcoran, Fisher, Lewis, Luke, Norris, Tarno, Wells, Welsh
NAY: 2 - Naito, Uherbelau
EXCUSED: 2 - Josi, Thompson

CHAIR: The motion CARRIES.

REP. WELLS will lead the discussion on the Floor.

CHAIR TARNO: Closes the Work Session on SB 950

Closes the meeting for a dinner break; reconvene time is 6:00 PM.

127 CHAIR TARNO: Re-opens the meeting at 6:10 PM

133 Opens the PUBLIC HEARING on SB 1113.

Witnesses: SEN. ROD JOHNSON
Jerry Purvis
Ernest A. Kunze
Betsy Johnson, Oregon Dept. of Transportation
Jerry Justice, Clackamas County
Bob Rindy, Oregon Dept. of Land Conservation and Development
Ray Phelps, Oregon Concrete and Aggregate Producers Association
Dave Barenberg
Shirley Parsons, Oregon Airport Managers Association
Ken Armstrong

140 SEN. ROD JOHNSON: Testifies in support of SB 1113. Offers into testimony written statement of the OREGON PILOTS ASSN., written by EVAN P. BOONE (EXHIBIT W).

190- Continues to explain the reasons why this legislation is needed.

234 Introduces and explains the changes in the dash five amendments.(EXHIBIT X).

264 REP. FISHER: Is this section K designed to alleviate conflicts between airports and agricultural and aggregate production?

280 SEN. JOHNSON:Yes.

320 - Proposes amendments to the dash five amendments.

353 - The question was asked about rules already in the works. At line 24 on page 4, add "except rules or ordinances pending on May 1, 1995."

375 REP. NAITO: Wants to be clear as to what is meant by "pending."

400 REP. LUKE: Has friend who has a strip and they called it a driveway.
Would this bill make it an airstrip?

415 SEN. JOHNSON: No.

427 - Bill is designed to protect only existing airports.

436 REP. UHERBELAU:

463 SEN. JOHNSON: Questions of bigger airports being subject to these
rules. Reads language in Section 5. Don't need to worry about being zoned
out of existence.

TAPE 89, SIDE A

087 Section is a compromise.

JERRY PURVIS: Testifies in opposition to SB 1113 (EXHIBIT Y).

194 CHAIR TARNO: Is your primary concern skydiving?

198 ERNEST A. KUNZE: Yes.

235 REP. FISHER: All of the things you're describing are illegal
activities. This bill is not about allowing illegal activities.

250 REP. LEWIS: Parachuting in Sheridan has been shut down because of the
number of people that died.

271 REP. TARNO: Introduces Betsy Johnson, from the Oregon Department Of
Transportation to assist these citizens in working out their problems.

285 KUENZE: Submits EXHIBIT Z for the record

290 I've been working on this for five years and nothing has been done.

300 CHAIR TARNO: Asks that they go out into the hall with Miss Johnson and
give her an opportunity to assist in resolving this issue.

320 JOHNSON: Assures the committee she will conduct an investigation into
this matter and report back to the committee.

348 JERRY JUSTICE, CLACKAMAS COUNTY: Testifies in opposition to SB 1113.
Would like to ask the committee to focus on some aspects of the bill that
might be critical in making the public policy decision they are being asked
to make this evening.

398 Continues to testify in opposition.

TAPE 90, SIDE A

059 REP. NORRIS: Are you agreeing or disagreeing with this bill?

060 JUSTICE: Disagreeing.

064 REP. LUKE: Has concerns.

JOHNSON: Wishes the bill were not here. Suggests the language in section
3, as a strip of land used for taking off and landing aircraft.

133 JUSTICE: Two sites in Clackamas County are not in conformance and
continue to operate.

146 BOB RINDY, DIRECTOR, OREGON DEPARTMENT OF LAND CONSERVATION AND
DEVELOPMENT: Was not their intention to sanction airports that were
operating outside of the law. Simply assisted Sen. Johnson in drafting the
legislation which would accomplish their two goals.

192 REP. UHERBELAU: Quotes from the dash five amendments "There will be
rules adopted that will allow reasonable growth". Thinks the growth could
be extensive.

210 RINDY: Would adopt rules to limit the uses of rural farm forest
airports to these things.

248 REP LUKE: Is reasonable growth including expansion of commercial
facilities?

255 RINDY: That could occur, it's a broad definition for LCDC to define

"reasonable growth."

263 REP. FISHER: Doesn't refer to industrial growth.

271 REP. CORCORAN: Thinks this is probably more appropriate discussion for a work session.

277 REP. UHERBELAU: Refers to Airport Managers Assn., document which has a problem with LCDC making rules.

286 RINDY: All local governments could control activities which take place in urban growth boundries. LCDC wanted to have the ability to make rules concerning rural farming and forest land.

305 BETSY JOHNSON, MANAGER OF AERONAUTICS, OREGON DEPARTMENT OF TRANSPORTATION: Will assist in the rule making process.

350 RAY PHELPS, OREGON CONCRETE & AGGREGATE PRODUCERS ASSN: Speaks in support of SB 1113 (EXHIBIT AA).

384 DAVE BARENBERG: Outlines the areas of the bill where they have difficulties.

TAPE 89, SIDE B

043 SHIRLEY PARSONS, IMMEDIATE PAST PRESIDENT OF THE OREGON AIRPORT MANAGERS ASSOCIATION: Speaks in opposition to SB 1113, (EXHIBIT BB).

067 Explains their problems with the dash five amendments Concerned about the lack of local control. Reads from Exhibit BB.

130 CHAIR TARNO: Asks who wrote the letter.

132 PARSONS: Letter was written on behalf of the Port of St. Helens.

KEN ARMSTRONG: Discusses Exhibit BB, and its intent.

160 Closes the PUBLIC HEARING on SB 1113.

Opens the WORK SESSION on SB 1113.

165 SEN. JOHNSON: Suggests amendments: in line 10 pf page one delete supportive , line 11 the word permissibile.

200 MOTION: REP. LEWIS: Moves the conceptual amendments to the dash five amendments BE ADOPTED.

On page three after line 5 we are inserting a new sub 5 local governments may provide use of land in airport zones in side urban growth boundries.

228 On page 4 line 24 insert except rules or ordinances pending on May 1, 1995. Asks LC to consider whether pending is the correct word.

244 MOTION: REP. LEWIS: Moves the amendments (-5) to SB 1113, as conceptually amended, BE ADOPTED.

REP. LUKE: Objects

279 Rep. Lewis withdraws her motion.

CHAIR TARNO: Will send this bill to LC to have a clean version for work session on Friday, May 12.

288 Closes the WORK SESSION on SB 1113

293 Opens the PUBLIC HEARING on SB 911

Witnesses: SENATOR MAE YIH
REPRESENTATIVE LARRY SOWA
Richard Owens
George Gordon
Dave Gordon
Shawn Gordon
Charles Swindells, 1000 Friends of Oregon

SEN. MAE YIH: Testifies in support of SB 911 (EXHIBIT CC).

343 Continues to testify from EXHIBIT CC.

TAPE 90, SIDE B

REP. LARRY SOWA, OREGON HOUSE OF REPRESENTATIVES: Testifies in support of SB 911.

085 RICHARD OWENS: Testifies in support of SB 911. Gives the background and conditions of the property when they purchased it.

162 REP. THOMPSON: Asks why they should change the land use laws for this constituents.

206 REP. WELLS: Makes reference to a letter of May 1, from Arthur Schlack:
What law would you be able to qualify for from the county?

279 REP. UHERBELAU: Are there hunt clubs in that area close to you?

OWENS: Yes, enumerates the surrounding hunt clubs.

293 REP. FISHER: How many and how big are your ponds?

OWENS: 1/8 of an acre to approx. 7 acres.

REP. CORCORAN: And did you have permits for these?

OWENS: Yes.

316 SEN. YIH: Answers REP. WELLS question about under what laws they feel they could appeal.

335 REP. LEWIS: Mr. Owen would have to lose his farm deferral and pay approximately \$30,000 back taxes and lose his farm use assessment.

357 YIH: No revenue impact because of HB 3103 from the 1993 session

370 REP. WELLS: Makes reference to SB 334.

439 REP. THOMPSON: Supports the work he has already done. But the committee has been bombarded with land use problems similar that have been very time taking and heart wrenching.

TAPE 91, SIDE A

48 GEORGE GORDON: Testifies in opposition to SB 911 (EXHIBIT DD & EXHIBIT JJ)

117 DAVID GORDON: Testifies in opposition to SB 911.

171 REP. FISHER: How many air miles are you from this property.

GORDON: About four hundred yards.

There are frogs, turtles, but more of a water pond. Had a different type of wildlife.

185 REP. WELSH: Do you approve of the wildlife project?

GORDON: We don't know about their track record.

SHAWN GORDON: Testifies in opposition to SB 911.

CHARLES SWINDELLS, 1000 FRIENDS OF OREGON: Testifies in opposition to SB 911 (EXHIBIT EE).

412 REP. UHERBELAU: Law does not allow you to build a house because of this wetland.

474 CHAIR TARNO: RECESSES the hearing for five minutes.

TAPE 92, SIDE A

Opens the WORK SESSION on SB 911

REP. LEWIS: Why was the plat restriction put on this property?

ART SCHLACK: Responds.

083 REP. FISHER: Under the pilot project what could be done for this property today.

SCHLACK: The pilot project does not qualify the property for a dwelling.

110 -Attempts to explain the current state law.

159 REP. LUKE: The bill was to encourage farmers to preserve a portion of the land for wildlife.

189 MOTION: REP. THOMPSON: Moves To TABLE SB 911.

VOTE: 10-1

AYE: 10 - Corcoran, Lewis, Luke, Naito, Norris, Tarno, Thompson, Uherbelau,

Wells, Welsh

NAY: 1 - Fisher

EXCUSED: 1 - Josi

CHAIR: The motion CARRIES.

Closes the WORK SESSION on SB 911

CHAIR TARNO: Opens the PUBLIC HEARING on SB 149

Witnesses: Jenifer Robison, Oregon Division of State Lands

JENIFER ROBISON, OREGON DIVISION OF STATE LANDS: Testifies in support of SB 149 (EXHIBIT FF).

CHAIR TARNO: Closes the PUBLIC HEARING on SB 149

Opens the WORK SESSION on SB 149

REP. CORCORAN: Moves SB 149 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE; REP. JOSI is EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. CORCORAN will lead the discussion on the Floor.

CHAIR TARNO: Closes the WORK SESSION on SB 149.

250 Opens the PUBLIC HEARING on HB 3236.

Witnesses: John DiLorenzo, J.C. Reeves Corp.
Mary Kyle McCurdy, 1000 Friends of Oregon
Phillip Fell, League of Oregon Cities
Art Schlack, Association of Oregon Counties
Bob Rindy, DLCD

JOHN DiLORENZO, J.C. REEVES CORP: Testifies in support of HB 3236.
Introduces the dash one amendments (EXHIBIT GG)

300 Continues to testify in support of HB 3236.

473 REP. NAITO: Asks if there is a current law restricting the ability to expand city limits.

TAPE 91, SIDE B

046 REP. UHERBELAU: Has the city of Salem been approached about extending their urban growth boundary?

061 MARY KYLE MC CURDY, 1000 FRIENDS OF OREGON: Testifies in opposition to HB 3236.

093 PHILLIP FELL, LEAGUE OF OREGON CITIES: Testifies in opposition to HB 3236. Sets a bad precedent.

117 ART SCHLACK, LAND USE SPECIALIST, ASSOCIATION OF OREGON COUNTIES: Testifies in opposition to HB 3236.

180 BOB RINDY, OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT: Testifies in opposition to HB 3236 (EXHIBIT HH).

230 Continues to testify in opposition.

256 REP. LUKE: Is there anything that says they have to change the zoning on this land?

262 - Asks about a specific piece of land on the map, part of EXHIBIT HH.

280 REP. LEWIS: I understand that if you're outside of the urban growth boundary you cannot get water.

287 BOB RINDY: Responds.
STAFF: Submits for the record, Exhibit II.

307 CHAIR TARNO: Closes the PUBLIC HEARING on HB 3236
Opens the Work Session on HB 3236
MOTION: REP. LUKE: Moves to ADOPT HB 3236-1 amendments.
CHAIR TARNO: Hearing no objections, so ordered.

329 MOTION: REP. LUKE: Moves HB 3236, AS AMENDED, be sent to the Floor with
a DO PASS recommendation.
Discussion follows.

390 VOTE: 6-5
AYE: 6 - Fisher, Lewis, Luke, Norris, Tarno, Welsh
NAY: 5 - Corcoran, Naito, Thompson, Uherbelau, Wells
EXCUSED: 1 - Josi
CHAIR: The motion FAILS. (Having failed to meet the constitutional
majority).

388 CHAIR TARNO: Closes the WORK SESSION on HB 3236.

413 MARK BAUER: Introduces a conflict amendment just received on SB 830.

417 REP. NAITO: Moves to suspend the rules in order to REOPEN THE WORK
SESSION on SB 830.
CHAIR TARNO: Hearing no objections, so ordered.

437 BAUER: Describes the conflict amendment (- A4).

455 MOTION: REP. LUKE: Moves the - A4 amendments to SB 830, BE ADOPTED.
CHAIR TARNO: Hearing no objections, so moved.
MOTION: REP. NAITO: Moves to reconsider the vote by which SB 830 was sent
to the Floor with a DO PASS recommendation.

TAPE 92, SIDE B

063 MOTION: REP. NAITO: Moves SB 830, AS AMENDED, be sent to the Floor with
a DO PASS recommendation.

070 VOTE: In a roll call vote, all members present vote AYE; REP. JOSI is
EXCUSED.
REP. LUKE will lead the discussion on the Floor.
CHAIR TARNO: Closes the WORK SESSION on SB 830.
Opens the PUBLIC HEARING on SB 1089.
Witnesses: Mike Dewey, Oregon Waste Systems

084 MIKE DEWEY, OREGON WASTE SYSTEMS: Introduces amendments, (-2).
Describes the bill.

091 CHAIR TARNO: Closes the PUBLIC HEARING on SB 1089.
Opens the WORK SESSION on SB 1089.

134 MOTION: REP. THOMPSON: Moves the SB 1089A -2 amendments, BE ADOPTED.
CHAIR TARNO: Hearing no objections. so ordered.
MOTION: REP. THOMPSON : Moves SB 1089A, AS AMENDED, be sent to the Floor
with a DO PASS recommendation.
VOTE: In a roll call vote, all members present vote AYE; REP. JOSI is
EXCUSED.
CHAIR TARNO: The motion CARRIES.
REP. WELLS will lead the discussion on the Floor.

152 CHAIR TARNO: Closes the WORK SESSION on SB 1089.

ADJOURNS the meeting at 10:07 PM.

Transcribed by,

Reviewed by,

Gail E. Boesch
Committee Assistant

Mark Bauer
Committee Administrator

EXHIBIT SUMMARY:

A - Testimony on HB 3236 -- John DiLorenzo -- 4 pages
B - Testimony on SB 279 -- Marcele Daeges -- 1 page
C - Testimony on SB 279 -- Nancy Lou Tracy -- 1 page
D - Testimony on SB 279 -- OSPIRG -- 2 pages
E - SB 600, Proposed Amendments (-A4) -- Staff -- 2 pages
F - SB 286, Proposed Amendments (-A3) -- Staff -- 1 page
G - SB 286, Proposed Amendments (-A2) -- Staff -- 1 page
H - SB 830, Proposed Amendments (-A3) -- Staff -- 1 page
I - SB 830, Proposed Amendments (-A2) -- Staff -- 1 page
J - Testimony on SB 830 -- Jenifer Robinson, Oregon Division of State Lands -- 2 pages
K - Proposed Amendments to A-Engrossed SB 1127 As Agreed to by the Governor's Office, Senator Bunn, and Senator Dukes -- 1 page
L - SB 944, Proposed Amendments (-3) -- Staff -- 6 pages
M - Testimony on SB 159 -- Gary Baker and others -- 9 pages
N - Testimony on SB 159 -- W. Rutledge, Oregon Department of Forestry -- 6 pages
O - Testimony on SB 950 -- Bruce Walker, City of Portland -- 2 pages
P - Testimony on SB 950 -- Bob Danko, DEQ -- 2 pages
R - Testimony on SB 950-A -- Terry Witt, Oregonians for Food & Shelter -- 10 pages
S - Testimony on SB 950 -- OSPIRG -- 1 page
T - "Debunking Myths About Household FIFRA "Cleaning" Products -- Terry Witt, Oregonians for Food and Shelter -- 1 page
V - Testimony on SB 1113 -- Ron Larsen, Oregon Airport Managers Association -- 1 page
W - Testimony on SB 1113 -- Evan Boon, Oregon Pilots Association -- 3 pages
X - SB 1113, Proposed Amendments (-A5) -- Staff -- 6 pages
Y - Testimony on SB 1113 -- "From Victims Around The Sheridan Airport" -- 17 pages
Z - Testimony on SB 1113 -- Kunze, et al -- 52 pages
AA - Testimony on SB 1113 -- Dick Angstrom, OCAPA -- 1 pages
BB - Testimony on SB 1113 -- Port of St. Helens -- 1 page
CC - Testimony on SB 911 -- SENATOR MAE YIH -- 11 pages
DD - Testimony on SB 911 -- G. Gordon -- 4 pages
EE - Testimony on SB 911 -- Charles Swindells, 1000 Friends of Oregon-- 1 page
FF - Testimony on SB 149 -- Gary Gustafson, Division of State Lands -- 1 page
GG - HB 3236, Proposed Amendments (-1) -- Staff -- 1 page
HH - Testimony on HB 3236 -- Bob Rindy, Dept. of Land Conservation and Development -- 1 page
II - Testimony on HB 3236 -- Staff -- 2 pages
JJ - Testimony on SB 911 -- Helen Gordon -- 2 pages
KK - Testimony on SB 600 -- E. Callison Petillo -- 1 page
LL - Testimony on SB 279 -- Ken Yates, Oregon Food Processors Council -- 11 pages