

SENATE COMMITTEE ON
WATER & LAND USE

June 5, 1995 Hearing Room B
4:30 PM Tape 158

MEMBERS PRESENT:

Sen. Rod Johnson, Chair
Sen. Bob Kintigh, Vice-Chair
Sen. Marylin Shannon

MEMBERS EXCUSED:

Sen. Ron Cease
Sen. Bill Dwyer

STAFF PRESENT:

Karen Qulgley, Committee Counsel
Gina Rumbaugh, Committee Assistant

MEASURES HEARD:

Reconsideration and Work Session on HB 3457

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 158 SIDE A

003 CHAIR JOHNSON: Calls the meeting to order (5:25 PM).

RECONSIDERATION AND WORK SESSION ON HB 3457

MOTION: Sen. Kintigh moves to reconsider the motion by which HB 3457 was sent to the Floor.

VOTE: Hearing no objections, the motion CARRIES.

CHAIR JOHNSON: Explains that as the committee passed HB 3457 out of committee, it contained four bills including a juvenile prison siting bill.

025 MOTION: CHAIR JOHNSON moves to delete the amendment adopted by the committee beginning on page 13, line 6 through end of the HB 3457-1 amendments

relating to juvenile prison siting
CHAIR JOHNSON: Explains the deletion of the amendment will take the juvenile prison out of the bill.

VOTE: Hearing no objections, the motion CARRIES.

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June 5, 1995 - Page 2 036 CHAIR JOHNSON: Questions whether the committee wants to delete the amendment on page 2, line 9, through the end of the -3 amendments, which was the equivalent of a modified SB 571. He notes that the language on farm dwellings will be deleted also, and that the only thing that will be in this bill is the right to farm legislation.

054 ART SCHLACK, ASSOCIATION OF OREGON COUNTIES: Confirms SB 571 is stalled in the House. It is the farm dwelling criteria that the counties want to retain in HB 3457.

058 CHAIR JOHNSON: Comments there are not enough votes to retain the farm dwelling criteria.

059 MR. SCHLACK: Requests that SB 571 be retained in HB 3457.

062 CHAIR JOHNSON: Draws the committee's attention to page 1 through line 8

and page 2 of the 3 amendments which was the \$40,000 farm dwelling criteria.

065 MOTION: CHAIR JOHNSON moves to rescind the action by which the committee adopted the HB 3457-3 amendments.

VOTE: Hearing no objections, the motion CARRIES.

072 MOTION: CHAIR JOHNSON moves to amend the -3 amendments to delete on page 1, lines 2 to the end of page 1, and lines 1 through 8 on page 2.

077 CHAIR JOHNSON: Explains that his motion would delete the \$40,000 income test.

080 SEN. SHANNON: Is this to assume that all farmers now are making \$80,000, the ones that

are grandfathered in, off of their land'?

CHAIR JOHNSON: This rule has to do with new dwellings on farm land.

080 SEN. SHANNON: If we were holding older farmers to the same standards, they would lose

their deferral.

088 CHAIR JOHNSON: That's something a lot of people think would be appropriate--to hold

farmers to an \$80,000 income test in order to be called farmers so that if they're not making

\$80,000, they can't get their tax deferral. Some people think \$80,000 is the minimum you

must be making in order to be called a farmer, and be entitled to a dwelling on your place.

096 SEN. SHANNON: Do you think that all farmers that receive farm deferral are earning

\$80,000 off their land?

CHAIR JOHNSON: Absolutely not, that's not a requirement for farm deferral at all.

115 SEN. KINTIGH: \$80,000 is an unreasonable standard in many areas.

125 CHAIR JOHNSON: We just need to clean up the -3 amendments so we can move the rest of it, which would be SB 571. Repeats motion. Effect is to make the -3 amendments, as amended, the same as SB 571, which the committee passed out some time ago.

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140 SEN. KINTIGII AND SEN. SHANNON comment that they don't like it, but will go along with it.

VOTE: Hearing no objections, the motion CARRIES.

153 MOTION: CHAIR JOHNSON moves technical amendment to HB 3457: on page 3, in line 4, before the word "an", add "an amendment to".

VOTE: Hearing no objections, the motion CARRIES.

170 MOTION: CHAIR JOHNSON moves that the HB 3457-3 amendments, as amended, BE ADOPTED.

175 VOTE: Hearing no objections, the motion CARRIES.

175 CHAIR JOHNSON: The original bill came to the committee as a right to farm bill. The House members and governor have worked out new and agreed-upon language. We're going to adopt that in place of the right to farm language we have here.

183 MOTION: CHAIR JOHNSON moves that HB 3457 be amended: on page 1, delete line 5 and the remainder of the bill, except the HB 3457-3 amendments.

195 CHAIR JOHNSON: Explains that the reason for the amendment is to allow
new language to be inserted on right to farm.

197 VOTE: Hearing no objections, the motion CARRIES.

197 MOTION: CHAIR JOHNSON moves a conceptual amendment to HB 3457
contained in the SB 766-5 amendments (EXHIBIT A) on the right to farm and
forest:
through adopt the language of the SB 766-5 amendments beginning on page 1, line 5
the end.

210 VOTE: CHAIR JOHNSON, noting objection by SEN. SHANNON, declares the
motion PASSED.

211 MOTION: CHAIR JOHNSON: moves conceptually that HB 3457 be further
amended: that Legislative Counsel replace lines 2 and 3 of the bill with a
relating clause that will include language on lines 2 and 3 of the SB 766-5
amendments, plus the relating clause that would incorporate this bill into the SB 571
language.

VOTE: hearing no objections, the motion CARRIES.

223 CHAIR JOHNSON: Calls members attention to the HB 3457-6 amendments
(EXHIBIT B) and advises that the amendments will clear up a defect in SB 1113 which the
Governor signed today.

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227 MOTION: CHAIR JOHNSON moves that the HB 3457-6 amendments be amended
on line 8 by moving the bracket in front of the word "to" to be in front of
the word "the".

231 VOTE: Hearing no objections, the motion CARRIES.

232 MOTION: CHAIR JOHNSON moves that the HB 3457-6 amendments, as amended,
BE ADOPTED.

233 VOTE: Hearing no objections, the motion CARRIES.

235 MOTION: SEN. SHANNON moves to send HB 3457 as amended, to the Floor with
a DO PASS RECOMMENDATION.

240 VOTE: In a roll call vote, three members are present and vote aye; SENS.
CEASE
AND DWYER are EXCUSED.

242 CHAIR JOHNSON: Declares the motion CARRIED.
CHAIR JOHNSON will lead discussion on the Floor.

243 The meeting is adjourned.

Submitted by,
Annetta Mullins
Committee Assistant

EXHIBIT SUMMARY:

A- HB 3457, SB 766-A amendments, Sen. Johnson, 5 pp
B - HB 3457, HB 3457-6 amendments, Sen. Johnson, 1 p

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