

SENATE COMMITTEE ON
WATER & LAND USE

January 25, 1995 Hearing Room B
1:00 P.M. Tapes 16 -17

MEMBERS PRESENT:

Sen. Rod Johnson, Chair
Sen. Neil Bryant
Sen. Ron Cease
Sen. Bill Dwyer
Sen. Bob Kintigh, Vice-Chair

STAFF PRESENT:

Karen Quigley, Committee Counsel
Kimberly Shadley, Committee Assistant

MEASURES HEARD:

SB 197
SB 245

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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.

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TAPE 16, SIDE A

005 CHAIR JOHNSON Calls the hearing to order (1:05 p.m.)
Announces that he is acting as a subcommittee for the purposes of taking
testimony

PUBLIC HEARING ON SB 197

Witnesses: Martha Pagel, Director, Water Resources Department
Doug Myers, Water Watch

015 MARTHA PAGEL, DIRECTOR, WATER RESOURCES DEPARTMENT: Testifies in
support of SB 197 submits written testimony, (EXHIBIT A).
CHAIR JOHNSON: Announces the presence of a quorum, Senators Dwyer, Kintigh
and Cease
present
PAGEL Continues
The only change our Department proposed was changing the sunset date. the
language appears as
new language as it was a note in statute as opposed to being part of the
statute
SEN KINTIGH Do we need line twenty two?
PAGEL If the proposal to exempt livestock watering is enacted, we wouldn't
need this
... This was HB 3203 (1993)
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090 DOUG MYERS, WATER WATCH: We testified in opposition to this last
session; we have a
group working on revising this process, returning some control back to
local jurisdiction.
... I would suggest a new sunset date of June 30, 1997.
121 PAGEL: In checking, HB 3203 was assigned as a note.

PUBLIC HEARING ON SB 245

Witnesses: Kelly Ross, Oregon Association Of Realtors
Robert Liberty, Director, 1000 Friends of Oregon
Phillip Fell League Of Oregon Cities
Art Schlack, Association of Oregon Counties
Jon Chandler, Home Builders Association
Don Miner, Oregon Manufactured Housing
Association
Dedi Streich, Lutz Synder Realtors
Steve Jaquith, Sherwood Oregon

140 KELLY ROSS, OREGON ASSOCIATION OF REALTORS: Testifies in support of SB
245 submits written testimony and informative material, (EXHIBIT C). ~
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211 ROSS: The process we are proposing is cutting out the Circuit Court;
describes process, see
Exhibit C.
240 SEN. DWYER: I think the reference to mandamus should stay in there; that
is a process for
someone to go through.
CHAIR JOHNSON: Describes intent.
... Sen. Bryant arrives. (1:25 p.m.)

295 SEN. CEASE: I believe the boundary commissions have something similar; I
am bothered by the
fact that this includes the petition review.
315 ROBERT LIBERTY, DIRECTOR, 1000 FRIENDS OF OREGON: Testifies in
opposition to
SB 245.
... LUBA operates faster than the Circuit Court; with LUBA the fact finding
is done locally.
- Continues testifying in opposition.
416 LIBERTY: We do have some suggestions; if you are concerned about the
length of time it takes to
make a decisions, this legislature can say that all land use decisions
should be based on 'clear and
objective standards".
... I also suggest that section four be deleted or made applicable to all
parties.
... There is a citizen advisory committee and most counties have planning
organizations and it may ;
be useful to get their analysis of this. ,

TAPE 17, SIDE A

030 CHAIR JOHNSON: Currently the governing body is required to review the
permit within 120 days. but we aren't changing that.

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... This would force the counties to make decisions.
... This doesn't require that the additional time be given.
LIBERTY: It would be useful to look at current practice.
... It could say that this applies to "other parties" as well.
085 SEN. DWYER: I see loop holes; is there a process for determining if a
deed is complete?

LIBERTY: Yes, but that is to make sure that forms are filled out and
materials are present.

SEN. DWYER: The county could say that the deed wasn't
complete.

130 PHILLIP FELL, LEAGUE OF OREGON CITIES: Testifies in opposition to SB
245.
... I've spoke with planners who said that they rarely missed the deadlines.
... We'd like to work with the proponents of the bill to solve their problem
another way.
... Describes concerns.
160 ART SCHLACK, ASSOCIATION OF OREGON COUNTIES: Testifies in opposition to
SB
245.
... We are concerned that this may extend the process.

189 JON CHANDLER, HOME BUILDERS ASSOCIATION: Test)files in support of SB 245.
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... Describes history of 120 day rule.
255 SEN. BRYANT: Does the development community support the process through
their fees?
CHANDLER: Yes; we do pay for those services and we've never opposed them.
285 DON MINER, OREGON MANUFACTURED HOUSING ASSOCIATION: Test)files in
support of SB 245;
315 DEDI STRETCH, LUTZ SYNDER REALTORS: Test)files in support of SB 245.
Describes personal experience; submits documents for the record, (EXHIBIT
D).
... From a consumers perspective, the interest rate increase during the time
waiting for a
decision is
costing the buyer \$88,000.
385 STEVE JAQUITH, SHERWOOD OREGON: Test)files in support of SB 245;
describes
personal experience.
CHAIR JOHNSON: We are adjourned. (2:20 p.m.)

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Submitted by,	Reviewed by,	
Kimberly Shadley	Karen Quigley	
Committee Assistant	Committee Counsel	

EXHIBIT SUMMARY:

A - SB 197: Written testimonY in suPPort of SB 197 submitted bv PaEel, no 2
B - SB 197: PreliminarY Staff Measure Summarv, SMS, submitted bv staff, on
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C - SB 245: Written testimony in support of SB 245 submitted bv Ross, on 6
D - SB 245: Informative material submitted bv Streich, on 4
E - SB 245: PreliminarY Staff Measure Summarv. SMS, submitted bv staff, on
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