

SENATE COMMITTEE ON  
WATER & LAND USE

Hearing Room  
1:00 P.M. Tapes - 50

MEMBERS PRESENT:

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

STAFF PRESENT:

Karen Quigley, Committee Counsel  
Kimberly Shadley, Committee Assistant  
Mitch Hack, Senate Floor Staff

MEASURES HEARD:

SB 297  
SB 613

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 , SIDE A

005 CHAIR JOHNSON: Calls the hearing to order. (1:16 p.m.)

WORK SESSION ON SB 297

CHAIR JOHNSON: There is more to the bill in terms of managing the use of existing rights; I would advise the committee that it is my intention to bring the bill back as soon as I can get some amendment to narrow the scope.

PUBLIC HEARING ON SB 613

Witnesses: Larry George, Executive Director, Oregonians In Action  
Dick Benner, Director, Department of Land Conservation and Development  
Eugene Lasider  
Marion Millard, Redmond Oregon  
Howard Paine, Sisters Oregon  
Walt Eager  
Tom Fisher, Resident, Dallas Oregon  
Christine Cook, 1000 Friends Of Oregon  
Don Schellenberg, Oregon Farm Bureau  
Joan McConoughey  
Wayne Johnston, Resident, Salem Oregon  
Hayden Hoppert, Resident, Tillamook County

045 CHAIR JOHNSON: There has been a consensus reached that the opposite

approach is better and we will likely be returning to a bill that states that certain matters should remain under local control without LCDC's control.

( I would like the witnesses to identify areas that they don't feel that LCDC should be involved in.

075 LARRY GEORGE, EXECUTIVE DIRECTOR, OREGONIANS IN ACTION: Since our attorney's drafted SB 613 we've had input from a number of parties concerned with the direction we are taking and we are interested in working from a different approach.

( We will submit ideas; I'm not prepared to identify those areas; gives example.

098 GEORGE: We are trying to put in the idea that private property rights are important when planning.

( In section five we are trying to reinstate some Goals, such as Goal 9, the economic goal.

125 DICK BENNER, DIRECTOR, DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT: Submits written testimony, (EXHIBIT A).

SEN. CEASE: You are talking about approaching this from local concerns?

CHAIR JOHNSON: The new bill will say where LCDC can't get involved.

BENNER: The total of twenty five million acres are in farm and forest zones, two million prime farm land with three to four million acres of prime forest land.

( You may articulate a different interest than primary farm and forest land.

210 BENNER: In trying to distinguish state wide from local by size or scale will be difficult.

SEN. BRYANT: Refers to a case from 1993; why would LCDC appeal decisions when there isn't local opposition?

BENNER: This was a question of whether the county was applying properly the standards and criteria in it's comprehensive plan.

( There is a larger issue that needed to be clarified and ultimately it came to you.

( I will give you numbers on how often we get involved in appeals and you'll see that the number has been going down in the last couple of years.

395 BILL MONTEGUE: My concern is with Jackson County; at one time there was 600 pieces of property that was down zoned.

( Submits informative material, (EXHIBIT B).

( Describes personal situation.

TAPE 50, SIDE A

035 MONTEGUE: Continues.

( If you'll read the article I submitted it says what I believe should be done, see Exhibit B.

140 EUGENE LASIDER: I would suggest taking about four items from SB 613; one prime reason we are having problems with prime farm lands in the

Willamette Valley is there is a single industrial zone in Portland.

( We should encourage and offer another part of our state as an industrial center, such as Bend.

220 MARION MILLARD, RESIDENT, REDMOND OREGON: Submits written testimony in opposition to SB 613, (EXHIBIT C).

300 HOWARD PAINE, RESIDENT, SISTERS OREGON: Testifies in opposition, submits written testimony (EXHIBIT D).

( The general citizens of this state recognize that LCDC has done a good job and I question why there is this move to "gut" LCDC and roll back their rules and regulations.

440 SEN. KINTIGH: Describes building on farm land in his district.

TAPE 49, SIDE B

040 PAINE: Continues.

085 WALT EAGER, RESIDENT, CLACKAMAS COUNTY: Testifies in favor of SB 613 as it will be amended to specify what LCDC shouldn't be doing.

( Submits written testimony, (EXHIBIT E).

( I've submitted a "lot of record" bill with my written testimony, describes draft.

165 TOM FISHER, RESIDENT, DALLAS OREGON: I don't think that LCDC should have control over privately elected local officials.

( Goal 1 is a joke in my humble opinion.

( Goal 3 is a mess, it is absolutely ludicrous.

( I think that LCDC should leave local matters to the people who know the land.

240 CHRISTINE COOK, 1000 FRIENDS OF OREGON: Submits written testimony in opposition to SB 613, (EXHIBIT F).

( 1000 Friends support local control with oversight.

( I don't think local control is the answer to many of the problems I've heard here today.

290 DON SCHELLENBERG, OREGON FARM BUREAU: Submits written testimony, (EXHIBIT G).

( Our concern is that productive farm land not be lost under local control.

( The definition of high value farm land in HB 3661 is good for the Valley.

CHAIR JOHNSON: If land can't be used for anything but grazing, a few houses wouldn't hurt.

SCHELLENBERG: No, assuming that they are comfortable with the adjoining farming neighB or and don't have a problem with how the neighB or carries on his activities.

415 SEN. KINTIGH: How do you feel about urban growth boundaries expanding into one and two Class lands?

SCHELLENBERG: We would prohibit the expansions of UGB's onto productive farm land.

COOK: 1000 Friends is opposed to expansion of UGB's on farm land; it is best to keep it closer to the urban area, not sprawling.

TAPE 50, SIDE B

050 JOAN McCONOUGHNEY: Testifies in support, submits written testimony,  
(EXHIBIT H).  
Describes her personal situation.

130 CHAIR JOHNSON: I personally believe that if we don't protect property  
rights that lead to the best use of the land there won't be the wealth that  
supports this country.

150 WAYNE JOHNSTON, RESIDENT, SALEM OREGON: Gives background; describes  
personal situation.

195 HAYDEN HOPPERT, RESIDENT, TILLAMOOK COUNTY: I Testifies in support;  
describes personal situation.  
( We need someone who knows about land planning in each county.  
( The biggest problem I see is with traffic in that area, (referring to  
Tillamook County).

305 CHAIR JOHNSON: There were letters submitted for the record, (EXHIBIT  
I).  
We are adjourned. (3:05 p.m.)  
  
Submitted by, Reviewed by,

Kimberly Shadley	Karen Quigley
Committee Assistant	Committee Counsel

EXHIBIT SUMMARY:

A - SB 613: Written testimony in opposition submitted by Benner, pp 3  
B - SB 613: Informative material submitted by Montegue, pp 2  
C - SB 613: Written testimony in opposition submitted by Millard, pp 4  
D - SB 613: Written testimony in opposition submitted by Millard, pp 1  
E - SB 613: Written testimony in support submitted by Eager, pp 3  
F - SB 613: Written testimony in opposition submitted by Cook, pp 4  
G - SB 613: Written testimony in opposition submitted by Schellenberg, pp  
1  
H - SB 613: Written testimony in support submitted by McConoughey, pp2  
I - SB 613: Written testimony submitted for the record by staff, pp 7  
J - SB 613: Preliminary staff measure summary submitted by staff, pp 1