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CONFERENCE COMMITTEE ON  
SB 245

May 31, 1995      Hearing Room 50  
5:00 PM Tape 1

MEMBERS PRESENT:

Sen. Marilyn Shannon, Chair  
Sen. Ron Cease  
Sen. Rod Johnson  
Rep. Tim Josi  
Rep. Leslie Lewis  
Rep. Veral Tarno

MEMBER EXCUSED:

STAFF PRESENT:

Karen Quigley, Administrator  
Sandy Ceballos, Assistant

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 1, SIDE A

011      SEN. SHANNON opens the meeting at 5:04

Opens the CONFERENCE COMMITTEE WORK SESSION on SB 245.B Engrossed

Witnesses: Kelly Ross, Oregon Association of Realtors

Phillip Fell, League of Oregon Cities

Jon Chandler, Homebuilders Association of Metropolitan Portland

012      Announces they are there to consider the SB 245-B9 amendments (EXHIBIT

A). The bills proponents, The Oregon Association of Realtors does not  
object to this amendment. Asks Kelly Ross and Phil Fell if they agree with

the dash B-9 amendments.

018      KELLY ROSS, OREGON ASSOCIATION OF REALTORS: They have seen the B-9  
amendments and support them. This was an inadvertent omission due to a  
last minute conceptual amendment in the House committee and feel it takes  
care of a loose end.

023      PHILLIP FELL, LEAGUE OF OREGON CITIES: Agree with the -B9 amendments.

024      CHAIR SHANNON: Is there a motion to adopt the -B9 amendments?

025              MOTION: REP. JOSI: So moved.

025      CHAIR SHANNON: Calls for discussion. Hearing no objections, the -B9  
amendments are adopted.

028      Next we will consider the legislative counsel amendments identified as  
-B10 dated May 30, 1995. These amendments are proposed by the Association  
of Oregon Counties. Will call Art Schlack of the Association of Oregon  
Counties to explain the -B10 amendments

033      ART SCHLACK, LAND USE SPECIALIST, ASSOCIATION OF OREGON COUNTIES:  
Introduces and explains the -B10 amendments (EXHIBIT B).

047 SEN. SHANNON: Is it your understanding that your amendments fit the relating clause?

048 SCHLACK: Yes they do. We've worked with legislative counsel to draft these amendments and they assure us that operate within the relating clause.

050 SEN. CEASE: Madame chair I move the amendments.

051 REP. TARNO: Do the -B10 amendments contain the needed and wanted language you had hoped to get into the House Committee bill?

054 SCHLACK: Yes they do.

055 SEN. JOHNSON: Page 5, line 16, the new paragraph 7; this is among the clauses you say the Governor's office has approved?

058 SCHLACK: Yes.

059 SEN. JOHNSON: Understands that what that does is it allows a person that's applied for a dwelling under the lot of record statute to transfer that to a subsequent person, I assume it's the purchaser of the lot?

063 SCHLACK: This provision would allow a person who receives the lot of record determination, that qualifies through that process, upon it's issuance, to transfer that with the property to another party.

067 SEN. CEASE: Thinks there is a concern about it but also a recognition that there is no way you can control it. In effect you either do it legally or you do it under the table. Thinks this says you do it legally.

071 REP. LEWIS: This was discussed in the House Natural Resources committee and Department of Land Conservation did testify that they we're O.K. with the entire contents of the -B10 amendments.

075 CHAIR SHANNON: Do I hear a motion to adopt the -B10 amendments.

076 SEN. CEASE: I had done that earlier.

077 CHAIR SHANNON: Calls for discussion. Hearing no objections, the -B10 amendments are adopted.

082 JOHN CHANDLER, CHIEF COUNSEL, HOME BUILDERS ASSOCIATION OF METROPOLITAN PORTLAND: Explains the -B11 amendments (EXHIBIT C) which are on their way to the hearing room.

086 CHAIR SHANNON: We could adopt them in concept.

087 CHANDLER: They should be here within moments.

089 They involve a bill that has already passed both houses, HB 2658 passed with flying colors in both chambers. This afternoon I was advised by John Freganessee, who is a planner at Metro, and a person whose opinion I trust very much, that inadvertently in that bill, we had essentially prohibited up-zoning of property. The main change we have made from HB 2658 is to eliminate partitions, so that we're only applying it to subdivisions, and we are applying it only if the applicant elects.

109 SEN. JOHNSON: Is it true that the home builders, as a group of men and women in the construction industry, would not be happy if the legislature changed the law so you could no longer up-zone?

112 CHANDLER: I would have some severe explaining to do.

149 REP. TARNO: (Directed to John Chandler) we had a bill on the floor yesterday or the day before that had the same language and it passed out of

the floor. It pertained to the 10 year time frame which local government had to use for a review period.

156 CHANDLER: That is the bill, HB 2658.

150 REP. LEWIS: Thinks he's referring to their concurrence on the bill that

had to do with the enforcement order with Jackson County.

167 MOTION: REP. LEWIS: Moves the - B11 amendments to SB 245.

169 SEN. CEASE: Is everyone on board on these amendments?

170 CHANDLER: Yes.

173 SEN. SHANNON: Are there any objections? Hearing none, the -B11 amendments are adopted.

176 MOTION: SEN. JOHNSON: Moves SB 245 as amended to both the floor of the House and the floor of the Senate with a recommendation to RE-PASS.

180 CHAIR SHANNON: SEN. JOHNSON moves the adoption of the CONFERENCE COMMITTEE REPORT to recommend the Senate concur in the House amendments dated May 16, 1995, and that the bill be amended with the -B9, -B10, and -B11 amendments and be RE-PASSED.

VOTE: In a roll call vote all members present vote AYE.

SEN. SHANNON AND TO CARRY.

200 CHAIR SHANNON: Closes the WORK SESSION on SB 245  
ADJOURNS THE MEETING AT 5:20 PM.

Submitted by, Reviewed by,

Sandy Ceballos Karen Quigley  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Amendments - SB 245-B9 -- 1 page  
B.- Amendments - SB 245-B10 -- 7 pages  
C.- Amendments - SB 245-B11 -- 1 page