

HOUSE COMMITTEE ON NATURAL RESOURCES

June 1, 1993           Hearing Room D 3:45 p.m.   Tape 42

MEMBERS PRESENT:   Rep. Ray Baum, Chair Rep. Carl Hosticka, Vice-Chair  
Rep. Marilyn Dell Rep. Sam Dominy Rep. Bill Fisher Rep. Tim Josi Rep.  
Dennis Luke Rep. Bill Markham Rep. Chuck Norris Rep. Nancy Peterson Rep.  
Bob Repine Rep. Liz VanLeeuwen

STAFF PRESENT:           Kathryn Van Natta, Committee Administrator  
Catherine Fitch, Committee Administrator Karen McCormac, Committee Clerk

MEASURES CONSIDERED:           Work Session - HB 3661

WITNESSES:                SUE HANNA, Legislative Counsel

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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. [--- Unable To Translate  
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TAPE 42, SIDE A

005    CHAIR BAUM:   Calls meeting to order at 3:52 p.m.

OPENS WORK SESSION ON HB 3661

006    SUE HANNA, Legislative Counsel: Explains changes to HB 3661  
with proposed -43 amendments.

041    REP. NORRIS: Should we inform the assessors that what they've  
been referring to as "tax lots" should be tax parcels?

045    HANNA:    I think that they may get special license.

044    REP. MARKHAM: Are "parcel" and "lot" set out in the Oregon  
Revised Statutes? 048 HANNA: Yes. Definitions of "lot" and  
"parcel" are both found in Chapter 92, and the definition of a  
"parcel" is also found in Chapter

215. Most of the planners understand this, but always referred to  
"minimum lot sizes" when they were providing you with amendments.

056    MOTION: REP. HOSTICKA: Moves to SUSPEND the RULES to allow the  
FULL HOUSE COMMITTEE ON NATURAL RESOURCES to CONSIDER the -43 AMENDMENTS

(LC 3145-1), dated 6-1-93.

060    CHAIR BAUM: Restates motion and calls for discussion.  
Hearing no objection, the motion CARRIES.

064 MOTION: REP. REPINE: Moves the -43 AMENDMENTS (LC 3145-1), dated 6-1-93 to HB 3661.

069 CHAIR BAUM: Hearing no objection, the motion CARRIES.

073 This bill has a fiscal impact, which has increased from \$490,000 to \$560,000 (EXHIBIT A). This is because fiscal had not included the staff benefits in its initial calculations.

Because there is a fiscal impact, it will require a subsequent referral to the House Appropriations Committee.

102 REP. VanLEEUWEN: Why do the -43 amendments require more staff than they currently have?

115 CHAIR BAUM: I was not happy when I reviewed the fiscal impact statement, which continues to increase. At one point, it becomes an

interesting option to have it go to the Appropriations Committee and not have a minority report, so I had staff verify with DLCD that these were justifiable figures.

124 REP. HOSTICKA: I think this indicates the wisdom of the Joint Ways and Means Committee, because we won't know what the substantive legislative on land-use planning will be until a possible conference committee has

made its conclusions. The fiscal office and the House Appropriations Committee can only talk about the contents of this bill. If it goes to Appropriations, which works up a DLCD budget, and the bill meets an uncertain fate in the Senate, they'll have to redo the entire budget process. I think we'd be better off to get the substantive issue resolved, and then discuss the budgetary implications.

137 REP. REPINE: The reality is that that is the case with every major substantive issue. Like it or not, we have to deal with the system.

Too many times, this type of issue would be taken to task on the floor. I'm not one for listening to those type of abusive comments.

145 REP. DOMINY: My concern is that we would not have an opportunity for a minority report. I assume the motion will be to refer this with a do

pass recommendation. When we have bills which cost approximately half a million dollars, we usually propose where that money will come from.

How will this be paid for?

156 REP. MARKHAM: It will come from the General Fund. 157 CHAIR BAUM: If implemented, the existing LCDC rules would have severe financial impact. At this time, I'm not sure how the Governor's budget

proposes to deal with that.

164 REP. HOSTICKA: If this goes to Appropriations, and then there is a conference committee with the Senate, what committee is conferring with the Senate?

166 CHAIR BAUM: After Appropriations, it will probably come back to the floor in fairly short order. We'll move it to Senator Cease's

committee, and down to the Senate's Ways and Means Committee, or from there to the floor, since their rules are more lax than ours.

171 REP. HOSTICKA: Who is conferring then? Is the House Appropriations Committee conferring with the Senate Ways and Means Committee? Is this

committee conferring with the Senate Agriculture Committee?

173 CHAIR BAUM: This committee will confer with the Senate Agriculture Committee.

174 REP. HOSTICKA: But is there then an Appropriations impact as a result of that conference?

With that sequence, it doesn't seem that we gain anything by sending it to the House Appropriations Committee, since the final decision on the DLCD budget cannot be made until after the conference committee on the substantive issue concludes its business. You won't gain anything except a time delay, and possible further amendments.

185 MOTION: REP. MARKHAM: Moves HB 3661 AS AMENDED BY HB 366 1-43 AMENDMENTS (LC 3145-1), dated 6-1-93, and add a SUBSEQUENT REFERRAL TO THE APPROPRIATIONS "A" COMMITTEE.

188 CHAIR BAUM: Restates motion and calls for discussion.

190 REP. NORRIS: This is not the first time I've seen a fiscal analysis like this one. The first page gives us a firm figure that doesn't even

end in zero. Then on the next page, they say they really don't know the fiscal impact. If they can't determine the fiscal impact, how can they come up with a figure which ends in a "7"?

202 REP. DELL: I'm not sure we had an answer to Rep. Hosticka's question, and I think it's an important one. I don't see how any budget gets

passed until the substantive decisions have been made, because nobody knows what the numbers are. No one has been able to explain the process we will work through for a final resolution.

If the decision is made today to send this to the Appropriations Committee, I can't help but express severe disappointment in that process. I know there is concern about going directly to the floor because people may object, there has been discussion in this building today about whether that would happen, and the people who participated in that discussion agreed that the people on the floor in both parties would understand that there are some very different things going on with this bill.

Those of us who have been working on an alternative had some reassurance that this is not a process that has to work this way. The discretion in this area rests with the chair of the subcommittee and the chair of this committee. While I respect your judgment, it's well known that a large group of people have been working very hard on what we see as a responsible alternative. We feel that the public debate and the public input on this extraordinarily important issue did not happen. To have made the amount of progress we have made, only to have that debate never see the light of day, is an extraordinarily disappointing thing to me about the way this process works.

237 REP. REPINE: I'd have to take some exceptions to Rep. Dell's statements. Maybe the outcome is not what certain people wanted. I

would remind you that we sat here until 1:00 in the morning taking public testimony. I would remind you that most of the changes which were brought to this bill through the amendment process were from those very people who had made comments about the bill. To take exception that there is a group of people who have been working on an issue, that is, the "lot of record" issue, is asking for a lot of faith. Your minority report on the "lot of record" has never had any discussion, but it was a topic that was left on the table through the whole public process. Hundreds of people testified. Hundreds of people wrote us about this bill. I think the public process was well-served.

264 REP. HOSTICKA: Could we move this back to the subcommittee so Rep. Dell could offer her amendments?

265 CHAIR BAUM: Let's take the motion that we have today and move it along.

272 VOTE: REPS. FISHER, LUKE, MARKHAM, NORRIS, REPINE,

VanLEEuwEN and CHAIR BAUM vote AYE. REPS. DELL, DOMINY, HOSTICKA, JOSI and PETERSON vote NO.

280 CHAIR BAUM: The motion CARRIES.

291 MOTION: REP. MARKHAM: Moves HB 3661 to the floor with a DO PASS AS AMENDED RECOMMENDATION, AS AMENDED BY THE -43 AMENDMENTS (LC 314 5-1), dated 6-1-93, with a SUBSEQUENT REFERRAL TO THE HOUSE APPROPRIATIONS "A" COMMITTEE.

294 CHAIR BAUM: Restates motion and calls for discussion.

VOTE: REPS. FISHER, LUKE, MARKHAM, NORRIS, REPINE, VanLEEuwEN and

CHAIR BAUM vote AYE. REPS. DELL, DOMINY, HOSTICKA, JOSI and PETERSON vote NO.

304 CHAIR BAUM: The motion CARRIES.

Additions to the record: HB 3661 Hand-Engrossed by HB 3661-43 Amendments (LC 3145-1), 6-1-93

(EXHIBIT B) HB 3661 Revenue Analysis (EXHIBIT C) HB 3661 Staff Measure Summary (EXHIBIT D)

CLOSES WORK SESSION ON HB 3661

Adjourns meeting at 4:14 p.m.

Submitted by:

Reviewed by:

Karen McCormac  
Administrator

Kathryn Van Natta Assistant

EXHIBIT LOG:

A - HB 3661 Fiscal Analysis - Staff - 3 pages B - HB 3661  
Hand-Engrossed by HB 3661-43 Amendments (LC 3145-1), 6-1-93 - Staff -  
4 pages C - HB 3661 Revenue Analysis - Staff - 1 page D - HB  
3661 Staff Measure Summary - Staff - 4 pages