

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.

HOUSE COMMITTEE ON ENVIRONMENT AND ENERGY

April 01, 1991Hearing Room E 1:00 p.m.Tape 101

MEMBERS PRESENT:Rep. Parkinson, Chair Rep. Whitty, Vice-Chair Rep. Burton Rep. Courtney Rep. Naito Rep. Norris Rep. Repine Rep. Van Leeuwen Rep. Watt

STAFF PRESENT: Kathryn VanNatta, Committee Administrator Andy Sloop, Committee Assistant

MEASURES CONSIDERED: HB 2150 (WRK) HB 2175 (PUB)

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TAPE 101, SIDE A

00CHAIR PARKINSON: Calls the meeting to order at 1:35 p.m. Representative Burton not present and excused.

(Tape 101, Side A) HB 2150 - WORK SESSION Witnesses:Phil Fell, League of Oregon Cities Greg Wolf, Department of Land Conservation and Development Russ Nebon, Association of Oregon Counties

15VANNATTA: Reviews status of the measure and amendments under consideration.

>Technical changes developed by consensus of local, county, state and other interests are incorporated in dash 7 amendments (EXHIBIT A).

>The dash 7 amendments replace the dash 6 amendments (EXHIBIT B).

80PHIL FELL, LEAGUE OF OREGON CITIES: Several state agencies commonly respond to state or federal mandates that require them to take action at the local level, often without regard for local comprehensive plans. Over the last several years, a process of state agency and local planning coordination has evolved. The original language in this bill that addressed state coordination required agencies to take "all reasonable action" to comply with local plans. There was legitimate concern that "all reasonable action" is vague. The language in lines 14

and 15 of the dash 7 amendments is more specific and gets state agencies to comply as much as possible with local plans, which is the intent of these amendments.

105 GREG WOLF, DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT:
Testifies that local, county and state planners reached consensus and support the dash 7 amendments. Notes, however, that he has not had an opportunity to discuss new language in lines 14 and 15 of the dash 7 amendments with affected state agencies.

(Representative Burton arrives 1:46)

120 CHAIR PARKINSON: On line 14, did that have anything to do with map overlays, i.e., wildlife protection, etc.?

122 WOLF: Yes. The question is: If a state agency has a program that will affect local government, what is the process that agency has to go through before it can take an action that is incompatible with the local comprehensive plan? In this case, we are creating one extra step where the state agency has to show that they have applied for the local plan amendment and been denied before they can proceed with an incompatible action. There isn't a big problem here, we just haven't had an opportunity to coordinate.

130 CHAIR PARKINSON: Are you saying that you aren't prepared to sign off on this and might want to fix something when this is reviewed by the Senate?

133 WOLF: We want to leave that option open.

137 RUSS NEBON, ASSOCIATION OF OREGON COUNTIES: Testifies in support of the dash 7 amendments.

142 MOTION:REP. WHITTY moves to adopt the dash seven LC 725 amendments (EXHIBIT A) dated 4/1/91 to the HB 2150-1 amendments.

153 VOTE:Hearing no objection, CHAIR PARKINSON so moves.

158 MOTION:REP. WHITTY moves HB 2150 as amended to the floor with a "do pass" recommendation.

165 VOTE:In a roll call vote, the motion carries with all members voting AYE.

170 CHAIR PARKINSON: Appoints himself to carry the measure on the House floor. Notes that the measure does not have a fiscal statement.

175 CHAIR PARKINSON: Closes the public hearing on HB 2150 and opens the public hearing on HB 2175.

(Tape 101, Side A) PUBLIC HEARING - HB 2175 Witnesses:John Loewy,
Department of Environmental Quality

198 JOHN LOEWY, DEPARTMENT OF ENVIRONMENTAL QUALITY: Reviews status of amendment discussions.

>The department is working on amendments for minimum state compliance with the Clean Air Act, as this committee requested.

>Industry representatives will meet to develop concepts or principles

that need to be included in amendments to meet request for minimum compliance.

>Industry representatives and the department will be meeting today to discuss amendments.

>The department intends to react to today's amendment discussions to get back to the committee as soon as possible.

222 CHAIR PARKINSON: Will you have enough information for a substantive committee discussion by the day after tomorrow?

229 LOEWY: It's hard to say. We hope to be able to give some kind of progress report, but I don't know if we can get amendments drafted that quickly. We should be able to react to what the industry representatives present.

259 VANNATTA: Enters testimony from Denise McPhail (EXHIBIT C) into record.

272 CHAIR PARKINSON: Closes the public hearing on HB 2175 and adjourns at 1:57.

Submitted by: Reviewed by:

Andy Sloop Kathryn VanNatta Committee Assistant Committee
Administrator

EXHIBIT LOG:

A -HB 2150-7 Proposed Amendments - Greg Wolf, Department of Land Conservation and Development - 1 page
B -HB 2150-6 Proposed Amendments - Rep. Parkinson - 1 page
C -Testimony On HB 2175 - Denise McPhail, Portland General Electric - 6 pages