

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 JUDICIARY CIVIL LAW AND JUDICIAL ADMINISTRATION

June 28, 1991Hearing Room 357 1:00 p.m.Tape 135

MEMBERS PRESENT:Rep. Ray Baum, Chair Rep. Marie Bell Rep. Tom Brian
Rep. Kelly Clark Rep. Jim Edmunson Rep. Rod Johnson Rep. Kevin Mannix
Rep. Randy Miller

VISITING MEMBER:Rep. Fred Parkinson

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

MEASURES HEARD:SB 884A

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TAPE 135, SIDE A

004 CHAIR MILLER: Opens Subcommittee on Civil Law and Judicial Administration at 9:20, and opens public hearing on SB 884A

PUBLIC HEARING - SB 884A Witnesses:Roger Martin, Roger Martin and Associates Jon Chandler, Common Ground Rep. Fred Parkinson

10CHAIR MILLER: Invites testimony.

15KATHRYN VANNATTA, COMMITTEE ADMINISTRATOR: Gives background.

>SB 884A is a combination of two issues -- identification of rural communities and expansion of urban reserve areas to accommodate future growth in urban fringe areas -- that are included in both of the primary secondary lands bill (HB 3570 and SB 91B). SB 1011A also is incorporated in SB 884A

>There are two sets of amendments that remove much of the original bill and replace it with provisions addressing other urban planning issues. The dash A5 amendments (EXHIBIT A) are the new base version of the bill. The dash A6 amendments (EXHIBIT B) amend the dash A5 amendments.

30CHAIR MILLER: Requests broad section analysis.

35VANNATTA: Gives section analysis.

>Section 1 of the dash A5 amendments addresses rural communities. It is a combination of HB 3570A and SB 91B with some revisions.

>Section 2 relates to urban reserve areas, which are confined to the Portland area only, which is consistent with HB 3570A. SB 91 included provisions for urban reserve areas statewide.

>Section 3 is enforcement of urban reserve areas.

>Section 4 requires local government and schools to coordinate land-use planning for school facilities during periodic review. This is taken from HB 3301 and was incorporated into HB 279 7 in the Senate.

>Sections 5 and 6 add sections 1 through 4 into statute.

50>Sections 7 through 13 takes transportation planning provisions from SB 101 1.

>Sections 15 and 16 incorporate planning authority provisions for the Metropolitan Service District from SB 1017.

>Section 17 provides an effective date.

61>The dash A6 amendments are taken from HB 2795 relating to living history museums. It amends ORS 213.215, so it would only apply to Lane and Washington Counties.

78ROGER MARTIN: Expected destination resort amendments, which are not embodied in the dash A5 or A6 amendments.

83JON CHANDLER, COMMON GROUND: Addresses the dash A5 amendments.

>Acknowledges SB 884 amendments are taken from HB 3570 and SB 91.

>There has been agreement among primary land-use interest groups that if secondary lands was going to occur with some of these pieces in it, then SB 884 wouldn't be introduced, but as the destiny of secondary lands has become uncertain, SB 884 has been resurrected.

>There has been broad agreement on the language in Section 1 relating to rural communities. The only difference between the dash A5 amendments and HB 3570 is the addition on page 2 of subsection g, which provides for full intensity of land uses consistent with the availability of public facilities and services within the rural communities.

104 REP. MANNIX: Notes that nobody on the committee has seen this subject matter before. Requests comments be limited to what is, not what is different.

110 CHANDLER: Proposes concept amendments.

>Page 2, line 17, delete the word "shall" and insert "may".

>Page 2, line 19, delete the word "shall" and insert "may", and delete "at a minimum".

>Page 2, delete line 22.

118 REP. MANNIX: Have these changes been agreed to by all interested parties?

119 CHANDLER: Yes. Continues amendment proposal.

>Page 3, deletes lines 27 through 30.

>Page 4, delete line 1.

130 CHAIR MILLER: Best for the state and this committee if the committee had time to study this. Proposes recessing for further study.

149 CHAIR MILLER: Are there any other amendments that will be considered tomorrow?

152 MARTIN: The dash A4 amendments related to destination resorts are forthcoming.

160 REP. PARKINSON, CHAIR, HOUSE ENVIRONMENT AND ENERGY COMMITTEE: Offers general comments.

>Didn't know there would be a public hearing on this until half hour before this hearing.

>The dash A5 and A6 amendments completely alter this bill. Some amendments are good, but this is a huge "Christmas Tree".

>Notes that the urban reserve provision is controversial in rural areas. Limiting urban reserves to the Metro area would mitigate their impact and controversy on rural areas.

197 CHAIR MILLER: Invites Rep. Parkinson to serve on the Judiciary Committee as an ex officio member for consideration of SB 884.

208 REP. CLARK: Concurs with Rep. Miller's recommendation, and further recommends that Rep. Parkinson be excused from the House floor during any subsequent Judiciary meetings on SB 884.

213 REP. BRIAN: Lots of fiscal questions tied up in comprehensive plan updates. Imposing comprehensive plan changes without funding would be unjust.

227 REP. JOHNSON: Personally, will need to be convinced clearly that this is a positive step for Oregon before can support it. Controversial sections will have to be removed and differences resolved before any work sessions on this bill because of time constraints at this stage in the session.

240 CHAIR MILLER: Adjourns at 9:40.

Submitted by: Reviewed by:

Andy Sloop Kathryn VanNatta Committee Assistant Committee

Administrator

EXHIBIT LOG

- A -Dash A5 Amendments to SB 884 - Jon Chandler, Common Ground - 15 pages
- B -Dash A6 Amendments to SB 884 - Washington County Historical Society - 8 pages