

Senate Committee on Agriculture and Natural Resources February 6, 1991 -
Page

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statements made during this session. Only text enclosed in quotation
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report a speaker's exact words. For complete contents of the
proceedings, please refer to the tapes.

Measures Heard SB 573 (PAW) SB 235 (PUB) SB 234 (PUB) SB 231 (PUB) SB
81 (WRK)

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

February 6, 1991 Hearing Room C 8:00 a.m. Tapes 32 - 34

MEMBERS PRESENT: Sen. Dick Springer, Chair Sen. Joyce Cohen,
Vice-Chair Sen. John Brenneman Sen. Shirley Gold Sen. Bob Kintigh
Sen. Tricia Smith Sen. Eugene Timms

VISITING MEMBERS: Sen. Jeannette Hamby

STAFF PRESENT: Peter Green, Committee Administrator Chris Beck,
Research Associate Kus Soumie, Committee Assistant

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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 32 SIDE A

004 CHAIR SPRINGER CALLS THE MEETING TO ORDER AT 8:00 AM

PUBLIC HEARING AND WORK SESSION ON SB 573

WITNESSES: SEN HAMBY STEVE MARKS TOM WALSH CHRISTOPHER THOMAS KEITH
BARTHOLOMEW SUSAN BRODY

011 SEN JEANNETTE HAMBY, gives testimony in favor of SB 573

- Not political gamesmanship - Does not deal with secondary lands - Not
a rural versus urban issue - Not an issue of supersiting

057 STEVE MARKS, Legislative Assembly, speaks on behalf of Sen President
John Kitzhaber in favor of SB 573.

084 TOM WALSH, General Manager Designate, Tri Met, gives testimony in
favor of SB 573, and presents EXHIBIT B

132 SEN KINTIGH: I saw something in the paper about a reduction in this
amount that would be available, was that correct, and what effect would
that have here?

135 WALSH: The administration's submitted budget would lower as a request the appropriation given to UMPA (Urban Mass Transportation Administration). 75 percent matching share will remain because it is current law and will be increased. The war places questions on the level of Federal funding and total contributions. The land use laws, in effect at the beginning of hearings, will guide the process. If we start under current land use laws of Oregon, UMTA will not sign a full funding agreement until all land use hurdles in the state are cleared.

183 CHAIR SPRINGER: Will the public under this expedited process to participate and express concerns about alignment, wet land issues, that will be part of the decisions that you will be making.

188 WALSH: Unequivocally and at numerous points in hearings both before hearings both before local jurisdictions and before the Trimet Board. There will be no short cutting of the public process.

198 SEN KINTIGH: Why are we rushing if this has been in the works for ten years?

202 WALSH: It could have and should have. This bill went on the ballot in May 1990 and failed. In June of 1990 a bond was placed on the November 1990 ballot and passed which gave a green light to the project. We are late in the process.

229 CHRISTOPHER THOMAS, Counsel to Trimet, gives testimony on SB 573 and presents EXHIBIT C

329 THOMAS: continues testimony on SB 573

332 SEN TIMMS: Are you trying to go around LCDC in order to circumvent the counties comprehensive plans?

345 THOMAS: Correct. We are trying to consolidate the appeals process.

362 SEN TIMMS: You have talked to these different jurisdictions about these three different areas previously?

365 THOMAS: Yes, extensively. Jurisdictions may not predecide the issue until the environmental analysis work.

TAPE 33 SIDE A

005 THOMAS: - continues testimony on SB 573

086 SEN SMITH: Should section 3 be more specific? This needs to clearly authorize Trimet to make this decision.

096 THOMAS: The other section relating to that is Section 7. Under section 7 all cities and counties are required to amend their comprehensive or functional plans. That is the other place, where as part of the permitting process, people can come and ask for adjustments. Permits have to be issued, but not used to kill approved projects.

122 SEN SMITH: You are neglecting to name who will make this decision.

133 THOMAS: That is a good idea.

157 SEN TIMMS: Would this have been possible to do this if the time element wasn't there in LCDC?

165 THOMAS: Yes.

195 REP DENNIS MULLVIHILL, representing Washington County, gives testimony on associations and organizations which endorse SB 573.

209 KEITH BARTHOLOMEW, Staff Attorney, 1000 friends of Oregon, gives testimony on SB 573 .

275 SUSAN BRODY, Land Conservation and Development Commission (LCDC), gives testimony in support of SB 573. We have reviewed and support amendments to the bill.

MOTION:Sen Cohen moves SB 573 to the floor {with do pass recommendation}

TAPE 32 SIDE B

020 SEN TIMMS: Speaks in favor of SB 573. This is important to urban as well as rural development.

040 SEN KINTIGH: I vote reluctantly in favor of this bill.

053 CHAIR SPRINGER: Speaks in favor of SB 573.

VOTE: SB 573 TO THE FLOOR {WITH A DO PASS RECOMENDATION}

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

067 RECESS AT 10:05

MEETING RECONVENES AT 9:17

PUBLIC HEARING ON SB 235

WITNESSES:JANET NEUMAN

067 JANET NEUMAN, acting Director Division of State Lands, gives testimony on SB 235, and presents EXHIBIT D

113 SEN SMITH: Rather than eliminate that phrase to move "other form of security" to line 8, after "Assurity"?

118 NEUMAN: I am comfortable with that switch. We also request a similar switch in line 14 to say, "when security is required".

132 CHAIR SPRINGER: Have you ever had to seek proceeds from such a bond?

135 NEUMAN: In four years we have not had to pursue a bond or insurance coverage.

PUBLIC HEARING ON SENATE BILL 234

WITNESSES:JANET NEUMAN

164 NEUMAN: Gives summery of and testimony on SB 234 and presents EXHIBIT E

194 CHAIR SPRINGER: Please supply us with a list of those serving on

this council.

199 NEUMAN: Department of Fish and Wildlife, Department of Transportation, Highway Division, Department of Forestry, Department of Agriculture, Division of State Lands, Parks. The Department of Higher Education is not an active participant. There are nine Governor appointed members of the council, Sharon Grey, Ray Kilpatrick, Rhoda Love, Karen Troop. We staff this group and meet quarterly.

233 CHAIR SPRINGER: Back for work session later.

PUBLIC HEARING ON SB 231

WITNESSES:LEE SPARLING

253 LEE SPARLING, Public Utilities Commission, gives testimony on SB 231, and presents EXHIBIT F.

299 SPARLING: Concludes testimony on SB 231 and urges adoption.

339 SEN SMITH: How would the commission approve the plan. Would your approval need to go through the hearing process?

343 SPARLING: A tariff is filed, to be approved through a formal process. The utilities are trying a number of programs. At a meeting staff makes a recommendation for or against the program. The company or other interveners can speak for or against the program, after which a commission decides whether the program should go into effect.

364 CHAIR SPRINGER: Have the utilities had a chance to comment on this bill?

368 SPARLING: Yes. I am not aware of any opposition regarding this language change.

378 CHAIR SPRINGER: Do the non-investor owned utilities in Oregon have a similar program?

382 SPARLING: I am not sure. They do offer weatherization programs through the Bonnaville Power Administration and in some way there terms may be more generous than what is required in the statutes.

TAPE 33 SIDE B

PUBLIC HEARING ON SB 81 AMENDMENTS

WITNESSES:DOUG DUSENBERY JANET NEUMAN

015 DOUG DUSENBERY, Assistant Administrator Administrative Services Division of Oregon Department of Veterans' Affairs, gives testimony on SB 81 AMENDMENTS, EXHIBIT G

067 JANET NEUMAN, Division of State Lands, gives testimony on SB 81 AMENDMENTS

140 CHAIR SPRINGER: I am troubled as to why a law has to be enacted to have you cooperate. I am more troubled that DVA is being given the authority to adopt rules that will affect mineral rights on properties.

164 NEUMAN: Department of Veteran's Affairs is a mortgage lender and a

loan processor, and are not interested in retaining mineral rights. In this instance it is accidental these properties come into State ownership. We are trying to avoid properties that have had the mineral rights split.

200 CHAIR SPRINGER: The - 2 amendments are in leu of the - 1, is that correct?

202 DUSENBERY: Correct.

MOTION:Sen Breneman moves - 2 AMENDMENTS with further corrections as necessary.

VOTE:Hearing no objection the motion carries

MOTION:Sen Breneman moves SB 81 as amended to the floor, do pass

VOTE:In a roll call vote the motion is carried.

CHAIR SPRINGER ADJOURNS MEETING AT 10:00

EXHIBIT LOG:

A - Testimony on SB 573 - Sen Hamby - 28 pages B - Testimony on SB 573 - Tom Walsh - 9 pages C - Testimony on SB 573 - Christopher Thomas - 14 pages D - Testimony on SB 235 - Janet Neuman - 2 pages E - Testimony on SB 234 - Janet Neuman - 3 pages F - Testimony on SB 231 - Lee Sparling - 4 pages G -Amendments to SB 83 - Doug Dusenbery - 1 pages

Submitted by: Reviewed by:

Kus Soumie Peter Green Assistant Administrator