

# A G E N D A

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**METRO**

## Agenda

MEETING: METRO COUNCIL INFORMAL MEETING  
DATE: March 18, 2003  
DAY: Tuesday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

### CALL TO ORDER AND ROLL CALL

2:00 p.m.	1.	SALEM LEGISLATIVE REPORT	Cooper
2:15 p.m.	2.	DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, MARCH 20, 2003.	
2:30 p.m.	3.	COMPENSATION SYSTEM ASSESSMENT UPDATE	Aguilar
3:15 p.m.	4.	PROPOSED AMENDMENT TO REGIONAL SOLID WASTE MANAGEMENT PLAN	Matthews
4:00 p.m.	5.	BRIEFING ON PROPOSED AMENDMENT TO SOLID WASTE FEES	Anderson
4:30 p.m.	6.	CITIZEN COMMUNICATION	
4:40 p.m.	7.	COUNCILOR COMMUNICATION	

**ADJOURN**

**Exhibit "B"**  
**Resolution No. 03-3297**  
**Metro Principles**

1. System Development Charges – Metro opposes further limitations on local government and supports authorization for greater local government flexibility.
2. Hazardous waste – Metro supports efforts to reduce the quantity of products that contain hazardous materials being introduced into the solid waste system and supports efforts to reuse or recycle these products.
3. Public Employee Retirement System (PERS) - Monitor for cost related impacts on the agency.
4. Self Insurance – Support efforts to reduce Metro, local government, and state agency costs for providing health and welfare coverage.
5. Local control/Land Use – Oppose legislation that limits local government authority.
6. Land use and regulatory fairness issues should be addressed as follows:
  - A) If legislation is adopted to require compensation for regulatory activities that diminish property values that it should provide for a uniform process statewide for a locally determined system to provide a means to address regulatory fairness issues through:
    - ✓ Limited waivers of regulatory requirements
    - ✓ Alternative and incentive-based means of achieving regulatory objectives
    - ✓ Payments of cash compensation
    - ✓ Compensation for meeting state mandated requirements should be funded by the Legislature.
    - ✓ In urban areas any requirement for compensation should be prospective only.
    - ✓ Claims for compensation should be reduced to reflect regulatory activities that increase property values.
  - B) Private persons who take actions that reduce the value of publicly owned resources, including but not limited to, the air and the waters of the state should compensate the public or refrain from taking such action.
  - C) Legislation to allow statewide waiver of existing prohibitions on rural dwellings should be limited and address adverse impacts on urban areas.
7. Transportation Funding – Seek to increase overall funding available for the state and support local government authority and flexibility for local solutions.

**2003 - 72<sup>nd</sup> Oregon Legislative Assembly - Regular Session**  
**METRO - NEW REVIEW LOG #11**  
**NEW PROPOSED SENATE/HOUSE BILLS INTRODUCED**  
**DURING 03/11/03 THROUGH 03/17/03**  
Sorted by Metro and Other Categories as of 3/17/2003

	BILL #	CATEGORY	SUBJECT	SPONSOR OF BILL	DESCRIPTION	DATE OF INTRODUCTION
1.	HB 3326	1-M	Urban area expansion, creating new provisions; and amending ORS 197.626.	Rep. Monnes Anderson, Williams	Directs metropolitan service district that amends urban growth boundary to include more than 100 acres or that designates urban reserve area to submit amendment or designation to Land Conservation and Development Commission for review.	3-12(H) First reading. Referred to Speaker's desk. 03/14/03: Dan/Jeff Support Metro bill
2.	HB 3346	1-M	Recording of orders assessing civil penalty; creating new provisions; and amending ORS 268.360.	Committee on Judiciary	Authorizes Metro to record final order assessing civil penalty with county clerk. Directs county clerk to record name of person incurring penalty and amount of penalty in County Clerk Lien Record.	3-12(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Support Metro bill
3.	HB 3383	1-M	Planning period for metropolitan service district; amending ORS 197.299	Rep. Hansen (at the request of Metro Regional Services)	Modifies schedule for metropolitan service district to conduct inventory and analysis of housing capacity on buildable lands within urban growth boundary.	3-12(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Support Metro bill
4.	HB 3576	1-M	Calcium hypochlorite; amending ORS 459.095 and 459.105	Rep. Monnes Anderson, Flores	Allows metropolitan service district to adopt rules or ordinances regulating disposal of calcium hypochlorite.	3-13(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Support Metro bill
5.	HB 2009	2-LU	Economic development; and declaring an emergency	Committee on Trade and Economic Development (at the request of Speaker of the House Karen Minnis)	Establishes legislative task force to conduct review of current laws, statutes and rules and to develop plan for implementation of streamlined permitting process to promote economic development in Oregon. Declares emergency, effective on passage.	3-10(H) First reading. Referred to Speaker's desk. 3-11 Referred to Trade and Economic Development. 03/14/03 Dan/Jeff: Monitor
6.	HB 2010	2-LU	Economic development	Committee on Trade and Economic Development (at the request of Speaker of the House Karen Minnis)	Directs Economic and Community Development Department to designate sites for industrial development. Directs cities and counties having jurisdiction over sites to zone sites for industrial development. Prohibits Land Conservation and Development Commission from requiring sites to comply with land use planning goals. Authorizes developer to submit consolidated application for all local permits necessary to develop site.	3-10(H) First reading. Referred to Speaker's desk. 3-11 Referred to Trade and Economic Development. 03/14/03 Dan/Jeff: Monitor
7.	HB 2011	2-LU	Economic development	Committee on Trade and Economic Development (at the request of Speaker of the House Karen Minnis)	Requires Oregon Economic and Development Commission and Economic and Community Development Department to develop methods to promote recruiting, retaining and expanding businesses, to improve competitiveness of businesses and to study state's tax structure and regulatory policies.	3-10(H) First reading. Referred to Speaker's desk. 3-11 Referred to Trade and Economic Development 03/14/03 Dan/Jeff: Monitor

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8.	HB 2014	2-LU	Economic development	Committee on Trade and Economic Development (at the request of Speaker of the House Karen Minnis)	Requires Department of Land Conservation and Development and Economic and Community Development Department to assess current level of and develop methods to improve economic development planning assistance to local governments.	3-10(H) First reading. Referred to Speaker's desk.  3-11 Referred to Trade and Economic Development.  03/14/03 Dan/Jeff: Monitor
9.	HB 3120	2-LU	Agencies; and declaring an emergency	Rep. Garrard	Imposes requirements relating to rules on certain agencies. Requires that subject agencies appoint advisory committee for each proposed rule. Requires subject agencies to make certain written findings for each rule relating to costs of rule, regulatory goal sought to be achieved by rule and relationship of rule to federal laws and regulations. Prohibits subject agencies from adopting any rule that becomes effective on or after January 1, 2003, and before January 1, 2005. Specifies exceptions. Directs subject agencies to appoint 10-member rule review committees. Requires subject agencies to review all rules of agency for purpose of referral to rule review committee. Specifies factors to be considered by rule review committee in reviewing rules referred to committee. Requires that committees report determinations to agency and to Seventy-third Legislative Assembly. Declares emergency, effective on passage.	3-11(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
10.	HB 3176	2-LU	Economic development; creating new provisions; and amending ORS 197.638 and 285A.227	Rep. Scott	Directs Economic and Community Development Department to develop guidelines for use by cities and counties when conducting analysis of need for and supply of industrial and commercial land. Authorizes department to make technical assistance grants to cities and counties to conduct analysis. Directs department to establish site certification process for land available for industrial for land available for industrial or commercial development. Directs Department of Land Conservation and Development to identify amendments to comprehensive plans and land use regulations that affect availability of land zoned for industrial or commercial use and to take action necessary to preserve availability of strategic sites.	3-10(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
11.	HB 3181	2-LU	Land use planning in metropolitan service district; amending ORS 197.015, 268.020, 268.380 and 268.390	Rep. Greenlick	Requires metropolitan service district to conduct land use planning activities. Requires district to manage impact of metropolitan area development on natural and rural areas. Requires district to designate specified areas near boundary of district as rural reserve areas.	3-10(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Oppose - Principle #5



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12.	HB 3185	2-LU	Limited land use decisions; amending ORS 197.195	Rep. Ackerman (at the request of League of Oregon Cities)	Allows city or county to incorporate standards of comprehensive plan applicable to limited land use decisions in land use regulations, explicitly or by reference.	3-11(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor
13.	HB 3195	2-LU	Urban growth boundary; amending ORS 197.298	Rep. Kruse	Modifies reasons that justify including lower priority land within urban growth boundary.	3-10(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor/support?
14.	HB 3197	2-LU	Notice of land use requirements; amending ORS 197.047, 215.503, 227.186 and 268.393	Rep. MacPherson	Modifies requirements for and language in notice required for proposed new or amended land use requirements. Eliminates requirement that Department of Land Conservation and Development pay for certain notices provided by local governments.	3-10(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor/support?
15.	HB 3198	2-LU	Industrial extension services; limiting expenditures; and declaring an emergency	Rep. Berger (at the request of Oregon Manufacturing Extension Partnership)	Authorizes Economic and Community Development Department to reimburse provider of industrial extension services for portion of expenses incurred providing services. Requires matching fund contribution. Limits reimbursement to \$1 million annually. Allocates \$2 million from Administrative Services Economic Development Fund to Economic and Community Development Department. Declares emergency, effective July 1, 2003.	3-10(H) First reading. Referred to Speaker's desk. 3-11 Referred to Trade and Economic Development with subsequent referral to Ways and Means. 03/14/03 Dan/Jeff: Monitor
16.	HB 3207	2-LU	Exclusive farm use zones; creating new provisions; and amending ORS 215.213 and 215.283	Rep. T. Smith	Prohibits Land Conservation and Development Commission from adopting or enforcing administrative rules regulating siting of schools or churches and cemeteries on land zoned for exclusive farm use.	3-10(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor
17.	HB 3211	2-LU	Annexation of territory by urban service provider, amending ORS 195.215	Rep. Westlund, Knopp, Sen. Schrader	Requires majority of voters in territory proposed to be annexed and majority of voters in city or district annexing territory to approve annexation plan under which city or district may annex territory within urban growth boundary.	3-10(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor/oppose?
18.	HB 3223	2-LU	Public facilities	Rep. Krummel	Authorizes city to extend potable water supply or sanitary sewer service to lots, parcels and tracts that are adjacent to urban growth boundary of city.	3-10(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor
19.	HB 3236	2-LU	Metropolitan service districts; creating new provisions; amending ORS 195.020, 195.025, 195.060, 195.065, 195.110, 197.015, 197.254, 197.296, 197.298,	Rep. Gallegos	Repeals land use planning authority of metropolitan service district.	3-11(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Oppose

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			197.307, 197.309, 197.314, 197.480, 197.505, 107.629, 199.705, 221.034, 268.020, 268.354, 268.710, 308A.350, 308A.700, and 451.010; and repealing ORS 197.274, 197.299, 197.301, 197.302, 221.036, 268.380, 268.385, 268.390 and 268.393 and section 6, chapter 908, Oregon Laws 2001			
20.	HB 3241	2-LU	Condemnation of property outside urban growth boundaries	Rep. Krieger, Kropf, Butler, March, G. Smith	Provides that city may condemn property outside of city's urban growth boundary only with approval of governing body for county in which property is located. Provides that county may approve condemnation of property outside of urban growth boundary only if city demonstrates that property is necessary to accomplish public or municipal use identified by city and that no other property within urban growth boundary can be used to accomplish that use. Provides that, for purpose of determining just compensation for property outside of urban growth boundary that is taken by eminent domain by city, property and all improvements and fixtures on property must be valued as though property were located within urban growth boundary and zoned for use identified by city.	3-13(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
21.	HB 3244	2-LU	Land Conservation and Development Commission; amending ORS 197.040	Rep. G. Smith, Garrard	Directs Land Conservation and Development Commission to establish subcommittees to exercise jurisdiction over eastern and western Oregon. Requires full commission to ratify decisions of subcommittee.	3-10(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
22.	HB 3247	2-LU	Land Use; amending ORS 197.610, 197.620, 197.732, 197.752, 197.830, 197.835, 197.850, 215.427 and 227.178	Rep. Garrard	Requires notice to Director of Department of Land Conservation and Development for proposed amendment of unacknowledged comprehensive plan or land use regulation. Declares that exception to statewide land use planning goals is not required to extend public facilities across agricultural land or forest land. Authorizes Land Use Board of Appeals and appellate courts to dismiss case based on decision by local government made after appeal filed. Establishes standards for Court of Appeals to issue stay of decision of Land Use Board of Appeals. Clarifies that land use application may be vested in	3-10(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor

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29.	HB 3408	2-LU	Rural lands; creating new provisions; amending ORS 94.508, 197.015, 197.020, 197.065, 197.277, 197.445, 197.505, 197.610, 197.825, 215.243, 215.253, 215.284, 215.296, 215.402, 215.720, 215.740, 308A.071, 321.358, 321.725, 321.810, 455.446 and 527.620; and repealing ORS 215.317 and 215.327	Rep. Kruse	Requires local governments to adopt regulations to zone certain forest land and exclusive farm use land as secondary land. Provides exceptions. Requires local governments to adopt zoning ordinances for secondary land that are consistent with land use planning goal relating to urbanization. Provides that single family dwelling may be established on secondary land with specified exceptions. Sets schedule for amendment of state and local goals, rules and plans. Provides that single family dwellings are allowed on land that meets statutory criteria prior to amendment of state and local goals, rules and plans. Provides that all existing state and local goals, rules and plans not consistent with Act have no legal effect as of effective date of Act. Provides that land zoned secondary land retains certain special tax assessment provisions in specified instances. Makes related changes.	3-13(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
30.	HB 3417	2-LU	Urban renewal; creating new provisions; and amending ORS 457.010, 457.085 and 457.095	Rep. Merkley, Monnes Anderson  Sen. Carter, Corcoran (at the request of Association of Oregon Community Development Organizations)	Requires percentage of estimated total cost of all urban renewal projects proposed to be undertaken under urban renewal plan to be for affordable housing. Requires amendment to existing plans to provide for percentage of total costs of projects to be for affordable housing. Permits municipality to opt out of affordable housing requirements if governing body of municipality finds that adequate supply of affordable housing exists and will continue to exist in plan area. Permits, under certain circumstances, urban renewal agency to construct affordable housing outside urban renewal district.	3-13(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor/support?
31.	HB 3456	2-LU	Land use planning; amending ORS 92.010, 197.065, 197.296, 197.298, 215.203, 215.213, 215.246, 215.249, 215.263, 215.275, 215.283, 215.417, 215.452, 215.780 and 308A.056	Rep. Garrard, Ackerman, Butler, Krieger, March  Sen. Messerle, Schrader, Shields, C. Starr (at the request of Oregon Farm Bureau)	Modifies requirements for local government planning for 20-year supply of buildable lands. Modifies priority for inclusion of land within urban growth boundary. Eliminates certain outright permitted uses of land within exclusive farm use zones.	3-12(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor/oppose?/ amend
32.	HB 3459	2-LU	Division of land in exclusive farm use zone; creating new provisions; and amending ORS 197.665, 215.263, 215.265 and 657A.440	Rep. G. Smith, Mabrey, Westlund  Sen. Ferrioli, Clamo, Harper	Modifies procedure for dividing land in exclusive farm use zone to create two parcels for siting single-family dwellings not provided in conjunction with farm use.	3-12(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor

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33.	HB 3462	2-LU	Rural lands; creating new provisions; amending ORS 94.508, 197.015, 197.020, 197.065, 197.277, 197.445, 197.505, 197.610, 197.825, 215.243, 215.253, 215.296, 215.402, 215.720, 215.740, 308A.071, 321.358, 321.725, 321.810, 455.446 and 527.620; and repealing ORS 215.317 and 215.327	Rep. Butler	Establishes system for planning and zoning secondary lands. Retains beneficial tax assessment provisions in specified circumstances.	3-13(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor
34.	HB 3486	2-LU	System development charges; creating new provisions; amending ORS 223.299; and prescribing an effective date.	Rep. Dalto	Includes public safety facilities and assets in capital improvements for which system development charges may be assessed and collected. Allows governmental units to expend system development charges assessed and collected for parks and recreation facilities or assets to be expended for for public safety facilities or assets. Sunsets changes in five years. Takes effect on 91st day following adjournment sine die.	3-14(H) First reading. Referred to Speaker's desk. 03/17/03 Dan/Jeff: Principle #1
35.	HB 3527	2-LU	Gubernatorial authority to permit land development; and declaring an emergency	Rep. Gallegos; Fores, Hansen, Kitts, Knopp, Schaufler, Scott, Tomei	Authorizes Governor, in economic emergency, to override zoning laws and regulations to permit development of and construction on land. Prescribes conditions for Governor's exercise of emergency powers. Authorizes certain individuals to seek review of Governor's order in Supreme Court. Declares emergency, effective on passage.	3-14(H) First reading. Referred to Speaker's desk. 03/17/03 Dan/Jeff: Monitor
36.	HB 3530	2-LU	Urban service provider annexation; amending RS 195.205 & 195.215	Rep. G. Smith	Clarifies that majority of annexation vote means majority of combined votes cast by electors of city or district and electors of territory proposed to be annexed.	3-14(H) First reading. Referred to Speaker's desk. 03/17/03 Dan/Jeff: Monitor
37.	HB 3558	2-LU	Dwellings on forest land; amending ORS 215.750	Rep. Bates, Garrard, Kruse	Prohibits governing body of county from allowing establishment of certain dwellings on lot or parcel in forest land if different lot or parcel that was part of same tract on November 4, 1993, has dwelling.	3-13(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor
38.	HB 3569	2-LU	Exchanges of land adjacent to urban growth boundary; creating new provisions; and amending ORS 197.764 and 197.766	Rep. March, Mabrey, G. Smith, Zauner (at the request of League of Oregon Cities)	Allows exchange of land within urban growth boundary for similar land outside urban growth boundary.	3-13(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor



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39.	HB 2013	3-T	Economic development	Committee on Trade and Economic Development (at the request of Speaker of the House Karen Minnis)	Directs state agencies to review programs and policies that affect Columbia River dredging. Directs certain state agencies to report to Seventy-third Legislative Assembly. Sunsets January 2, 2006.	3-10(H) First reading. Referred to Speaker's desk.  3-11 Referred to Trade and Economic Development.  03/14/03 Dan/Jeff: Monitor
40.	HB 2043	3-T	Tax credits for motor vehicle insurers; and prescribing an effective date	Ordered printed by the Speaker pursuant to House Rule 12.00A(5). Pre-session filed (at the request of House Interim Committee on Transportation for Oregon Environmental Council)	Allows credit against corporate excise tax or income tax for corporation that provides motor vehicle insurance issued under mile-based or time-based rating plan. Applies to tax years beginning on or after January 1, 2004, and before January 1, 2009. Limits total amount of credits that may be claimed for all taxpayers for all tax years to \$1 million. Takes effect on 91 <sup>st</sup> day following adjournment sine die.	1-13(H) First reading. Referred to Speaker's desk.  1-14 Referred to Revenue.  2-25 Public Hearing held.  03/14/03 Dan/Jeff: Support?
41.	HB 3303	3-T	Bicycle lanes, amending ORS 811.560	Rep. Flores, Gallegos, Mabrey (at the request of David Mowry)	Permits vehicles to stop, stand or park on certain bicycle lanes for period not exceeding 10 minutes to pick up or discharge school children.	3-11(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
42.	HB 3445	3-T	Mass transit district payroll taxes; creating new provisions; amending ORS 267.260 and 267.385; and prescribing an effective date	Committee on Revenue	Increases maximum payroll tax rate that mass transit district may impose in payroll tax reporting periods beginning on or after January 1, 2004. Requires district to phase in increases over 10 years. Limits amount of each incremental rate increase. Takes effect on 91 <sup>st</sup> day following adjournment sine die.	3-13(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Support  [Tri-Met payroll tax]
43.	HB 3144	5-SW	Recycled glass content requirements; amending ORS 459A.550; and prescribing an effective date	Committee on Business, Labor and Consumer Affairs	Deletes requirement that glass container manufacturers use at least 50 percent recycled glass in manufacturing glass food, drink or beverage containers on or after January 1, 2004. Takes effect December 31, 2003.	3-10(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
44.	HB 3265	5-SW	Solid waste disposal sites; amending section 3, chapter 260, Oregon Laws 2001	Rep. Kropf (at the request of Waste Management, Inc.)	Allows nonputrescible solid waste disposal site located in county that has adopted marginal lands provisions and approved before January 1, 2002, to be maintained, expanded or enhanced until January 1, 2006.	3-12(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Monitor
45.	HB 3288	5-SW	Recycling; amending ORS 459A.010	Rep. Merkley, Hansen, Hass, March, Monnes Anderson, Rosenbaum, Schaufier, Tomei	Requires cities with population of more than 50,000 and certain counties to provide for battery collection and recycling in household recycling programs.	3-11(H) First reading. Referred to Speaker's desk.  03/14/03 Dan/Jeff: Support?
46.	HB 3563	5-SW	Electronic solid waste; and appropriating money	Rep. Dalto, Dingfelder	Directs Environmental Quality Commission to develop environmentally sustainable program for disposal of electronic products. Creates Electronic Products Account	3-13(H) First reading. Referred to Speaker's desk.

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				to be used for creating infrastructure for reclamation and disposal of electronic products. Imposes \$3 fee at point of sale of electronic products. Requires person who sells electronic products to forward fees collected and file returns with Department of Revenue. Requires person who sells electronic products to maintain records and to obtain certificate from Department of Revenue. Provides penalties for fees past due.	03/14/03 Dan/Jeff: Support?	
47.	SB 867	5-SW	Development of programs for stewardship of electronic products; appropriating money; and declaring an emergency	Committee on Rules (at the request of Recycling Advocates)	Creates Advisory Committee on Electronic Products Stewardship. Directs committee to work with Department of Environmental Quality to develop rules for economically sustainable electronic products recycling or disposal. Directs committee to work with Oregon Department of Administrative Services to develop purchasing guidelines for electronic products. Directs metropolitan service districts serving populations greater than 500,000 to develop and implement pilot program for electronic products recycling and reuse. Declares emergency, effective on passage.	3-12(S) Introduction and first reading. Referred to President's desk. 03/14/03 Dan/Jeff: Discuss
48.	HB 3175	5-SW/LU	Environment; creating new provisions; amending ORS 468.135, 468.506, 468B.015 and section 11, chapter 553, Oregon Laws 1997; appropriating money; and declaring an emergency	Rep. Knopp	Directs Department of Environmental Quality to identify pending and expired permits that affect Willamette River Basin water quality. Directs department to address through permits discharge of toxins, metals and other pollutants for which Willamette River exceeds federal standards. Creates Small Business and Municipality Technical Assistance Account. Places portion of water quality penalties into account. Uses money in account to assist small businesses and municipalities in complying with water pollution standards. Modifies Green Permit program. Extends sunset of issuance of permits to January 2, 2008. Directs department to seek federal funding for reducing mercury hazard from abandoned mines. Directs department to report to Legislative Assembly on yearly basis. Declares emergency, effective on passage.	3-10(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor
49.	HB 2015	7-G	Economic development	Committee on Trade and Economic Development (at the request of Speaker of the House Karen Minnis)	Requires Economic and Community Development Department to develop and coordinate methods to improve promotion and marketing of products made in Oregon.	3-12(H) First reading. Referred to Speaker's desk. 03/14/03 Dan/Jeff: Monitor
50.	HB 2857	7-G	Withdrawal of territory from district; amending	Rep. Gilman, Bates, Ackerman, Beyer,	Modifies time frame for property owner in district to petition for withdrawal from special districts generally and	3-10(H) First reading. Referred to Speaker's desk.

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		ORS 198.870, 267.250 and 267.253	Hansen, Hass, Hopson, Jenson, Knopp, Kropf, Kruse, Mabrey, March, Patridge, Richardson, Shetterly	from mass transit districts. Removes limitation on discretion of county board to consider petition for withdrawal from special district.	03/14/03 Dan/Jeff: Monitor
51.	HB 3368	7-G	Public contracting; amending ORS 279.015, 279.019, 279.027 and 279.103	Committee on Judiciary	Eliminates authority of public contracting agency to exempt certain public contracts from competitive bid requirements.  03/14/03 Dan/Jeff: Oppose?
52.	HB 3496	7-G	Public printing; amending ORS 2.150, 282.010, 282.020, 282.040, 282.050, 282.065, 305.060, 353.100, 421.352, 576.307 and 577.320; and repealing ORS 282.076	Rep. Farr (at the request of Jerry Thenel)	Requires Director of Oregon Department of Administrative Services to control and manage all public printing and duplication work for public bodies that receive state funding. Requires director, to extent economically feasible, to contract with private sector for public printing. Prohibits public bodies from conducting public printing for other public bodies without prior authorization from director.  03/14/03 Dan/Jeff: Monitor/oppose?
53.	HJR 30	7-G	Site value taxation system	Rep. Dingfelder, Shetterly	Proposes amendment to Oregon Constitution to allow local taxing district to adopt site value taxation system that taxes land at one rate and all other property at lesser rate. Requires site value taxation system to be in lieu of uniform ad valorem property taxes of district. Exempts site value tax from constitutional limits imposed on property taxes. Refers proposed amendment to people for their approval or rejection at next regular general election.  03/14/03 Dan/Jeff: Monitor

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**METRO - NEW REVIEW LOG #11**  
**NEW PROPOSED SENATE/HOUSE BILLS INTRODUCED**  
**DURING 03/11/03 THROUGH 03/17/03**  
Sorted by Metro and Other Categories as of 3/17/2003

**SUMMARY OF NEW PROPOSED SENATE/HOUSE BILLS  
INTRODUCED DURING 03/11/03 THROUGH 03/17/03**

Sort In This Order	Definition	#s
1-M	Metro	4
2-LU	Land Use	34
3-T	Transportation	4
4-Inf	Infrastructure	0
5-SW	Solid Waste	6
6-P	PERS	0
7-G	General Government	5
Total		53

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**METRO – MASTER REVIEW LOG #10**  
**[PROPOSED] SENATE / HOUSE BILLS -- SORTED BY BILL NUMBER**  
**As of 3/18/03 10:37 AM**

#	Bill #	Category	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Current Status
1.	HB 2036	1-M	Waste Tires	House Interim Committee on Transportation for Interim Task Force on Tire Recycling	Establishes Waste Tire Recycling Board. Specifies membership and duties. Directs Governor to appoint five members to board. Establishes waste tire recycling goals.	METRO	1	Support	
2.	HB 2037	1-M	Waste Tires; Creating New Provisions; amending ORS 459.775 and 459A.115; and Appropriating Money	House Interim Committee on Transportation for Interim Task Force on Tire Recycling	Establishes statewide recycling and recovery goal for waste tires. Modifies purposes for which Waste Tire Recycling Account may be used. Directs Environmental Quality Commission to increase per-ton fee if statewide goal for waste tires is not met.	METRO	1	Support	
3.	HB 2038	1-M	Waste Tire Recycling Account; amending ORS 459.775	House Interim Committee on Transportation for Interim Task Force on Tire Recycling	Directs Department of Environmental Quality to use moneys in Waste Tire Recycling Account for waste tire market development and education and outreach.	METRO	1	Support	
4.	SB 626	1-M	Revenue Task Force	METRO	Creates Revenue Sharing Task Force to study revenue sharing by jurisdictions that share urban growth boundary. Sunsets task force on January 2, 2006. Declares emergency, effective on passage.	METRO	1	Support	2-24(S) Introduction and first reading. Referred to President's desk.  2-28 Referred to Revenue
5.	SB 803	1-M	Metro's Self-Insurance Bill	Sen. Kate Brown, B. Starr	Reduces number of covered employees and retirees required for self-insurance of health insurance by individual public body other than school district, community college district or community college service district.	N/A	N	N/A	3/03/03 Doug Riggs: Add to our tracking list.  2-28(S) Introduction and first reading. Referred to President's desk  3-6 Referred to Human Resources.  3/14/03 Doug Riggs: 3/19/03 1:00 pm public hearing, Senate Human Resources and possible work session, Room HR B

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For complete content of Measure / Bill go to: [www.leg.state.or.us](http://www.leg.state.or.us)

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#	Bill #	Category	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Current Status
6.	HB 2100	2-LU	Land Use Planning For High Technology Industry	House Special Task Force on Jobs and the Economy	Requires local governments to adopt 20-year forecast of land and public facility needs for high technology industry. Requires corresponding amendments to local comprehensive plans, functional plans and land use regulations to accommodate needs identified in forecast.	N/A	1	Oppose	* 3/05/03 Dan/Jeff: Discuss at 3/13/03 Council
7.	HB 2137	2-LU	Compensation For Loss Of Property Value Resulting From Land Use Regulation	Joint Interim Committee on Natural Resources	Allows owner of private real property to claim compensation for land use restriction or reinterpretation that limits or prohibits use of property and decreases fair market value of property by more than 10 percent. Creates exception to right to compensation for certain land use restrictions. Authorizes owner of lawfully created lot or parcel to build single-family dwelling or divide lot or parcel if owner could have built dwelling or divided lot or parcel when owner acquired lot or parcel but is prevented by land use restriction or reinterpretation enacted, adopted or applied before November 7, 2000.	N/A	1	M Seeks amendments	* 3/05/03 Dan/Jeff: Monitor; seeks amendments; discuss at 3/13/03 Council
8.	HB 2253	2-LU	Division Of State Lands Fees; amending ORS 196.810, 196.815 and 196.850	Governor Kulongoski for Division of State Lands	Modifies and restructures schedule of fees for Division of State Lands removal and fill program. Exempts habitat restoration projects from removal and fill permit fees. Subjects emergency authorizations for removal and fill to permit fee structure. Allows 45 days to submit payment after emergency authorization. Establishes fee for action taken under general authorization. Declares emergency, effective July 1, 2003.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor 3/14/03 Doug Riggs: 3/20/03 8:30 am public hearing, House Water and work session, Room HR B
9.	HB 2293	2-LU	Wetlands; Creating New Provisions; and amending ORS 196.620	Former Rep. Al King	Allows local governments and riparian landowners to create and use mitigation banks. Authorizes local governments to compensate riparian landowners.			Monitor	3/05/03 Dan/Jeff: Monitor
10.	HB 2350	2-LU	Dwellings in forest zones; added to and made a part of ORS chapter 215	Rep. P. Smith	Authorizes county to approve application for single-family dwelling on land zoned for forest use.	N/A			Relates to HB 2137 * 03/10/03 Dan/Jeff: Discuss 3-7(H) First reading. Referred

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									to Speaker's desk.
11.	HB 2431	2-LU	Wetlands; creating new provisions; and amending ORS 196.615, et al.	Rep. Kropf	Allows person seeking permit to remove material from or fill waters of state to pay money into Oregon Wetlands Mitigation Bank Revolving Fund Account instead of obtaining permit. Specifies replacement ratio for mitigating wetland loss. Specifies that Director of Division of State Lands has burden to prove that wetlands exist on property for which permit is sought. Allows person to seek writ of mandamus to force Division of State Lands to make final decision on permit application after 90 days.	N/A	N	Monitor	2/27/03 Doug Riggs: 3/04/03 8:30 am House Environment and Land Use public hearing and possible work session, Room HR E  3/05/03 Doug Riggs: 8:30 am House Environment & Land Use public hearing and possible work session, Room HR E  3/05/03 Dan/Jeff: Monitor  3/10/03 Doug Riggs: 3/11/03 public hearing, House Environment & Land Use work session, Room HR E  3/18/03 Doug Riggs: 3/18/03 8:30 am public hearing, House Environment & Land Use work session, Room HR E
12.	HB 2456	2-LU	Allocation of conserved water; creating new provisions; amending ORS 537.460, et al. and declaring an emergency	Rep. Jenson	Modifies provisions relating to voluntary program for allocation of conserved water. Allows person or group of persons implementing measures prior to application for allocation of conserved water to apply for allocation if measure was implemented within five years of application. Declares emergency, effective on passage.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor  3/10/03 Doug Riggs: 3/13/03 public hearing, House Water work session, Room HR B
13.	HB 2515	2-LU	Soil and water conservation districts; creating new provisions; and amending ORS 541.379	Sen. Kruse	Directs Oregon Watershed Enhancement Board to provide funding from Watershed Improvement Operating Fund for positions in soil and water conservation districts. Specifies that persons employed in positions funded by board perform functions relating to restoration and protection of native salmonid populations, watersheds, fish and wildlife habitats and water quality	N/A	N	Monitor	2/27/03 Doug Riggs: 3/06/03 8:30 am House Water public hearing, Room HR B  3/05/03 Dan/Jeff: Monitor

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14.	HB 2549	2-LU	Vertical housing zones	Rep. Zauner	Prohibits Director of Economic and Community Development Department from designating vertical housing development zone or Economic and Community Development Department from certifying zone for property tax exemption.			Monitor	3/05/03 Dan/Jeff: Monitor
15.	HB 2610	2-LU	Appeal of Local Land Use Decision; creating new provisions; and amending ORS 197.829	Rep. Kruse	Places burden on local government on appeal of local land use decision to demonstrate that its decision is in compliance with applicable legal requirements.	N/A	N	Oppose	3/03/03 Doug Riggs: 3/06/03 8:30 am public hearing, House Environment & Land Use, Room HR E  * 3/05/03 Dan/Jeff: Oppose; discuss at 3/13/03 Council
16.	HB 2611	2-LU	Nonagricultural resources in exclusive farm use zones	Rep. Kruse	Requires counties to identify proposed nonagricultural land uses and resources in exclusive farm use zone that conflict with agricultural uses and mitigate effects of those nonagricultural uses and resources.	N/A	N	Monitor	3/03/03 Doug Riggs: 3/06/03 8:30 am public hearing, House Environment & Land Use, Room HR E  3/05/03 Dan/Jeff: Monitor
17.	HB 2614	2-LU	Buildable land supply; creating new provisions; and amending ORS 197.296 and 197.299	Rep. Kruse	Changes planning period for buildable land supply inside urban growth boundary.	N/A	N	Monitor / Neutral	2/28/03 Doug Riggs: 3/04/03 8:30 am public hearing, House Environment & Land Use, Room HR E  * 3/05/03 Dan/Jeff: Monitor; neutral; discuss at 3/13/03 Council  3/12/03 Doug Riggs: 3/18/03, 8:30 am public hearing, House Environment & Land Use and possible work session, Room HR E
18.	HB 2617	2-LU	Buildable land supply with urban growth boundary; and declaring an emergency	Committee on General Government (at the request of Oregon Association of Realtors)	Requires local governments to adopt regionally coordinated five-year and 20-year forecasts of retail services, office employment and major sectors of industrial employment. Requires necessary adjustments to comprehensive or functional plan or land use regulations. Declares emergency, effective on passage.	N/A	N	Oppose	3/03/03 Doug Riggs: 3/13/03 8:30 am public hearing, House Environment & Land Use and possible work session, Room HR E  * 3/05/03 Dan/Jeff: Oppose; discuss at 3/13/03 Council

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19.	HB 2643	2-LU	Housing in urban growth area; amending ORS 197.307	Rep. Hansen; Rep. Kafoury and Carter (at the request of City of Portland)	Allows city with population greater than 400,000 to regulate appearance or aesthetics of needed housing through discretionary approval criteria if housing has residential density of 30 or more dwellings units per acre.			Monitor	3/05/03 Dan/Jeff: Monitor
20.	HB 2673	2-LU	Conflict of interest in certain land use proceedings; creating new provisions; and amending ORS 197.835	Reps. Hass, Williams, Backlund, Brown, Knopp, Patridge, Shetterly, P. Smith, Westlund, Senators Corcoran, B. Starr	Requires elected or appointed local government official to disclose actual or apparent conflict of interest in local land use decision. Makes failure to disclose actual or apparent conflict of interest grounds for remand of decision on appeal to Land Use Board of Appeals or appellate courts. Requires member of Land Conservation and Development Commission to disclose actual or apparent conflict of interest related to matters before commission. Makes failure to disclose actual or apparent conflict of interest grounds for remand of land use decision on appeal to appellate courts.				
21.	HB 2691	2-LU	Industrial zoning of mill sites; and declaring an emergency	Rep. P. Smith, Sen. Metsger	Allows city or county to rezone abandoned or diminished wood mill sites for industrial use without taking exception to land use planning goals regarding agricultural lands and forestlands, public facilities and urbanization. Prohibits Land Conservation and Development Commission from adopting restriction on size of structures in area rezoned for industrial use. Declares emergency, effective on passage.	N/A	N	N/A	2/28/03 Doug Riggs: 3/05/03 & 3/10/03 1:00 pm public hearings, House Trade & Economic Development and possible work session, Room D 3-12 Public Hearing and Work Session held. 3-14 Recommendation: Do pass with amendments and be printed A-Engrossed.

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22.	HB 2790	2-LU	Compensation for loss of property value resulting from land use regulation; and providing that this Act shall be referred to the people for their approval or rejection	Rep. Close	Allows owner of private real property to claim compensation for land use restriction or reinterpretation that limits or prohibits use of property and decreases fair market value of property by more than 10 percent. Creates exception to right to compensation for certain land use restrictions. Authorizes owner of lawfully created lot or parcel to build single-family dwelling or divide lot or parcel if owner could have built dwelling or divided lot or parcel when owner acquired lot or parcel but is prevented by land use restriction or reinterpretation enacted, adopted or applied before November 7, 2000. Refers Act to people for their approval or rejection at next regular general election.			Principle #6	3-3(H) First reading. Referred to Speaker's desk.  3-6 Referred to Environment and Land Use.
23.	HB 2849	2-LU	Rural land use planning, added to and made a part of ORS chapter 215	Rep. Zauner	Directs counties to establish one or more rural zones for rural lands that do not qualify for zoning as exclusive farm use, forest use or mixed farm and forest use. Directs counties to plan for land use and land divisions in rural zones established. Allows development without adopting exception to specified land use planning goals.	N/A		Discuss/ oppose	3-5(H) First reading. Referred to Speaker's desk. 3-7 Referred to Environment and Land Use. *03/10/03 Dan/Jeff: Discuss oppose - allows urbanization of exception land outside UGB
24.	HB 2860	2-LU	Exception to land use planning goals; creating new provisions; and amending ORS 197.732	Rep. Zauner	Modifies standards local government must consider when adopting exception to land use planning goal. Limits rulemaking authority of Land Conservation and Development Commission related to standards.	N/A		Monitor	3-5(H) First reading. Referred to Speaker's desk. 3-7 Referred to Environment and Land Use. *03/10/03 Dan/Jeff: Monitor

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25.	HB 2886	2-LU	Adoption of land use requirements; and declaring an emergency, added to and made a part of ORS chapter 197	Rep. Garrard, P. Smith	voids administrative rule of Land Conservation and Development Commission or land use ordinance of local government if rule or ordinance is subject to one or more specified notice provisions and commission or local government fails to comply with applicable provisions. Authorizes person aggrieved by rule or ordinance to petition for writ of review to have rule or ordinance declared void. Declares emergency, effective on passage.	N/A		Discuss/ oppose	3-5(H) First reading. Referred to Speaker's desk.  3-7 Referred to Environment and Land Use.  *03/10/03 Dan/Jeff: Discuss/ oppose
26.	HB 2905	2-LU	Management of urban area of critical concern that includes Forest Park, creating new provisions and amending ORS 197.298	Committee on Environment and Land Use	Designates Forest Park and area of influence around Forest Park, including wildlife corridors connecting Forest Park to other areas of wildlife habitat, as area of critical state concern. Directs Land Conservation and Development Commission to develop management plan for area. Excludes certain land from inclusion in urban growth boundary.	N/A		Discuss/ oppose	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss/ oppose  3-11 Referred to Environment and Land Use.
27.	HB 2906	2-LU	System development charges, creating new provisions and amending ORS 223.304	Rep. Williams (at request of Oregonians in Action)	Requires that methodology for establishing improvement fees promote objective of future system users contributing no more than equitable share to cost of existing facilities. Extends time to file legal action challenging methodology for calculating system development charge from 60 days to ____ days.	N/A		Principle #1	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss system development charges.  3-11 Referred to Business, Labor and Consumer Affairs.
28.	HB 2909	2-LU	Periodic Review, amending ORS 197.626 and 197.633	Rep. Garrard	Changes population thresholds for cities and counties that are required to conduct periodic review. Directs Land Conservation and Development Commission and local governments to attempt to complete periodic review within two years after approval of work program.	N/A		Monitor	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss periodic review.  3-11 Referred to Environment and Land Use.
29.	HB 2911	2-LU	Urban growth boundary amendments, creating new provisions; amending ORS 197.314 and repealing	Rep. Garrard (at the request of Oregon Building Industry Assoc.)	Establishes factors to be addressed by local government that changes location of urban growth boundary.	N/A		Monitor	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss repeats UGB priority statute

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#	Bill #	Category	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Current Status
			ORS 197.298						3-11 Referred to Environment and Land Use.
30.	HB 2912	2-LU	Oregon Commission on Land Use Reform; and declaring an emergency	Rep. Garrard (at the request of Oregon Building Industry Assoc.)	Establishes Oregon Commission on Land Use Reform. Specifies membership. Directs commission to study strengths and weaknesses of Oregon land use system and develop list of recommended changes. Requires commission to submit report to Legislative Assembly, Governor and Land Conservation and Development Commission not later than November 1, 2004. Sunsets December 31, 2004. Declares emergency, effective on passage.	N/A		Seek to add Metro member	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss Interim task force on land use  3-11 Referred to Environment and Land Use with subsequent referral to Ways and Means.
31.	HB 2934	2-LU	System development charges, added to and made a part of ORS 223.297 to 223.314	Rep. Close, Schaufler (at the request of Oregon Building Industry Assoc.)	Prohibits governmental unit from establishing system development charge for parks and recreation that exceeds current level of service. Provides exception. Establishes criteria for governmental units that establish improvement fees and system development charges for parks and recreation.	N/A		Principle #1	3-5(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss SDC's.  3-10 Referred to Business, Labor and Consumer Affairs. 3-14 Public Hearing held.
32.	HB 2983	2-LU	System development charges, creating new provisions; and amending ORS 223.299, 223.302, 223.304, 223.207 and 223.209	Rep. Close, Kropf, Schaufler, Sen. Metsger, Morse, C. Starr (at the request of Oregon Building Industry Assoc.)	Requires governmental unit to calculate improvement fee to obtain cost for lowest capacity capital improvements required to meet projected need for system capacity. Modifies methodology for calculating system development charge and costs for which system development charges may be expended. Prevents use of system development charge for open space or natural areas.	N/A		Principle #1	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss system development charges  3-11 Referred to Business, Labor and Consumer Affairs. 3-14 Public Hearing held.
33.	HB 2984	2-LU	Defines agricultural land, creating new provisions; and amending ORS 197.230		Requires Land Conservation and Development Commission to review and amend goals and guidelines as necessary to considering new definition.	N/A		Monitor	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Monitor  3-13 Referred to Environment and Land Use.
34.	HB 2985	2-LU	Exclusive farm use	Rep. Zauner	Prohibits inclusion of lot, parcel or tract in	N/A		Monitor	3-6(H) First reading. Referred

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			zone, creating new provisions; and amending ORS 215.203		exclusive farm use zone unless lot, parcel or tract is capable of providing gross annual income in excess of specified amount from sale of farm products using accepted farm practices.				to Speaker's desk. *03/10/03 Dan/Jeff: Monitor 3-13 Referred to Environment and Land Use.
35.	HB 3061	2-LU	Approval of plats, amending ORS 92.100	Rep. Scott (at the request of Oregon Building Industry Assoc.)	Authorizes governing body of county to designate individual to approve subdivision plat.	N/A		Monitor	3-7(H) First reading. Referred to Speaker's desk. * 3/10/03 Dan/Jeff: Monitor
36.	HB 3083	2-LU	Land partitions, added to and made a part of ORS chapter 215	Rep. Scott, Kitts (at the request of Terry and Susanne Webber)	Authorizes partition of lot or parcel in exclusive farm use zone when lot or parcel is divided by intervening lot or parcel in separate ownership.	N/A		Monitor	3-7(H) First reading. Referred to Speaker's desk. *03/10/03 Dan/Jeff: Monitor
37.	HB 3084	2-LU	Metropolitan Portland urban growth boundary, added to and made a part of ORS chapter 197	Rep. Krummel	Directs Metro to amend its urban growth boundary to include certain property.	N/A		Oppose	3-7(H) First reading. Referred to Speaker's desk. *03/10/03 Dan/Jeff: Oppose
38.	HB 3137	2-LU	Creating new provisions for periodic review, creating new provisions; and amending ORS 197.644 and 197.830	Rep. Zauner	Authorizes Land Use Board of Appeals to review local land use decision made as part of periodic review. Provides exception for decision to expand urban growth boundary by more than 50 acres.	N/A		Monitor	3-7(H) First reading. Referred to Speaker's desk. *03/10/03 Dan/Jeff: Monitor
39.	HB 3164	2-LU	Land priority to be included within certain urban growth boundary	Rep. Kitts, Barker, Gallegos, Garrard, Greenlick, Krummel, Mabrey, Nelson	Authorizes cities in Washington County and north of Highway 26 to exclude certain farm land from inclusion in city's urban growth boundary.  North Plains UGB bill	N/A		Monitor Principle #1	3-7(H) First reading. Referred to Speaker's desk. *03/10/03 Dan/Jeff: Discuss/monitor
40.	HJR 17	2-LU	Joint Interim Task Force	Rep. G. Smith, Flores	Creates Joint Interim Land Use Planning Regionalization Task Force consisting of 15 members			Monitor	2-12(H) First Reading. Referred to Speaker's desk. 2-17 Referred to Environment and Land Use. 2-27 Public Hearing and Possible Work Session scheduled.

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									3-3 Recommendation: Be adopted. 3-4 Read. Motion to rerefer to Environment and Land Use carried. Rereferred. 3/05/03 Dan/Jeff: Monitor
41.	SB 082	2-LU	Use Of State-Owned Lands; Creating New Provisions; and amending ORS 274.040	Sen. Messerle, Rep. Verger	Requires Division of State Lands to grant easement or license over submersible lands to person with permit from Water Resources Director if proposed use in permit is for irrigation or domestic use.			Monitor	3/05/03 Dan/Jeff: Monitor 3/14/03 Doug Riggs: 3/24/03 3:00 pm public hearing, Senate Water & Land Use and possible work session, Room HR D
42.	SB 094	2-LU	Applications for action by city; amending ORS 227.178 and 227.179	Sen. Ferrioli	Adds criteria for determining when application to city for discretionary permits and zone changes is deemed complete for purposes of time limit for action by city.			Monitor	3/05/03 Dan/Jeff: Monitor 3/11/03 Doug Riggs: 3/12/03 3:00 pm public hearing, Senate Water & Land Use and possible work session, Room HR D 3/14/03 Doug Riggs: 3/19/03 3:00 pm public hearing, Senate Water & Land Use and possible work session, Room HR D
43.	SB 239	2-LU	System development charges [SDCs]; creating new provisions; and amending ORS 223.299	Sen. Schrader	Adds schools and classrooms providing primary and secondary education to definition of capital improvement for which system development charges may be imposed. Allows system development charges collected as school improvement fee to be used to acquire land and construct school buildings and classrooms for development from which fee is collected. Allows exemption for affordable housing.			Monitor Principle #1	* 3/05/03 Dan/Jeff: Monitor; discuss at 3/13/03 Council
44.	SB 251	2-LU	Applicability Of Needed Housing Requirements Based On Population Of City; amending ORS	Senate Interim Rule 213.28 by order of the President of the Senate in	Applies provisions related to needed housing within urban growth boundary to cities outside metropolitan service district with population of fewer than 25,000.	N/A	N	Monitor	2-27 Referred to Environment and Land Use. 3/05/03 Dan/Jeff: Monitor

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#	Bill #	Category	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Current Status
			197.296	conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the req. of Governor Theodore R. Kulongoski for DLCD)					
45.	SB 254	2-LU	School facility planning; amending ORS 195.110	Sen. Schrader	Removes provision providing that school capacity cannot be sole basis for approval or denial of residential development application.			Monitor	* 3/05/03 Dan/Jeff: Discuss at 3/13/03 Council
46.	SB 257	2-LU	Expedited land divisions; amending ORS 197.360 and 197.380	Sen. Schrader	Limits requirements for expedited land divisions to qualified land divisions within metropolitan service districts.			Monitor	3/05/03 Dan/Jeff: Monitor
47.	SB 293	2-LU	State waterways; creating new provisions; and amending ORS 274.404 and 274.406	Sen. Ferrioli	Establishes process for development of recreational management plans with goal of reducing or eliminating conflict between recreational users of waterways and riparian landowners. Directs Division of State Lands to gather information on conflicts between recreational users and riparian landowners. Directs Division of State Lands to establish local working group to develop draft plan if pattern of conflict exists. Specifies membership of working groups. Prohibits State Land Board from directing Division of State Lands to make determination of navigability if division is developing or implementing recreational management plan.			Monitor	3/05/03 Dan/Jeff: Monitor
48.	SB 294	2-LU	Wetlands; amending ORS 196.810	Sen. Ferrioli	Modifies provisions relating to permit requirements for removal and fill activities conducted within essential indigenous anadromous salmonid habitat.			Monitor	3/05/03 Dan/Jeff: Monitor

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49.	SB 295	2-LU	Recreational use of waterways; creating new provisions; and amending ORS 105.672	Judiciary Committee	Specifies public right to recreational use of waterways. Establishes categories of waters. Delineates extent of right of use for each category. Allows State Land Board to adopt rules governing recreational use of waterways.			Monitor	3/05/03 Dan/Jeff: Monitor
50.	SB 317	2-LU	Water rights; amending ORS 537.170 and 540.510	Sen. Beyer	Prohibits transfer of water rights for agricultural use to nonagricultural use. Requires Water Resources Commission or Water Resources Director to determine whether water is available for appropriation by determining whether water is available for demands 50 percent of time			Monitor	3/05/03 Dan/Jeff: Monitor
51.	SB 378	2-LU	Recovery of fees paid for local appeal of land use decision; creating new provisions; amending ORS 215.422, 215.431 & 227.180	Judiciary Committee	Requires local government to refund or reimburse appeal fee and transcript costs incurred by person who successfully appeals local land use decision.			Monitor	3/05/03 Dan/Jeff: Monitor
52.	SB 399	2-LU	Wetlands; creating new provisions; amending ORS 215.213 & 215.283	Sen. Messerle, Rep. Krieger, Sen. Beyer (at the request of Coos County)	Removes creation, restoration or enhancement of wetlands from outright permitted uses of land in exclusive farm use zone. Authorizes creation, restoration or enhancement of wetlands in exclusive farm use zone subject to adoption of exception to statewide planning goal preserving agricultural lands. Authorizes compensatory wetlands mitigation as outright permitted use in exclusive farm use zone.			Monitor	2/28/03 Doug Riggs: 3/03/03 3:00 pm public hearing, Senate Water & Land Use and possible work session, Room HR D 3/05/03 Dan/Jeff: Monitor
53.	SB 493	2-LU	School Impact fees for school districts	Sen. Ringo, Schrader, Rep. Greenlick	Authorizes county to impose school impact fee on new residential development to pay for new school construction or capital improvements. Provides certain limitations.			Monitor	2-24 Referred to Revenue. 3/05/03 Dan/Jeff: Monitor
54.	SB 511	2-LU	System development charges; amending ORS 223.299	Sen. C. Starr	Adds additional public services to list of capital improvements for which governmental unit may assess and collect system development charges.			Monitor	2-24 Referred to Revenue. 3/05/03 Dan/Jeff: Monitor
55.	SB 516	2-LU	Land use planning	Sen. Minnis (at	Modifies notice requirements relating to			Monitor	2-24 Referred to Water and

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			requirements; amending ORS 197.047, 215.503, 227.186 and 268.393	the request of Oregon Association of Realtors and 1000 Friends of Oregon	changes in land use planning requirements.				Land Use.  3/05/03 Dan/Jeff: Monitor; Dick Benner to review.  3/17/03 Doug Riggs: 3/17/03 3:00 pm public hearing, Senate Water & Land Use and possible work session, Room HR D.
56.	SB 538	2-LU	Land use planning; creating new provisions; amending ORS 14.165, 30.947, 34.020, 490.090, 92.042 et al.	Sen. George (at the request of Glen Stonebrink)	Repeals statewide land use planning laws. Abolishes Land Conservation and Development Commission. Abolishes Department of Land Conservation and Development. Abolishes Land Use Board of Appeals. Eliminates land use planning authority of metropolitan service districts. Requires cities and counties to adopt local comprehensive land use plans.				2-26 Referred to Water and Land Use, then Ways and Means.  3/03/03 Doug Riggs: Add to our tracking list.
57.	SB 591	2-LU	Wetlands; creating new provisions; and amending ORS 215.213, et al., 308A.062, et al.	Sen. Messerle, Rep. Krieger (at the request of Coos County)	Changes creation, restoration or enhancement of wetlands from outright permitted uses of land in exclusive farm use zone to conditional uses. Authorizes compensatory wetlands mitigation as outright permitted use in exclusive farm use zone. Disqualifies land from farm use or open space use special assessment if wetlands are created, restored or enhanced on land on or after certain date. Applies to property tax years beginning on or after July 1, 2004.				2-27 Referred to Water and Land Use.
58.	SB 594	2-LU	Land conservation programs; and declaring an emergency	Committee on Agriculture and Natural Resources	Creates Task Force on Land Conservation Programs. Specifies membership. Directs task force to study and make recommendations on framework and standards that state agencies may use to implement voluntary conservation easements and land acquisition programs. Sunsets January 2, 2005. Declares emergency, effective on passage.				2-27 Referred to Agriculture and Natural Resources, then Ways and Means.

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59.	SB 668	2-LU	Buildable Land Supply; creating new provisions; and amending ORS 197.296 and 197.299	Sen. Schrader (at the request of Elizabeth Graser-Lindsey)	Changes planning period for buildable land supply inside urban growth boundary.			Monitor	2-24(S) Introduction and first reading. Referred to President's desk.  2-28 Referred to Water and Land Use.
60.	SB 682	2-LU	System development charges	Sen. Atkinson (at the request of Kathy Dewolna)	Limits assessment and collection of system development charge for infill development or redevelopment in existing subdivision or land partition in which capital improvements are available. Provides exception.			Principle #1	2-25(S) Introduction and first reading. Referred to President's desk.  3-3 Referred to Water and Land Use, then Revenue.
61.	SB 763	2-LU	Urban growth boundary expansion by metropolitan service district; amending ORS 197.296	Sen. B. Starr	Requires metropolitan service district to conduct analysis of subregional housing needs. Allows district to expand urban growth boundary based on subregional need.			Oppose	2-26(S) Introduction and first reading. Referred to President's desk.  3-4 Referred to General Government.
62.	HB 2041	3-T	Transportation; amending ORS 803.420; and Providing For Revenue Raising That Requires Approval By A Three-Fifths Majority	House Interim Committee on Transportation	Increases registration fees for certain vehicles.			Principle #7	* 3/05/03 Dan/Jeff: Discuss at 3/13/03 Council
63.	HB 2139	3-T	Studded Tire Permits; and Prescribing An Effective Date	Road User Fee Task Force	Requires permit for use of studded tires. Establishes fees for permit based on county in which vehicle is registered. Punishes use of studded tires without permit by maximum fine of \$75. Dedicates revenue from permit fees to highway preservation. Takes effect on 91st day following adjournment sine die.	N/A	N	Monitor	* 3/05/03 Dan/Jeff: Discuss at 3/13/03 Council
64.	HB 2213	3-T	Highway Bonds; Creating New Provisions; amending ORS 286.051, 286.061, 366.542, 367.010, et al.; Repealing ORS 367.226, et al.; Appropriating Money;	Governor Kulongoski for Dept. of Transportation	Authorizes State Treasurer to issue grant anticipation revenue bonds backed by anticipated annual apportionment of federal transportation moneys. Authorizes use of bond proceeds and federal transportation moneys. Changes or repeals provisions related to issuing and selling bonds for building and maintaining highways. Declares emergency,	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor  3/17/03 Doug Riggs: 3/17/03 8:30 am public hearing, House Revenue and possible work session, Room HR A

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			and Declaring An Emergency		effective on passage.				
65.	HB 2218	3-T	Flat Fees [vs. weight- mile tax; transportation]; amending ORS 319.690, 366.507, et al., 376.390, 825.020, et al. and Repealing ORS 825.480 and 825.482	Governor Kulongoski for Dept. of Transportation	Repeals option for certain persons to pay flat fees instead of weight-mile tax.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor
66.	HB 2220	3-T	Transportation Facility Planning By Department Of Transportation; Creating New Provisions; and amending ORS 197.015 and 197.825	Governor Kulongoski for Dept. of Transportation	Excepts certain transportation facility planning by Department of Transportation from definition of land use decision.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor
67.	HB 2367	3-T	Highway Funding; Creating New Provisions; amending ORS 319.020, 319.530, 366.524, 818.225, 825.476 and 825.480; and Providing For Revenue Raising That Requires Approval By A Three- Fifths Majority	AAA of Oregon, Associated Oregon Industries, Oregon Concrete and Aggregate Producers Association	Increases certain vehicle related taxes. Dedicates part of proceeds to payment of highway user bonds for bridge and highway modernization work and rest of proceeds to be split among cities, counties and state.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor
68.	HB 2464	3-T	Fees for vehicle title; creating new provisions; and amending ORS 803.090	Rep. Hansen	Imposes additional fee for issuance of first Oregon title for certain vehicles. Requires moneys to be deposited in State Highway Fund			Monitor	3/05/03 Dan/Jeff: Monitor

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69.	SB 083	3-T	Fees For Pilot Programs Of Department Of Transportation; amending Section 3, Chapter 862, Oregon Laws 2001; & Prescribing An Effective Date	Sen.-Elect Starr for Road User Fee Task Force	Authorizes Department of Transportation to structure fees for certain pilot programs to take account of highway congestion. Takes effect on 91st day following adjournment sine die.	N/A	N	Monitor	2-24 Third reading. Carried by Starr B.. Passed.  Ayes, 17; Nays, 12—Atkinson, Beyer, Ferrioll, Fisher, George, Hannon, Harper, Messerle, Minnis, Morse, Ringo, Winters; Attending Legislative Business, 1—Dukes.  2-25(H) First Reading. Referred to Speaker's desk.  2-28 Referred to Transportation with subsequent referral to Ways and Means.  3/05/03 Dan/Jeff: Monitor
70.	SB 188	3-T	Fees For Vehicle Title Transactions; amending ORS 803.090	Gov. Kulongoski for Dept. of Transportation	Changes title fees for certain vehicles.	N/A	N	N/A	2-27 Referred to Transportation.
71.	SB 469	3-T	Transportation finance; creating new provisions; amending ORS 267.260 and 267.385; and prescribing an effective date [January 1, 2004]	Transportation and Economic Committee	Increases maximum payroll tax rate that mass transit district may impose in payroll tax reporting periods beginning on or after January 1, 2004. Requires district to phase in increases over 10 years. Limits amount of each incremental rate increase. Takes effect on 91st day following adjournment sine die. See SB 549.			Support	2-19(S) Introduction and first reading. Referred to President's desk.  2-24 Referred to Revenue.  * 3/05/03 Dan/Jeff: Monitor; see SB 549; discuss at 3/13/03 Council
72.	SB 472	3-T	State highways; amending ORS 366.215	Transportation and Economic Development Committee (at the request of Oregon Trucking Association)	Prohibits Oregon Transportation Commission from reducing capacity of state highway except when safety requires reduction.			Monitor	2-19(S) Introduction and first reading. Referred to President's desk.  2-24 Referred to Transportation and Economic Development.  3/05/03 Dan/Jeff: Monitor
73.	SB 473	3-T	Oregon Transportation Commission	Transportation and Economic Development	Increases membership on Oregon Transportation Commission from five to seven. Specifies geographic criteria for membership.				2-19(S) Introduction and first reading. Referred to President's desk.

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				Committee (at the request of Oregon Trucking Association)					2-24 Referred to Transportation and Economic Development.
74.	SB 549	3-T	Mass transit district payroll taxes; creating new provisions; amending ORS 267.260 & 267.385; and prescribing an effective date	Revenue Committee	Increases maximum payroll tax rate that mass transit district may impose in payroll tax reporting periods beginning on or after January 1, 2004. Requires district to phase in increases over 10 years. Limits amount of each incremental rate increase. Takes effect on 91st day following adjournment sine die.  See SB 469.	N/A	N	N/A	2-25(S) Introduction and first reading. Referred to President's desk.  3-3 Referred to Revenue.  3/10/03 Doug Riggs: 3/11/03 public hearing, Senate Revenue and possible work session, Room HR A  3-13 Work Session
75.	SB 585	3-T	Local fees for transportation facilities; and declaring an emergency	Transportation and Economic Development Committee	Authorizes city or county to adopt transportation facilities fee for repairing and maintaining transportation facilities. Requires fee to be based on actual use of affected facility. Requires city or county to adopt and periodically update schedule of repair and maintenance projects. Prohibits city or county from generating revenue in excess of scheduled expenditures. Prohibits assessing fee to owner of property as incident of ownership. Declares emergency, effective on passage.			Support	2-27 Referred to Transportation and Economic Development.  * 3/05/03 Dan/Jeff: Discuss at 3/13/03 Council
76.	SB 772	3-T	Transportation, creating new provisions; repealing ORS 383.330; and appropriating money.	Rep. B. Starr	Authorizes Department of Transportation to enter into public-private partnership for transportation projects. Establishes Oregon Innovative Partnerships Program and State Transportation Enterprise Fund. Appropriates moneys in fund to Department of Transportation.			Support	2-26(S) Introduction and first reading. Referred to President's desk.  3-4 Referred to Transportation and Economic Development, then Ways and Means.  *03/10/03 Dan/Jeff: Discuss  3/10/03 Doug Riggs: 3/11/03 8:00 am public hearing, Senate Transportation & Economic Development, Room HR C

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77.	SB 775	3-T	Task force on transportation demand reduction; and declaring an emergency	Sen. B. Starr	Creates Task Force on Transportation Demand Reduction to advise Department of Transportation. Sunsets December 31, 2004. Declares emergency, effective on passage.			Monitor	2-26(S) Introduction and first reading. Referred to President's desk.  3-4 Referred to Transportation and Economic Development, then Ways and Means.
78.	SB 776	3-T	Traffic mobility in the Portland metropolitan area	Sen. B. Starr	Establishes Portland Mobility Task Force to study loop formed by Interstate 5 and Interstate 405 and make recommendations for improvements. Specifies membership. Sunsets January 1, 2006.	N/A	N	Monitor	2-26(S) Introduction and first reading. Referred to President's desk.  3-4 Referred to Transportation and Economic Development, then Ways and Means.  3/17/03 Doug Riggs: 3/18/03 8:00 am public hearing, Senate Transportation & Economic Development, Room HR C.
79.		4-INF	Conservation Incentives						
80.	HB 2158	5-SW	State Government Recycling Programs; amending ORS 182.375, 279.573, 279.621, 279.630 and 279.635; and Repealing ORS 279.640 and 279.645	Governor Kulongoski for Oregon Dept. of Administrative Services	Revises intent of Legislative Assembly regarding state recycling programs. Authorizes Oregon Department of Administrative Services to contract as necessary for recycling of products collected for recycling by state government. Deletes requirement for separate recycling plan for Legislative Assembly. Deletes provisions concerning use of revenues or savings realized from recycling programs.	N/A	N	Monitor	2-25 Recommendation: Do pass, rescind subsequent referral to Ways and Means and be placed on Consent Calendar.  Subsequent referral to Ways and Means rescinded by order of Speaker.  3/17/03 Doug Riggs: 3/17/03 8:00 am public hearing, Senate Agriculture & Natural Resources and possible work session, Room HR B  2-27 Second reading.  2-28 Rules suspended. Carried over to March 3, 2003.

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									3/05/03 Dan/Jeff: Monitor  3/14/03 Doug Riggs: 3/17/03 8:00 am public hearing, Senate Agriculture & Natural Resources and possible work session, Room HR B
81.	HB 2336	5-SW	Hazardous Substances; amending ORS 453.402, 453.414, 465.381, 466.357, 468.220 and 468.501; and Repealing ORS 465.003, et al.	Rep. Butler	Repeals Toxics Use Reduction and Hazardous Waste Reduction Act.	N/A	1	Monitor	3/05/03 Dan/Jeff: Monitor
82.	HB 2533	5-SW	Hazardous substances; creating new provisions; and amending ORS 453.402	Rep. Butler (at the request of Northwest Propane Gas Association, Pacific Northwest Paint Council)	Exempts persons not required to file toxics use reduction and hazardous waste reduction plan from payment of fee for possession of hazardous substances.	N/A	N	N/A	3/18/03 Doug Riggs: 3/18/03 8:30 am public hearing, House Environment & Land Use, Room HR E
83.	HB 2971	5-SW	Cathode ray tube disposal, creating new provisions; amending ORS 459.247 and 459.995; and appropriating money		Directions Environmental Quality Commission to develop program that encourages recycling of cathode ray tubes. Requires registration of object that contains cathode ray tube and payment of fee at time of purchase of object. Authorizes civil penalty for violation of certain provisions. Creates Cathode Ray Tube Recycling Account. Dedicates fees paid at time of purchase to account. Allows person to apply for refund of part of fee when person recycles object that contains cathode ray tube.	N/A		Principle #2	3-6(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss  3-12 Referred to Environment and Land Use with subsequent referral to Ways and Means.
84.	SB 095	5-SW	Infectious Waste Disposal; amending ORS 459.386	Sen. Beyer	Exempts reusable syringes used in animal husbandry from infectious waste disposal requirements.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor  3/14/03 Doug Riggs: 3/19/03 8:00 am public hearing, Senate Agriculture & Natural Resources and possible work session

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85.	SB 196	5-SW	Hazardous Waste; Creating New Provisions; amending ORS 466.068, 466.165 and 466.990; Appropriating Money	Gov. Kulongoski for Dept. of Environmental Quality	Establishes Hazardous Waste Technical Assistance Fund. Specifies that certain penalties collected by Department of Environmental Quality be deposited into fund. Directs fund to be used for technical assistance and information program. Requires generators of hazardous waste to pay one-time processing fee for obtaining United States Environmental Protection Agency identification number. Directs Department of Environmental Quality to enter into negotiations with United States Environmental Protection Agency for purpose of gaining acceptance of technical assistance services as part of authorized program. Sets annual fee for hazardous waste generators based on metric tons of waste generated. Declares emergency, effective on passage.	N/A	N	Monitor	2/27/03 Doug Riggs: 2/28/03 10:00 am Senate Agriculture & Natural Resources public hearing and possible work session, Room HR B  3/05/03 Dan/Jeff: Monitor
86.	HB 2001	6-P	Crediting Of Accounts Of Certain Members Of PERS; Creating New Provisions; and amending ORS 238.255	PERS	Prohibits Public Employees Retirement Board from crediting accounts of Tier One members with earnings in excess of assumed interest rate.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor
87.	HB 2008	6-P	PERS plan; creating new provisions; amending ORS 1.290, 169.810, 192.502, 196.165, 238.035, et al., 243.105, et al., 268.240, 338.135, 341.290, 353.117, 353.250, 377.836, 396.330, 576.306, 656.725 and 777.775; appropriating money; and declaring an emergency	PERS	Establishes Public Employee Successor Retirement Plan for persons hired on or after January 1, 2004, who have not established membership in Public Employees Retirement System before January 1, 2004. Provides that successor plan be defined benefit plan. Declares emergency, effective on passage.	N/A	N	Monitor	2-27 Public Hearing held.  2/28/03 Doug Riggs: 3/04/03 3:00 pm public hearing, House Public Employees Retirement System, Room HR E  3/05/03 Doug Riggs: 3/06/03 3:00 pm public hearing, House Public Employees Retirement System, Room HR E  3/05/03 Dan/Jeff: Monitor  3-11 Public Hearing held.  3-13 Public Hearing held.

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#	Bill #	Category	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Current Status
									3/18/03 Doug Riggs: 3/18/03 & 3/20/03 3:00 pm public hearings, House PERS and work sessions, Room HR E
88.	HB 2020	6-P	PERS plan; creating new provisions; amending ORS 1.290, 192.502, 196.165, 238.035, et al., 243.105, et al., 268.240, 338.135, 341.290, 353.117, 353.250, 377.836, 396.330, 576.306, 656.725 and 777.775; appropriating money; and declaring an emergency	PERS	Establishes Public Employee Successor Retirement Plan for persons hired on or after January 1, 2004, who have not established membership in Public Employees Retirement System before January 1, 2004. Provides that successor plan be defined contribution plan. Declares emergency, effective on passage.	N/A	N	Monitor	2-27 Public Hearing held.  2/28/03 Doug Riggs: 3/04/03 3:00 pm public hearing, House Public Employees Retirement System, Room HR E  3/03/03 Doug Riggs: 3/06/03 3:00 pm public hearing, House Public Employees Retirement System, Room HR E  3/05/03 Dan/Jeff: Monitor  3-11 Public Hearing held.  3-13 Public Hearing held.  3/18/03 Doug Riggs: 3/18/03 & 3/20/03 3:00 pm public hearings, House PERS and work sessions, Room HR E
89.	HB 2130	6-P	Health Insurance For Retirees Of Local Government; Creating New Provisions; amending ORS 243.303	Rep. Backlund	Eliminates requirement that retired local government employees be charged health insurance premium according to certain categories			Monitor	2/25/03 Doug Riggs: 2/26/03 8:30 am House Business, Labor & Consumer Affairs public hearing, Room HR E  2/27/03 Doug Riggs: 2/28/03 9:00 am House Business, Labor & Consumer Affairs public hearing, Room HR E  3/05/03 Dan/Jeff: Monitor
90.	HB 2375	6-P	PERS and Declaring An Emergency	Rep. Kruse	Provides that person who establishes membership in Public Employees Retirement System on or after effective date of Act has no contract rights in system. Declares emergency, effective on passage.			Monitor	1-20(H) First reading. Referred to Speaker's desk.  1-28 Referred to Water with subsequent referral to Ways and Means  2-27 Public Hearing held.

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									3/05/03 Dan/Jeff: Monitor 3-6 Public Hearing held.
91.	HB 2400	6-P	Benefits Payable To Members Of PERS	PERS Committee	Allows active or inactive member of Public Employees Retirement System to transfer amounts credited to member in Public Employees Retirement Fund to any new defined contribution plan established by Legislative Assembly after January 1, 2003. Provides that upon transfer by member, Public Employees Retirement Board transfers to credit of member under new plan additional amount equal to __ percent of account, to be paid from employer contributions. Specifies that member making transfer is entitled only to benefits provided under new defined contribution plan.			Monitor	3/05/03 Dan/Jeff: Monitor
92.	HB 2421	6-P	PERS	Rep. Backlund; Brown, Doyle, T Smith, Williams, Zauner	Allows public employer participating in Public Employees Retirement System to employ retired member of system for period not to exceed five years without limitation on number of hours worked by retired member in calendar year. Requires that retired member contribute six percent of salary for deposit to employer reserves. Prohibits employer contributions for retired members so employed. Limits number of retired members that may be employed to 10 percent of all employees of public employer.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor 3-11 public hearing held.
93.	HB 2633	6-P	PERS; relating to crediting of accounts of certain members of PERS; and declaring an emergency	Rep. Kropf	Prohibits Public Employees Retirement Board from crediting account of new members with earnings in excess of four percent. Declares emergency, effective on passage.			Monitor	3/05/03 Dan/Jeff: Monitor
94.	HB 2635	6-P	PERS	Rep. Kropf	Allows active member of Public Employees Retirement System to withdraw all amounts credited to member in Public Employees Retirement Fund. Allows withdrawal only if amounts withdrawn are paid directly into qualified retirement plan that is able to accept			Monitor	3/05/03 Dan/Jeff: Monitor

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					amounts as pretax rollover. Provides that person making withdrawal ceases to be member of system, forfeits all membership rights and may not thereafter become member of system. Authorizes public employer that employs withdrawing member to enter into agreement that provides for payment of contributions by public employer to alternate retirement plan.				
95.	HB 2698	6-P	Taxation; creating new provisions; and amending ORS 316.680	Rep. Mabrey, Kruse, P. Smith	Creates subtraction from taxable income for local government pension income from certain retirement plans not within Public Employees Retirement System. Limits subtraction to income attributable to creditable service that occurred prior to October 1, 1991. Applies to tax years beginning on or after January 1, 2004.			Monitor	3/05/03 Dan/Jeff: Monitor 3-12 Public Hearing held.
96.	SB 258	6-P	PERS	Sen. Ferrioli and Knopp	Allows member of Public Employees Retirement System who is vested but inactive to receive 150 percent of member account balance if member withdraws account on or after _____, _____ and before _____, _____.			Monitor	3/05/03 Dan/Jeff: Monitor
97.	SB 570	6-P	Public employee retirement; creating new provisions; and amending ORS 238.300	Sen. Corcoran	Provides that for purposes of full formula calculation of Public Employees Retirement System retirement allowance, teachers and certain other employees in education-related employment receive full one-half year of membership for periods during which school or other institution is in session, without regard to when session commences or ends.			Monitor	2-27 Referred to General Government. 3/05/03 Dan/Jeff: Monitor
98.	HB 2097	7-G	Public Contracts; Creating New Provisions; and amending ORS 279.312, et al.	Attorney General Hardy Myers for Department of Justice	Requires certain conditions in public improvement contracts and bid documents. Eliminates certain conditions in other public contracts. Modifies public contract conditions relating to hours of labor.			Monitor	3/05/03 Dan/Jeff: Monitor
99.	HB 2131	7-G	Governmental Finance; Creating New	State Treasurer Randall Edwards	Authorizes state and local government issuers of bonds to enter into agreement for exchange	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor

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			Provisions; and amending ORS 190.080, 221.410, 223.230, 271.390, 286.061, 287.006, 287.012, 288.165, 288.815, 288.845, 294.326, 294.483, 295.005, 305.410, 305.580, 305.583, 305.587, 305.589, 310.140 and 328.205	for Oregon Municipal Debt Advisory Commission	of interest rates. Declares obligation of governmental unit, backed by full faith and credit and taxing power, to be enforceable contract and commits governmental unit to raise sufficient revenue to repay obligation. Grants exclusive jurisdiction to tax court to determine whether use of proceeds of bonded indebtedness is authorized. Authorizes expenditure of revenue raised by local option tax beyond period of years during which local option tax may be levied. Modifies authority of state and local governments to issue and administer bonds.				
100.	HB 2136	7-G	Investment Maturity; amending ORS 294.135	State Treasurer Randall Edwards	Clarifies maturity date restrictions of certain investments made by local governments.			Monitor	2-26 Public Hearing and Possible Work Session scheduled.  2-28 Recommendation: Do pass and be placed on the Unanimous Consent Calendar.  Second Reading.  3/05/03 Dan/Jeff: Monitor  3-5 Read third time under Unanimous Consent Calendar. Carried by Ferrioli. Passed.  Ayes, 21; Excused, 3--Carter, Gordly, Morse; Attending Legislative Business, 6-- Brown, Devlin, Morrisette, Ringo, Shields, Starr
101.	HB 2172	7-G	Self-Insurance Programs Managed By Public Employees' Benefit Board; amending ORS 243.105, 243.145, 243.167, 243.285 and 292.051	Governor Kulongoski for Oregon Dept. of Administrative Services	Grants Public Employees' Benefit Board explicit authority to provide self-insurance programs. Permits deductions from state employees' wages to pay for self-insurance benefits under rules, procedures and directions of board.  (See SB 803. Other historical references: SB 906 from 2001 71 <sup>st</sup> Oregon Leg. Assembly & SB			Monitor	* 3/05/03 Dan/Jeff : Discuss at 3/13/03 Council

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					140 from 1999 70 <sup>th</sup> Oregon Leg. Assembly Regular Sessions)				
102.	HB 2250	7-G	Emergency Services; Creating New Provisions; and amending ORS 195.260, 401.025, et al., 453.307, 453.342, et al., 465.505, 466.635, 469.533, 824.088 and 837.035 and Sections 12, 13, 14, 15, 16, 17 and 18, Chapter 533, Oregon Laws 1981, and Sections 1, 3, 4, 5, 6 and 9, Chapter 740, Oregon Laws 2001	Governor Kulongoski for Dept. of State Police	Creates Department of Emergency Management. Transfers duties, functions and powers from Office of Emergency Management of Department of State Police to Department of Emergency Management. Abolishes Office of Emergency Management of Department of State Police.	N/A	N	N/A	
103.	HB 2267	7-G	Tourism; Creating New Provisions; amending ORS 285A.255, et al. and 305.824; Repealing ORS 285A.270, 285A.273, 285A.276 and 285A.285; Appropriating Money; Prescribing An Effective Date; and Providing For Revenue Raising That Requires Approval By A Three- Fifths Majority	Governor Kulongoski for Economic and Community Development Dept.	Establishes state transient lodging tax. Continuously appropriates moneys for tourism marketing programs. Prohibits new or increased local transient lodging taxes. Excepts new or increased local transient lodging taxes used for tourism promotion or tourism-related facilities. Converts Oregon Tourism Commission to semi-independent state agency status. Revises duties and purposes of commission. Modifies composition of commission. Transfers state transient lodging tax revenues from State Treasury to account managed by commission. Takes effect on 91st day following adjournment sine die.			Monitor / Neutral	3/05/03 Dan/Jeff: Monitor
104.	HB 2310	7-G	Security Measures; amending ORS 192.660	Rep. Williams for League of Oregon Cities	Authorizes governing body of public body to discuss security measures in executive session.			Monitor	3/05/03 Dan/Jeff: Monitor
105.	HB 2425	7-G	Disclosure of information about security; creating new provisions; amending ORS 1.760, 9.568,	Judiciary Committee	Exempts from disclosure under public records law public body's plan in connection with threat against individual or public safety. Exempts from disclosure under public records law	N/A	N	Monitor	2/28/03 Doug Riggs: 3/03/03 1:00 pm public hearing, House Judiciary and possible work session, Room 357

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			161.390, 192.501, 192.502, 192.690, 418.747, 469.030, 469.080, 469.410 and 757.720; and declaring an emergency		records or information that would identify measures pertaining to security of individual or property and about review or approval of security programs for sources of energy, communications and dangerous substances. Excepts from public meetings law portions of meetings that discuss information about review or approval of security programs for sources of energy, communications and dangerous substances. Declares emergency, effective on passage.				3/05/03 Dan/Jeff: Monitor 3/18/03 Doug Riggs: 3/24/03 1:00 pm public hearing, House Judiciary work session, Room 357
106.	HB 2595	7-G	Taxation; repealing ORS 306.815; and prescribing an effective date	Rep. Kafoury (at the request of Oregon HOME)	Repeals prohibition on real estate transfer taxes. Takes effect on 91 <sup>st</sup> day following adjournment sine die.	N/A	N	Monitor	3/03/03 Doug Riggs: 3/05/03 8:00 am public hearing, Senate Judiciary and possible work session, Room 343 * 3/05/03 Dan/Jeff: Monitor and discuss at 3/13/03 Council
107.	HB 2651	7-G	Special election; appropriating money; and declaring an emergency	Revenue Committee	Sets procedure for statewide special election on ____ Joint Resolution ____ (2003) (LC 2374). Appropriates moneys from General Fund to Secretary of State for expenses of submitting measure to people at special election to be held on May 20, 2003. Declares emergency, effective on passage.				
108.	HB 2653	7-G	Tourism; creating new provisions; amending ORS 285A.255, 285A.261, 285A.264, 285A.267, 285A.279, 285A.282, 285A.288 and 305.824; repealing ORS 285A.270, 285A.273, 285A.276 and 285A.285; appropriating money; prescribing an effective date; and providing for revenue raising that requires approval by a	Revenue Committee (at the request of League of Oregon Cities)	<b>Establishes state transient lodging tax.</b> Continuously appropriates moneys for tourism marketing programs. Permits transient lodging providers to retain collection reimbursement charges for state or local transient lodging taxes. Converts Oregon Tourism Commission to semi-independent state agency status. Revises duties and purposes of commission. Modifies composition of commission. Transfers state transient lodging tax revenues from State Treasury to account managed by commission. Takes effect on 91st day following adjournment sine die.			Monitor / Neutral	3/05/03 Dan/Jeff: Monitor

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			three-fifths majority						
109.	HB 2658	7-G	Disclosure of Social Security numbers; amending ORS 192.502		Exempts public employee and volunteer Social Security numbers from disclosure under public records law.			Monitor	3/05/03 Dan/Jeff: Monitor 3-26 Public Hearing and Possible Work Session scheduled.
110.	HB 2667	7-G	Regulation of taxi services by metropolitan service district; creating new provisions; and amending ORS 268.310	General Government Committee (at the request of Alexis Casyan)	Authorizes metropolitan service districts to regulate taxi services. Requires district containing more than 500,000 residents to regulate taxi services beginning effective date of Act.				2/28/03 Doug Riggs: I just got a call that Ringo's bill transferring TAXI oversight to Metro will be up for a hearing in House General Government, Tuesday the 4th at 8:30 in Room D. I will attend, and we will need to discuss first thing on Monday. Doug Riggs
111.	HB 3065	7-G	Modifies permit requirements for possession of exotic animal. Creating New Provisions; and amending ORS 609.305, 609.309, 609.329 and 609.992; repealing ORS 609.312, 609.315, 609.319, 609.325 and 609.335; appropriating money and declaring an emergency		Prohibits breeding exotic animals. Prohibits future acquisition of exotic animals. Punishes violation by maximum 6 months imprisonment, \$2000 fine, or both. Provides exception for zoos, wildlife sanctuaries and other institutions. Expands definition of exotic animal. Requires person in possession of exotic animal to maintain certain liability insurance.	N/A		Support	*03/06/03 Tony Vecchio of Zoo supports. Dan/Jeff: Discuss/support 3-7(H) First reading. Referred to Speaker's desk.
112.	HJR 20	7-G	Initiative Measures	General Government Committee	Proposes amendment to Oregon Constitution relating to initiative measures. Specifies that state initiative measure that requires expenditure of public moneys and that does not contain method for providing amount necessary to meet provisions of measure does not become operative until Legislative Assembly appropriates amount necessary to meet all or part of provisions of initiative measure. Refers proposed amendment to people for their approval or rejection at next regular general election.				

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113.	HJR 32	7-G	Amends constitution regarding charter law authority, amends Section 2, Article XI of Constitution of the State of Oregon	Rep. Verger, Tomel, Anderson, Mabrey, Morrisette (at the request of League of Oregon Cities)	Proposes amendment to Oregon Constitution to prohibit state law from preempting charter authority of municipality, city or town unless state law explicitly states intent to preempt and state law is enacted with affirmative vote of two-thirds of members of each house of Legislative Assembly. Refers proposed amendment to people for their approval or rejection at next regular general election.	N/A		Monitor	3-7(H) First reading. Referred to Speaker's desk.  *03/10/03 Dan/Jeff: Discuss
114.	HJR 9	7-G	Proposed Initiative amendments	Rep. Shetterly, Williams	Proposes amendment to Oregon Constitution relating to proposed initiative amendments to Constitution. Directs ballot for initiative amendments to Constitution to allow voters to approve, reject or direct proposed initiative amendment to Legislative Assembly. Allows Legislative Assembly to refer, reject or take no action on proposed initiative amendment, or to refer alternative proposed law or constitutional amendment to people. Directs Secretary of State to place proposed initiative amendment to Constitution on ballot if Legislative Assembly rejects or takes no action on proposed initiative amendment or refers alternative law or alternative constitutional amendment to people. Specifies that if both proposed initiative amendment to Constitution and referred alternative law or referred alternative constitutional amendment appear on ballot in same election, measures must be identified as alternatives to each other. Further specifies that if both measures are approved by vote of people, only measure receiving highest number of affirmative votes is enacted. Provides for modification of certain effective date provisions contained in proposed initiative amendments to Constitution. Refers proposed amendment to people for their approval or rejection at next regular general election.			Monitor	3/05/03 Dan/Jeff: Monitor
115.	SB 017	7-G	Rights Of Persons With Disabilities To	Joint Interim Committee on	Makes public bodies and officers, employees and agents of public bodies subject to action			Monitor	3/05/03 Dan/Jeff: Monitor

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			Public Services	Judiciary for Oregon Advocacy Center	under Title II of Americans with Disabilities Act.				
116.	SB 061	7-G	Taxation By Units Of Local Government; and Prescribing An Effective Date	Sen. Beyer for Oregon Restaurant Assoc.	Prohibits unit of local government from imposing industry-specific sales tax. Permits collection of otherwise prohibited tax if ordinance or other law imposing tax took effect or became operative before January 1, 2003. Takes effect on 91st day following adjournment sine die.			Monitor / Neutral	* 3/05/03 Dan/Jeff: Monitor; neutral; discuss at 3/13/03 Council
117.	SB 062	7-G	Taxation By Units Of Local Government; and Prescribing An Effective Date	Sen. Beyer for Oregon Restaurant Assoc.	Prohibits unit of local government from imposing sales tax on meals prepared and sold inside boundaries of unit of local government. Permits collection of otherwise prohibited tax if ordinance or other law imposing tax took effect or became operative before January 1, 2003. Takes effect on 91st day following adjournment sine die.			Monitor / Neutral	* 3/05/03 Dan/Jeff: Monitor; neutral; discuss at 3/13/03 Council
118.	SB 096	7-G	Public Agencies [contracts from competitive bid and proposal req.; Creating New Provisions; and amending ORS 279.015, 279.027, 279.322, 279.323 and 279.722	Sen. Beyer	Exempts contracts between certain public agencies from competitive bid and proposal requirements. Requires bid submitted to public contracting agency by state agency to include all costs associated with bid.	N/A	N	Monitor	3/05/03 Dan/Jeff: Monitor
119.	SB 161	7-G	Vending Facilities On Public Property; Creating New Provisions; and amending ORS 346.520	Gov. Kulongoski for the Commission for the Blind	Prohibits state agencies from charging Commission for the Blind for costs of rent or utilities for vending facilities operated by commission.			Monitor	2-24 Recommendation: Do pass with amendments. (Printed A-Eng.)  2-25 Second Reading.  *3/05/03 Dan/Jeff: Discuss at 3/13/03 Council
120.	SB 243	7-G	Discontinuance Of Cemeteries; amending ORS 97.440 and 97.450	Gov. Kulongoski for State Parks & Recreation Dept.	Modifies notification requirement for discontinuance of certain cemeteries. Requires prior approval of Oregon Pioneer Cemetery Commission for discontinuance of pioneer cemeteries.	N/A	N	Monitor	2/28/03 Doug Riggs: 3/10/03 1:00 pm public hearing, Senate Business & Labor and possible work session, Room HR C

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									3/05/03 Dan/Jeff: Monitor 3-13 Recommendation: Do pass with amendments. (Printed A-Eng.) 3-14 Second reading.
121.	SB 259	7-G	Notice to public body about request to inspect public record that relates to claim against public body; creating new provisions; and amending ORS 192.420	Sen. Burdick (at the request of City of Portland)	Requires person requesting inspection of public record that person knows relates to claim against public body to notify attorney for public body of request.	N/A	N	Monitor	2/27/03 Doug Riggs: 3/05/03 8:00 am Senate Judiciary public hearing and possible work session, Room HR 343 3/05/03 Dan/Jeff: Monitor
122.	SB 411	7-G	Prevailing rates of wages; creating new provisions; and amending ORS 279.352 and 279.354	Business and Labor Committee (at the request of Bureau of Labor and Industries)	Requires specifications for subcontracts for public works to contain provisions on prevailing rates of wage. <b>Prohibits public contracting agency from paying contractor on public works until contractor files certified payroll statements with agency.</b> Prohibits contractor from paying subcontractor on public works until subcontractor files certified payroll statements with agency.			Monitor	3/05/03 Dan/Jeff: Monitor
123.	SB 467	7-G	Economic development; creating new provisions; and amending ORS 197.638 and 285A.227	Sen. Metsger, Rep. P. Smith	Directs Economic and Community Development Department to develop guidelines for use by cities and counties when conducting analysis of need for and supply of industrial and commercial land. Authorizes department to make technical assistance grants to cities and counties to conduct analysis. Directs department to establish site certification process for land available for industrial or commercial development. Directs Department of Land Conservation and Development to identify amendments to comprehensive plans and land use regulations that affect availability of land zoned for industrial or commercial use and to take action necessary to preserve availability of strategic			Monitor	2-24 Referred to Transportation and Economic Development. 3/05/03 Dan/Jeff: Monitor

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					sites.				
124.	SB 482	7-G	Energy tax credits; creating new provisions; and amending ORS 469.185, 469.205 and 469.215	Sen. Ringo	Permits business energy tax credit to be claimed by employer when employer enters into contract with car sharing program operator for provision of car sharing automobiles to employees during working hours. Applies to contracts entered into and tax years beginning on or after January 1, 2004.				2-24 Referred to Revenue.
125.	SB 483	7-G	Construction of public improvement by public agency; amending ORS 279.023	Sen. Nelson (at the request of Associated General Contractors Oregon-Columbia Chapter)	Prohibits public agency from constructing public improvement with its own equipment and personnel if estimated cost exceeds \$125,000.			Monitor	2-24 Referred to General Government, then Ways and Means.  3/05/03 Dan/Jeff: Monitor; Impact on Zoo?
126.	SB 494	7-G	Union organizing	Sen. Corcoran, Rep. March	Prohibits certain recipients of state funds from using state funds to assist, promote or deter union organizing. Imposes civil penalties for violations. Allows Attorney General or taxpayer to bring civil action for violations.				2-24 Referred to General Government.
127.	SB 495	7-G	Arbitration in public employee collective bargaining; amending ORS 243.746	Sen. Nelson, Reps. Jenson, G. Smith (at the request of City of Pendleton)	Revises factors considered by arbitrator in public employee collective bargaining for purposes of selecting last best offer package.				2-24 Referred to General Government.  3-17 Public Hearing and Possible Work Session scheduled.
128.	SB 496	7-G	Unlawful employment practices	Sen. Corcoran	Prohibits subjecting employee to abusive work environment or retaliation. Establishes employer liability and employer defenses. Creates private right of action and provides remedies.				2-24 Referred to Business and Labor.
129.	SB 546	7-G	Preference for Oregon bidders in public contracting; amending ORS 279.029	Sen. Metsger, Corcoran	Requires public contracting agency to subtract five-percent bid evaluation preference from bid of resident bidder in determining lowest responsible bidder.				2-26 Referred to Business and Labor.  3-12 Public Hearing held.
130.	SB 547	7-G	Elected officials; creating new provisions; amending	Sen. Winters, Atkinson, Bayer, Clarno,	Prohibits elected officials except sheriffs and certain judges from becoming members of			Monitor	2-26 Referred to General Government.

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#	Bill #	Category	Subject / Topic / Relating To	Sponsor of Bill	Title / Description	Note	Priority	Position	Current Status
			ORS 238.015 & 238.092; and repealing OrS 238.068 & 243.163	Fisher, George, Harper, Messerle, Minnis, Morse, Nelson	Public Employees Retirement System. Allows elected officials currently serving in office to remain in system as long as official continues uninterrupted service in office.				3/05/03 Dan/Jeff: Monitor
131.	SJR 8	7-G	Proposing amendment to Oregon Constitution relating to charter authority of political subdivisions	Sen. Morrisette	Proposes amendment to Oregon Constitution to prohibit Legislative Assembly from preempting or restricting, by general civil law, local legislation that relates to matters of predominantly city or county concern and that are within scope of powers granted by city or county charter. Refers proposed amendment to people for their approval or rejection at next regular general election.			Monitor	3/05/03 Dan/Jeff: Monitor
132.	SJR 12	7-G	Initiative Amendments	Sen. Metsger	Proposes amendment to Oregon Constitution to limit initiative amendments to Constitution to those that relate to structure and organization of government, limitation of government powers or election of government officials. Refers proposed amendment to people for their approval or rejection at next regular general election.				3-27 Public Hearing Scheduled.
133.	SJR 15	7-G	Campaign Finance	Sen. Devlin, Metsger	Proposes amendment to Oregon Constitution specifying that Legislative Assembly, or people through initiative process, may enact laws limiting certain contributions made to candidates for public office. Refers proposed amendment to people for their approval or rejection at next regular general election.				2-24 Referred to Rules. 3-4 Public Hearing held.

General: General Government  
M: Metro  
T: Transportation

Inf: Infrastructure  
PERS: PERS

LU: Land Use  
SW: Solid Waste

2003 – 72<sup>nd</sup> Oregon Legislative Assembly—Regular Session  
**METRO – MASTER REVIEW LOG #10**  
 [PROPOSED ] SENATE / HOUSE BILLS -- SORTED BY BILL NUMBER  
 As of 3/18/03 10:37 AM

Summary of Bills by Category:

Sort In This Order	Definition	#s
1-M	Metro	5
2-LU	Land Use	56
3-T	Transportation	17
4-Inf	Infrastructure	1
5-SW	Solid Waste	6
6-P	PERS	12
7-G	General Government	36
Total		133

Summary Of Bills of Interest for The Week of 3/11/2003 through 3/17/2003 ; see separate document attached:

Summary of Bills by Category:

Sort By Bill #	Definition	#s
1-M	Metro	4
2-LU	Land Use	34
3-T	Transportation	4
4-Inf	Infrastructure	0
5-SW	Solid Waste	6
6-P	PERS	0
7-G	General Government	5
Total		53

General: General Government    Inf: Infrastructure  
 M: Metro    PERS: PERS  
 T: Transportation

LU: Land Use  
 SW: Solid Waste

**2003 – 72<sup>nd</sup> Oregon Legislative Assembly—Regular Session**  
**METRO – MASTER REVIEW LOG #10**  
**[PROPOSED] SENATE / HOUSE BILLS -- SORTED BY BILL NUMBER**  
**As of 3/18/03 10:37 AM**

**Doug Riggs Status:**

**2/25/03 Doug Riggs:**

Re: Federal Appropriations Letters Deadlines

Deadlines have been announced for Congressional members to submit their request letters to the following Appropriations Subcommittees:

Agriculture..... March 20  
Energy & Water... March 28  
MilCon..... March 28  
Defense..... March 31.  
Interior..... April 3

CJS, Labor/H, VA/HUD, and Foreign Ops have not announced deadlines

**2/25/03 Doug Riggs:**

Team:

I attended yesterday's workgroup on M7.

It appears that the Governor and several legislators are very near agreement on a limited M7 type of bill that would:

- Address Lots (Actually Owners) of Record
- Pick a date certain, perhaps 1985, perhaps 1993
- Cover non-high value farmland
- Impose a 24 month filing period
- Require variances or allowance of one dwelling on the lot or ownership parcel (rather than compensation)
- Ignore urban issues
- Create an interim task force to look at further recommendations

The group seemed moderately supportive of this approach, and legislative counsel has been asked to draft such a bill.

I believe we'll see something within a couple of weeks.

I'll let you know more as details become available.

**3/05/03 Doug Riggs:**

FY 2004 Appropriation Subcommittee Deadlines

Agriculture March 20  
Energy and Water March 28  
MilCon March 28 (1391's Required)  
Defense March 31 (Project Request Form Required)  
Interior April 3  
Homeland Security April 4  
Transportation/Treas April 11 (Tentative, but likely. Project Request Form Required, Not Released Yet)  
CJS April 11  
L/HHS/Ed April 11 (Project Request Form Required)  
<http://www.house.gov/appropriations/hearings/quest04lh.ht>  
VA/HUD April 15 (Project Request Form Usually Required, Not Released Yet)  
Foreign Ops April 15

**2003 – 72<sup>nd</sup> Oregon Legislative Assembly—Regular Session**  
**METRO – MASTER REVIEW LOG #10**  
**[PROPOSED ] SENATE / HOUSE BILLS -- SORTED BY BILL NUMBER**  
**As of 3/18/03 10:37 AM**

**3/10/03 Doug Riggs:**

Metro:

2 bills of particular note: Tri-Met taxing authority (SB549) and public-private partnerships for transportation projects (SB772).

Doug

**3/10/03 Doug Riggs**

Metroites:

Lots of bills. Many of them land use related. One or two directly address Metro, and the exotic bill now has a number!

Take a look and let me know what you think.

Doug Riggs

**3/13/03 Doug Riggs:**

Re: Bills Introduced of Interest / Including Metro Bills

Our LUBA to LCDRC bill number is: HB3326 (as opposed to Mary Gallegos' Metro elimination act, which is 3236). Coincidence????

Our civil dumping enforcement bill number is: HB3346!

**3/17/03 Doug Riggs:**

Metro Folks:

Re: Hearings – March 17/Self-Insurance Up

Here's a list of hearings coming up. Let me know if you have any interest in any. Note that the Senate's "notice" bill SB516, sponsored by the realtors is up, as is our bill, SB803, the self-insurance bill.

We are also up Tuesday morning for a Zoo update and Taxi update. Our presentation to House Environment and Land Use appears to have been taken off the schedule. I'll check on that this morning.

The Committees are trying very hard to identify the bills that could be passed.

**3/18/03 Doug Riggs:**

Metro:

Lots of hearings this week. SB803 (self insurance) is up tomorrow.

Also of note, HB2689, the rural development zone bill, passed 5-2 yesterday out of the House Trade and Economic Development Committee.

Today we have testimony on Zoo Parking, Taxi's, and Metro's role in land use.

Keep in touch.

Doug Riggs



## A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736  
 TEL 503 797 1542 | FAX 503 797 1793



**METRO**

**Agenda – Revised 3/18/03**

MEETING: METRO COUNCIL REGULAR MEETING  
 DATE: March 20, 2003  
 DAY: Thursday  
 TIME: 2:00 PM  
 PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATIONS**

**3. SOLV**

McGowan

**4. METROPOLITAN ECONOMIC POLICY TASK FORCE REPORT**

Seltzer

**5. AUDITOR COMMUNICATIONS**

- Review of Controls Over Revenue from Glendoveer Golf Course

**6. CONSENT AGENDA**

- 6.1 Consideration of Minutes for the March 13, 2003 Metro Council Regular Meeting.

**7. ORDINANCES – FIRST READING**

- 7.1 **Ordinance No. 03-998**, For the Purpose of Amending the FY 2002-03 Budget And Appropriations Schedule by Transferring \$740,000 from Contingency To the MERC Operating Fund to Transfer of Resources (to the Convention Center Project Capital Fund), and Declaring an Emergency.

- 7.2 **Ordinance No. 03-1000**, For the Purpose of Amending Metro Code Chapter 5.02 to Amend Disposal Charges and System Fees.

**8. RESOLUTIONS**

- 8.1 **Resolution No. 03-3288**, For the Purpose of Approving the FY 2004 Unified Work Program.

McLain

- 8.2 **Resolution No. 03-3289**, For the Purpose of Certifying that the Portland Metropolitan Area is in compliance with Federal Transportation Requirements.

Hosticka

- 8.3 **Resolution No. 03-3290**, For the Purpose of Approving the Metropolitan Transportation Improvement Program (MTIP) Allocation for Regional Funding Strategy. Newman

9. **CONTRACT REVIEW BOARD**

- 9.1 **Resolution No. 03-3293** For the Purpose of Authorizing an exemption to the requirements of competitive bidding, authorizing issuance of a request for proposals to procure hazardous waste disposal services, and authorizing the COO to Execute the resulting multi-year contracts. Burkholder
- 9.2 **Resolution No. 03-3281** For the Purpose of Authorizing Metro to Enter into a Contract with the Regional Arts and Cultural Council (RACC) for the Purpose of Awarding Metro Funds through RACC's Neighborhood Grants Program (continued from March 13, 2003) Burkholder

10. **COUNCILOR COMMUNICATION**

**ADJOURN**

**Cable Schedule for March 20, 2003 Meeting (TVTV)**

	Sunday (3/23)	Monday (3/24)	Tuesday (3/25)	Wednesday (3/26)	Thursday (3/20)	Friday (3/21)	Saturday (3/22)
<b>CHANNEL 11</b> (Community Access Network) (most of Portland area)						2:00 PM	
<b>CHANNEL 30</b> (TVTV) (Washington County, Lake Oswego)	12:00 PM			11:00 PM		6:30 AM 7:00 PM 11:00 PM	3:30 PM
<b>CHANNEL 30</b> (CityNet 30) (most of City of Portland)		2:00 PM					
<b>CHANNEL 30</b> Willamette Falls Television (West Linn, Rivergrove, Lake Oswego)	5:30 AM 2:30 PM	12:30 AM 3:30 PM 10:31 PM		12:30 AM 3:00 PM 10:30 PM		12:30 AM 3:30 PM 10:31 PM	5:30 AM 2:30 PM
<b>CHANNEL 23/18</b> Willamette Falls Television (23- Oregon City, West Linn, Gladstone; 18- Clear Creek)							
<b>CHANNEL 23</b> Milwaukie Public Television (Milwaukie)			10:00 AM 9:00 PM				

**PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES. PLEASE CALL THEM OR CHECK THEIR WEB SITES TO CONFIRM SHOWING TIMES.**

Portland Cable Access	<a href="http://www.pcatv.org">www.pcatv.org</a>	(503) 288-1515
Tualatin Valley Television	<a href="http://www.yourtv.tv.org">www.yourtv.tv.org</a>	(503) 629-8534
Willamette Falls Television	<a href="http://www.wftvaccess.com">www.wftvaccess.com</a>	(503) 650-0275
Milwaukie Public Television		(503) 652-4408

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).



# Metro

## Strategic Compensation Study

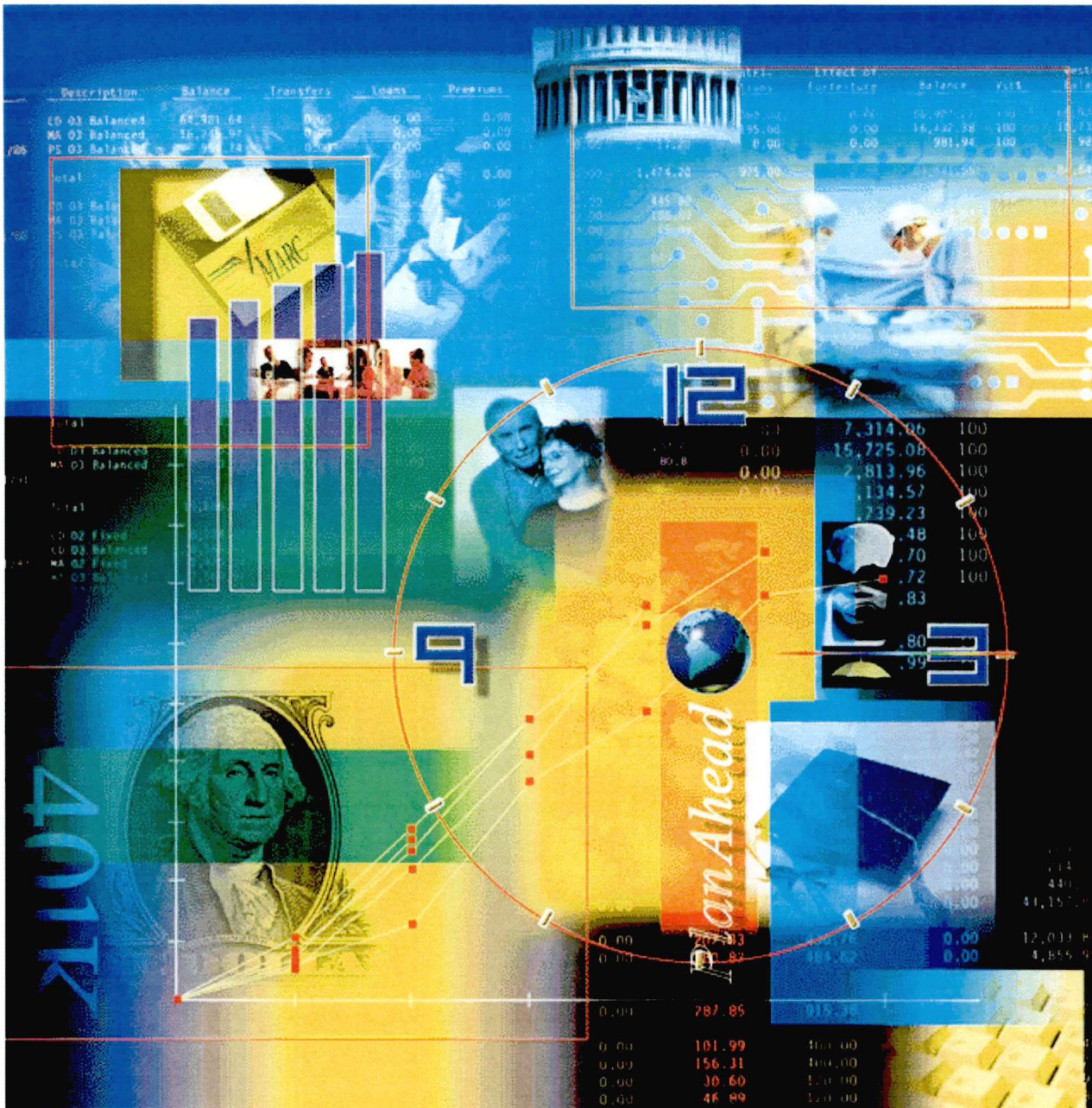
March 2003



A MILLIMAN GLOBAL FIRM

**Milliman USA**  
Consultants and Actuaries

03/803ci-05



# Objectives

- To identify current Metro practices and variation
- To design an integrated strategic pay program that meets Metro's:
  - ✓ Business Strategy
  - ✓ Operational Needs
  - ✓ Employee Needs
  - ✓ Desired Culture
  - ✓ Ability to Pay
- To evaluate implementation challenges



# Project Activities

As part of the assessment of Metro's current practice and the development of a vision for the future, a design team made up of consultants, Metro staff and bargaining unit representatives:

- Interviewed Directors
- Conducted a “best practices” survey of peer organizations
- Reviewed existing practice at Metro:
  - ✓ Salary administration
    - Base pay, pay increases, pay ranges, job titles and descriptions, training, etc.
  - ✓ Survey/data use
  - ✓ Performance management processes
  - ✓ Human resources strategy
  - ✓ Business/organizational strategy/mission
- Achieved general consensus on recommending the concept of an “integrated Total Rewards Strategy” that fits Metro's desired culture, mission and direction

# Deliverables

The design team produced the following “deliverables” during the course of the project:

- Draft compensation philosophy statement
- Gap analysis (objectives of philosophy statement and current programs)
- Integrated total rewards strategy model
- Gap analysis (total rewards strategy model and current practice)
- Recommendations for change

# Draft Compensation Philosophy

Metro is committed to providing the highest quality regional land-use and transportation planning services in addition to broad services to enhance the livability of the region. Our goals—preserving resources for future generations, providing access to nature, enhancing the ability of our residents to get from one place to another, and improving the safety and stability of our neighborhoods—require highly qualified and dedicated employees. Metro's ability to provide efficient, high quality services to the regional community depends on our employees.

Our total compensation and benefits program is designed to attract and retain the highly competent staff necessary to achieve our goals. Our program is characterized by the following principles:

- **Competitive:** We target providing a total package—cash and benefits—somewhat above the median or average of our labor market depending on our ability to pay.
- **Knowledge, skills and performance driven:** In order to reward and retain the unique, highly skilled employees necessary to maintain our leadership in a progressive region, we strive to recognize the knowledge, skills of our employees and the results they deliver. We also seek to provide superior training and development opportunities to help our employees further enhance their knowledge and skills.
- **Fair:** We strive to apply these common principles consistently across all employee groups within Metro.
- **Flexible:** Our total pay program is designed to be responsive to changes in our market as well as in our business focus.
- **Openness:** We strive to be open about how our integrated human resources program operates and involve employees through sharing information, soliciting feedback, and listening.



# Gap Analysis

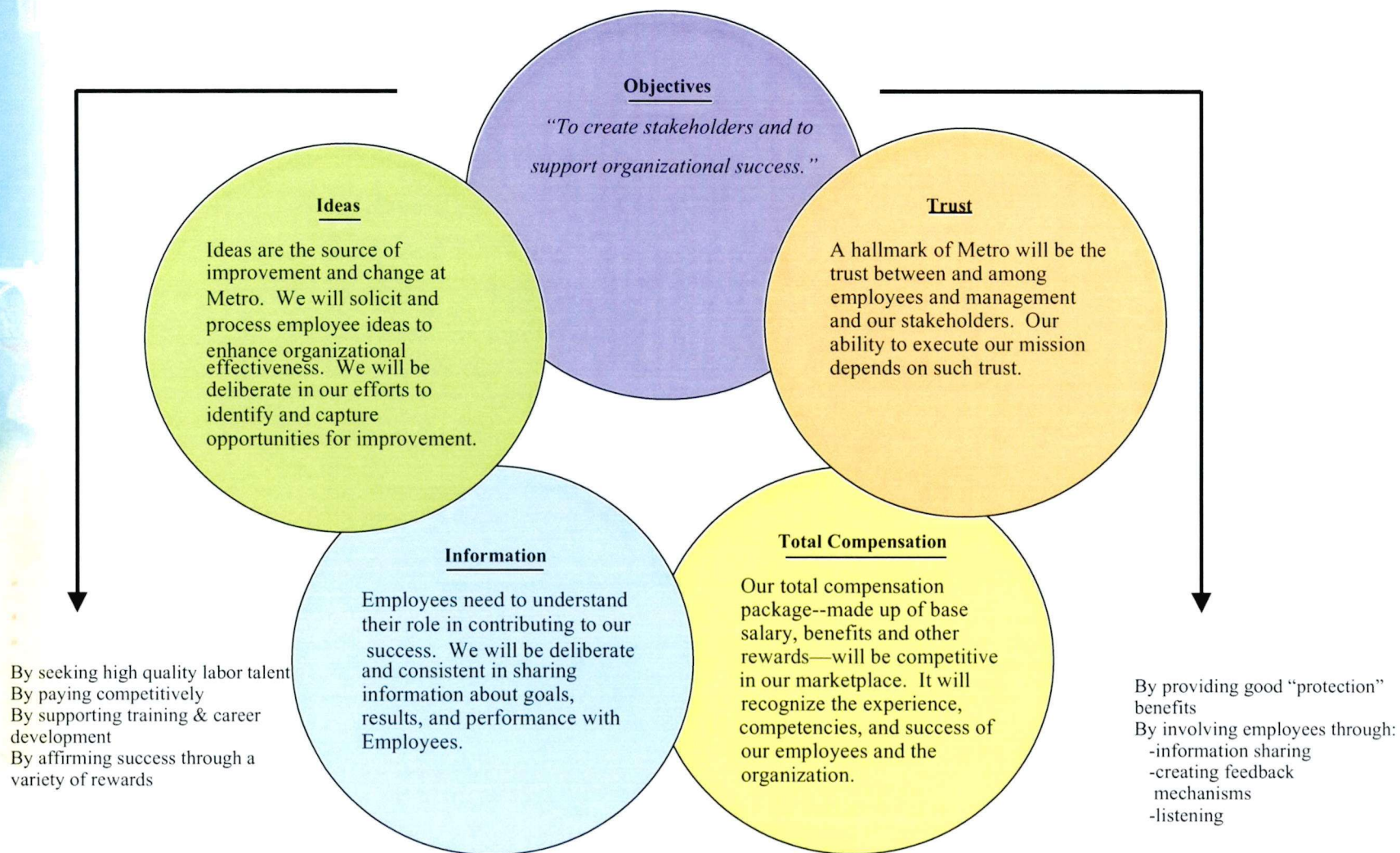
Assessment of linkage between objectives and current programs

Objective	Current Programs					
	Base Salary	Benefits	Retirement	Other Rewards*	Performance Management	Employee Communications
Pay competitively	-	+	+	-		
Seek high quality labor talent	-	+	+	-	-	
Support training & career development	-			-	-	
Affirm success through a variety of rewards				-		
Provide above median "protection" benefits		+	+			
Involve employees through: information sharing, creating feedback mechanisms, listening	-			-	-	-

☐ + Strong  
☐ Neutral  
☐ - Weak



# Integrated Total Rewards Strategy



# Gap Analysis

## Gap

## Required Activities

Current salary structure is not effective at providing fair and competitive wages

- Collect market data on most positions
- Re-structure salary ranges to reflect market and internal equity (and a single Metro compensation structure)
- Eliminate fixed steps
- Move jobs to ranges that reflect market rate

There is little to no linkage between pay and performance

- Define organization and job competencies
- Develop rating scale for performance review of competencies
- Update job descriptions to reflect required competencies
- Train employees and managers

Current pay policies need to be revised to reflect pay philosophy

- Eliminate case-by-case re-classification requests
- Define pay opportunity: performance, competency, promotion, etc.

“Fair pay” needs to be re-defined for Metro

- Define role of internal equity
- Identify appropriate levels of pay for experience, competencies and performance

Pay administration could be more efficient

- Administer one salary schedule
- Move salary planning activities to a single date
- Adjust salary ranges annually to reflect market movement

Job design and description needs to be consistent

- Consolidate same or similar jobs into single titles
- Reduce the number of job titles/classifications
- Use consistent working titles for similar work
- Route re-classification requests through a consistent review process



# Gap Analysis (continued)

## Gap

## Required Activities

Metro has no incentive/variable pay programs nor any non-cash rewards

- Develop other rewards
  - Frameworks
  - Target amounts
  - Supporting administration

Little is done at Metro in recognizing employees for their contribution

- Develop an employee recognition and reward program(s)

Pay for performance requires an effective performance management system which is lacking at Metro

- Develop a program that integrates
  - Performance planning
  - Performance measurement
  - Feedback and coaching
  - Rewards and recognition

Information about Metro needs to be more accessible to employees

- Develop plans that
  - Promote information sharing
  - Create feedback mechanisms
  - Make listening important at Metro

# Integrated Human Resources Model



# Recommendations

## Training Strategy

- ✓ Manager training
  - Goal setting
  - Coaching
  - Feedback
  - Managing performance and pay
- ✓ Employee training
  - HR strategy
  - Total pay program
  - Performance and rewards linkage

# Recommendations

## Staffing Strategy

- ✓ Focus hiring on key competencies for each position
- ✓ Develop Total Compensation Concept for recruitment
  - Salary
  - Other rewards
  - Work environment
  - Benefits



# Recommendations

## Pay Strategy

- ◆ Competitive Position
- ◆ Program Structure and Mix
- ◆ Role of Performance

- ✓ Utilize common review date (versus employee anniversary date) for salary increases
  - Complete performance reviews on a common date
- ✓ Develop incentive programs that reward with cash as well as non-cash means
- ✓ Develop new employee recognition programs
- ✓ Rely on and use market data to determine the “worth” of a job
- ✓ Establish pay ranges with “target” salary at market median
- ✓ Adopt a single salary structure across Metro
- ✓ Tie pay increases to experience and acquisition/effective use of key competencies
- ✓ Establish effective and efficient classification system
  - Use consistent titles for similar work
  - Reduce the number of job titles/classifications
  - Route re-classification requests through consistent review process

# Recommendations



## ER Strategy

- ✓ Develop and execute a systematic communication strategy to:
  - Keep employees informed
  - Solicit employee feedback
  - Communicate organizational actions and responses
- ✓ Develop a mechanism for employee involvement in organizational improvement
- ✓ Equip managers to be primary conduits of critical information and feedback
- ✓ Develop a culture that focuses on goal achievement, teamwork and personal accountability



# Recommendations

Info/Systems  
Strategy

✓ To be developed

# Challenges

- Securing resources to develop and implement changes
- Obtaining approval for policy changes
- Managing the negotiation process for elements that affect the bargaining units
- Generating “buy-in” from employees
- Training all staff on the new program
- Equipping managers to effectively manage pay AND performance

## Regional Solid Waste Management Plan 2003 Waste Reduction Amendments

The amendments have two main elements: (1) an update to the recovery goal in the Plan; (2) incorporation of the Waste Reduction Initiatives into the Plan.

### 1. Update to RSWMP Goal 7

#### *Existing*

**Goal 7 - Regional Waste Reduction Goal.** The regional waste reduction goal is to achieve at least a 50 percent recycling rate by the year 2005. Per capita disposal rate and reductions in waste generated attributable to waste prevention programs are also acknowledged to be key waste reduction indicators. The region's interim goal for the year 2000 is the 52 percent recovery rate as defined by state statute.

#### *Proposed*

**Goal 7 - Regional Waste Reduction Goal.** The regional waste reduction goal is to achieve a recovery rate of 62% as defined by state statute by the year 2005. Per capita disposal rate and reductions in waste generated attributable to waste prevention programs are also acknowledged to be key waste reduction indicators.

Note: As adopted, the 1995-2005 RSWMP also had a performance goal of 56% recovery by the year 2005 (Page 9-3). The proposed 62% recovery goal is equivalent to that original 56% recovery goal plus the 6% credits for waste prevention activities allowed by state statute.

### 2. Incorporation of Waste Reduction Initiatives

The incorporation contains two parts:

- a) An explanatory note explaining purpose of the amendments. (Footnote on page 7-1):

#### *The 2003 Waste Reduction Amendments:*

- (1) incorporate new waste reduction initiatives to assist the region in meeting its recovery goals;*
- (2) delegate development of yearly work plans for Businesses, Building Industries and Commercial Organics to regional work groups (tonnage objectives required to reach the recovery goals that were previously contained in RSWMP Chapter 9, "Monitoring and Assessing Plan Performance," will be calculated by Metro on an annual basis and supplied to the work groups); and,*
- (3) present waste reduction recommendations as "strategies" rather than "practices." This helps clarify the role of the RSWMP as primarily a planning rather than an implementation document.*

- b) Replacement of the Business Waste Reduction and Building Industries Waste Reduction sections (Pages 7-13 through 7-22). The Commercial Organics is currently part of the business section and would stand alone in the Plan under the new amendments. Minor changes to these sections had been made through previous amendments but the new amendments would supersede those.

*(See following pages for the replacement text.)*

## **2. Incorporation of Waste Reduction Initiatives**

b.) replacement text (continued)

### **Business Waste Reduction**

The following strategies are designed to provide an integrated framework that supports businesses in their efforts to develop sustainable practices promoting environmental protection and resource conservation. These strategies promote the principles of waste prevention, recycling and buy recycled. The strategies will assist the region in meeting the waste reduction goals as specified in the adopted 1995-2005 RSWMP. In addition, these strategies will assist the region in meeting its new 2009 waste shed recovery goal and the State in meeting its waste recovery and generation goals for 2005 and 2009.

### **Recommended Strategies**

1. Provide information and technical assistance about waste reduction designed and adapted to meet the needs of businesses.

Developing effective information and technical assistance services requires understanding of how businesses operate, receive information and respond to waste reduction initiatives. Delivering these services will require, as appropriate:

- Providing commercial technical assistance programs that include on-site visits.
- Coordinating waste reduction information services, including web-based resources.

2. Improve businesses' access to, and ease of use of, business waste prevention, recycling and buy recycled services.

Increasing business use of waste reduction services requires that the services be made easier and more convenient to use. Examples of programs that incorporate this approach may include:

- Coordinating the availability of commercial recycling services across the region, such as standardizing the list of recovered materials.
- Reviewing economic incentives to haulers to maximize recycling service levels.
- Addressing barriers that contribute to low participation by commercial multi-tenant buildings and facilities.
- Conducting projects and providing grants to organizations to build the infrastructure and measurement tools for commercial waste prevention and reuse.
- Developing a program to promote purchases of recycled content products by businesses, including a database of recycled-content products and other efforts to ensure that information on the availability, performance and pricing of recycled-content products is readily available.
- Helping businesses work with suppliers to green the supply chain by having products and services incorporate waste reduction criteria, including waste prevention, recycled content and recyclable materials.
- Promoting design guidelines for recycling areas for new or remodeled buildings.

3. Improve the capture and recovery of materials from the business waste stream.

Studies of the region's waste indicate that significant quantities of recoverable materials remain in the waste stream. Meeting the region's recovery goals may include:

- Targeting specific materials for recovery from business collection programs.

- Ensuring the region's processing system has the capacity and capability to sort additional quantities of recyclables needed to meet the region's recovery goal into commodities that meet the quality requirements of end markets.
  - Researching issues with problem materials, such as shredded paper that cause processing and recovery issues for processors.
  - Maintaining current Metro fee waivers on recovered material.
  - Requiring that processing facilities pay fees to Metro only on disposed residuals.
4. Coordinate outreach efforts and develop a common message for businesses that integrates concepts of waste prevention, recycling and buy recycled.

Businesses today are faced with a barrage of messages and programs urging them to act in socially and environmentally responsible ways. Outreach messages can improve their effectiveness by:

- Promoting an understanding of sustainability as a way of integrating these concepts.
  - Promoting multimedia resource efficiency programs that qualify for state recycling rate credits.
  - Promoting a region-wide or industry-specific approach, as appropriate, for example, promoting region-wide commingled collection and processing services or targeting real estate firms.
  - Providing a business recognition program.
5. Support market development efforts.

Successful business waste reduction programs will increase the supply of recyclable materials. Market development efforts are needed to foster demand for these materials. Regional market development efforts may improve markets for the reuse or recycling of locally generated materials through:

- Expanding markets and marketing efforts for recycled content and reused products.
- Assisting in development of new technologies and products that increase the use of recycled material.
- Providing technical or financial assistance to processors and end users of recovered materials.

## **Implementation**

Implementation of these strategies will be coordinated through the Commercial Waste Reduction Work Group. The Work Group will present its implementation plans for review to the Regional Solid Waste Advisory Committee annually.

## **Waste Reduction for Building Industries**

The following strategies are designed to provide an integrated framework that supports the development of sustainable practices promoting environmental protection and resource conservation in the building industries. These strategies are intended to implement the waste reduction hierarchy by promoting principles of waste prevention and recycling. The strategies will assist the region in meeting the waste reduction goals as specified in the adopted 1995-2005 RSWMP. In addition, these strategies will assist the region in meeting its new 2009 wasteshed recovery goal and the State in meeting its waste recovery and generation goals for 2005 and 2009.

**Note: The term "building industries" includes, but is not limited to, contractors, builders, developers, architects, designers, construction specification writers, property owners and managers.**

## **Recommended Strategies**

### **1. Promote salvage and deconstruction practices within the building industries.**

Salvage and deconstruction activities prevent waste and preserve critical natural resources, such as old growth timber. These practices are an efficient and effective way to prevent demolition wastes from entering the waste stream. Support for these practices may include:

- Creating outreach programs to the salvage and deconstruction industry and to those utilizing salvage and deconstruction services.
- Supporting market development activities that assist in the start-up, expansion or ongoing operation of building material reuse organizations.
- Developing public/private partnerships between building material reuse organizations and other government organizations with an interest in reuse.

### **2. Provide information and technical assistance about waste reduction designed and adapted to meet the needs of the building industry.**

Each segment of the building industry needs to be reached with targeted waste reduction information. Developing effective waste reduction information and technical assistance services requires an understanding of how these stakeholders are involved in a demolition or construction project and how best to provide them with waste reduction services. Programs may include:

- Providing technical assistance tailored to the needs of the building industry.
- Producing waste reduction information endorsed by and distributed by local governments, industry associations and other sources.
- Supporting agencies and organizations that promote sustainable building or "green" practices. Support programs that provide model specifications related to salvage, design and selection of materials used in construction.

### **3. Increase the diversion of construction and demolition wastes from landfills.**

Studies of the region's waste indicate that significant quantities of recoverable materials in the C&D waste stream continue to be disposed directly into landfills. Meeting the region's recovery goals may include:

- Continuing to promote the availability of on-site source separation services.
- Creating economic incentives for generators, processing facilities or landfills that divert materials from disposal.
- Developing and promoting C&D (i.e., mixed construction waste) processing facilities within the region.
- Ensuring capacity of local used building material industry.
- Ensuring capacity and reasonable access to mixed construction waste processing facilities.
- Maintaining current Metro fee waivers on recovered material.
- Requiring processing facilities to pay fees to Metro only on disposed residuals.

### **4. Support market development efforts.**

Successful business industry waste reduction programs will increase the supply of reusable and recyclable materials. Market development efforts are needed to foster demand for these materials.

Regional market development efforts may improve markets for the reuse or recycling of locally generated materials through:

- Expanding markets and marketing efforts for recycled content and reused building industry products.
- Assisting the development of new technologies and products to increase the use and value of recycled building materials.
- Providing technical and/or financial assistance to processors and end users of recovered building materials.

## **Implementation**

Implementation of these strategies will be coordinated through the Construction and Demolition Waste Reduction Work Group. The Work Group will present its implementation plans for review to the Regional Solid Waste Advisory Committee annually.

## **Waste Reduction for Commercially Generated Organics**

The following strategies are designed to provide an integrated framework that supports the development of sustainable practices promoting environmental protection and resource conservation in businesses generating organic wastes. These strategies are intended to implement the waste reduction hierarchy through waste prevention (including food donation and diversion) and organics processing. The strategies will assist the region in meeting the waste reduction goals as specified in the adopted 1995-2005. In addition, these strategies will assist the region in meeting its new 2009 watershed recovery goal and the state in meeting its waste recovery and generation goals for 2005 and 2009.

## **Recommended Strategies**

1. Develop and implement waste prevention and food donation programs for businesses that generate organic waste.

This strategy is designed to prevent the generation of excessive food waste and to target the highest end use for those food wastes generated by businesses. The value of surplus food products to food rescue agencies (food banks and pantries) generally far exceeds the value of the waste as a feedstock for an organic processing facility. Programs diverting edible materials to local food banks are designed to capture some of that value. Support for these programs may include:

- Providing grants to improve the infrastructure of the food donation industry to enable food rescue agencies to build greater capacity to collect, store and redistribute perishable foods that would otherwise be landfilled.
- Delivering outreach and education programs to businesses about preventing food waste and about strategies to donate edible surplus food to food rescue agencies.

2. Develop and provide information and technical assistance to businesses regarding options for their organic waste.

A wide range of business types, including restaurants, food processors and grocery stores generate food wastes. Understanding how these business types operate will assist in developing and delivering effective waste reduction information and technical assistance services to these businesses. Programs may include:

- Delivering on-site technical assistance tailored to the needs of each business type.

- Delivering coordinated information services utilizing a wide range of media designed to reach each business type.

### 3. Assist in developing a processing infrastructure.

Studies of the region's waste indicate that even with increased waste prevention through successful diversion and food donation programs, there will be significant quantities of organic waste left in the waste stream. Development of an organic waste-processing infrastructure to enable the region to meet its recovery goals may include:

- Developing collection and processing services within the region through grants and pilot programs.
- Providing assistance (grants, technical assistance) to existing local processing facilities to enhance their processing capacity and broaden the types of organic materials they can receive and process in an environmentally sound manner.
- Addressing facility siting and zoning issues with local authorities.

### 4. Increase the recovery of residential food wastes.

Conducting research on the potential for implementing residential food waste collection programs, pending the development of sufficient organics processing capacity for the region.

### 5. Support market development efforts.

Successful organics recovery efforts will increase the supply of compost and other soil enhancement products from processing facilities. Market development efforts are needed to ensure demand for these products. Regional market development efforts may improve markets for the use of these locally generated materials through:

- Expanding markets and marketing efforts for compost and other soil enhancement products.
- Working with the Composting Council of Oregon on market development in the Metro region.

## **Implementation**

Implementation of these strategies will be coordinated through the intergovernmental Organics Work Group. The Work Group will present its implementation plans for review to the Regional Solid Waste Advisory Committee annually.

## **Recommended Waste Reduction Contingency Plan**

### **Background**

In 1999, faced with evidence that progress toward regional recovery goals had stalled, Metro and local governments created work teams to address the problem. The result was a set of "Waste Reduction Initiatives" that identified opportunities for increasing recovery in the C&D, Commercial and Commercial Organics sectors. The strategies in this Plan chapter integrate those efforts into this Regional Solid Waste Management Plan.

The waste reduction strategies contained in this Plan are primarily based on an "Opportunity Model." Under this model, recycling services are required to be available and promoted to businesses, but participation in the programs remains voluntary. The Commercial and C&D Waste Reduction Initiatives



work groups identified strategies that would add additional requirements on generators or facilities to this Opportunity Model. These "required recycling" strategies are not part of this Plan at this time. Although the Commercial Organics work group did not identify specific additional strategies it is recommended that they should be developed.

### Contingency Plan

In addition to the strategies contained in the Plan, it is essential that the region have a contingency plan in place if progress toward recovery goals is inadequate. Regional solid waste stakeholders have agreed that if we clearly are not going to reach our 2005 goal, waiting until 2005 to address the problem is not acceptable.

The basic outline of the contingency plan is for a work group to meet to develop a set of feasible and effective strategies to enhance recovery. These strategies would be put in place by a date certain if progress toward recovery goals were inadequate. Based on the work of the Waste Reduction Initiative teams, these strategies would focus on adding "required recycling" policies to the existing policy framework.

The contingency plan will take the following form:

- A work group will be convened to consider methods of increasing progress toward recovery goals through increased recycling requirements.
  - For the Building Industries sector, types of required recycling to be considered will include: (a) requirements on C&D generators to recycle a majority of their recyclable wastes through source separation or at mixed-waste processing facilities; and (b) disposal bans for generators or facilities on selected recyclable materials.
  - For the Business sector, types of required recycling to be considered will include: (a) requirements on generators to recycle at least a majority of their wastes; and (b) disposal bans for generators or facilities on selected recyclable materials.
  - For the Commercially-generated Organics sector, approaches to be considered will include: (a) requirements on business organic generators to source separate on site or send their organic wastes to processing facilities; and (b) develop a common regional approach to increase the efficiency and economic feasibility of organics collection.
- The work group will consider whether such requirements are best implemented through actions of local governments, Metro or the State of Oregon. Combined or joint action by these agencies will be considered.
- The work group will determine whether adoption of these methods would be legally and financially feasible and would enable the region to meet its recovery goals. The work group can consider other methods (e.g., financial incentives or subsidies); such methods must be compared in terms of feasibility and effectiveness with the required recycling approaches.
- The work group will make its recommendations to Metro and the Regional Solid Waste Advisory Committee on or before January 1, 2004. If sufficient progress toward recovery is not reflected in recovery reports, Metro and the appropriate governments will work to implement the work group's recommendations after that date.

### **Opportunity Strategies**

- ✓ Waste prevention
- ✓ Information and technical assistance
- ✓ Increase access to and use of services
- ✓ Support for market development

### **WR for Building Industries**

- ✓ Waste prevention
  - Support salvage and deconstruction efforts
- ✓ Information & technical assistance
  - Tailor programs to audiences
  - Partner with stakeholders in building industries

### **Building Industries (cont.)**

- ✓ Increase access and use of services
  - Support for on-site source separation
  - Ensure capacity and access to MRFs
- ✓ Support for market development
  - More recovery = more materials

### **Contingency Plan**

- ✓ Why needed? Meeting Year 2005 goal unlikely with opportunity model strategies alone
- ✓ Process? Stakeholder work group evaluates and recommends "required recycling" contingencies

### **Contingency Plan Work Group**

- ✓ Consider requirements on generators or facilities
- ✓ Examine all three WRI sectors
- ✓ Make recommendations by January 1, 2004

### **Next Steps**

- ✓ Present amendments (ordinance) to SWAC and Council
- If approved:
- ✓ Convene Contingency Plan Work Group by May

## **REGIONAL SOLID WASTE MANAGEMENT PLAN**

### **2003 Waste Reduction Amendments**

**Metro Council Informal**  
March 18, 2003

### **The RSWMP**

- ✓ Provides framework for coordinating solid waste programs in the region
- ✓ Establishes regional recycling goals; policies and strategies; roles and responsibilities
- ✓ Fulfills State requirement that Metro have a waste reduction plan

### **Why amendments?**

- ✓ Part of RSWMP procedures
  - Keep regional strategies, policies & programs aligned

### **2003 WR Amendments**

- ✓ Update statement of recovery goal
- ✓ Incorporate WRI "opportunity model" strategies
- ✓ Adopt contingency plan - required recycling

### **Waste Reduction Initiatives**

- ✓ In 1999, saw we were not on track to Year 2000 goals
- ✓ "New Initiatives for Waste Reduction" developed
- ✓ Targets: Businesses, Building Industries, Commercial Organics

### **Progress Required by 2005**

- ✓ Businesses 97,000 tons
- ✓ Building Industries 35,000 tons
- ✓ Commercial Organics 45,000 tons

## FY 2003-04 Metro Solid Waste Charges

### Comparison under Requested Budget and Ordinance No. 03-1000

The disposal charge for municipal solid waste at Metro transfer stations is comprised of two parts: a fixed charge ("transaction fee") for each use of the transfer station, and a variable charge ("tip fee") based on the amount of solid waste delivered for disposal. The components of these fees recover the cost of various programs and services.

	<u>Ordinance</u>	<u>Dept. Request</u> <u>Nov. 2002</u>	
<b>Transaction Fee .....</b>	<b>\$6.00</b>	<b>\$6.00</b>	
<i>Recovers the cost of scalehouse operations and capital expenses at the transfer stations.</i>			
<b>Metro Tip Fee (by component)</b>			
<i>Disposal Charges</i>			
Metro Facility Fee	\$1.09	\$1.01	
<i>Recovers the cost of utilities, contributions to capital sinking funds, etc.</i>			
Transfer charge	\$8.21	\$8.13	
<i>Recovers the cost of transfer station operation (BFI/Allied contract).</i>			
Transport & Disposal	\$33.25	\$33.25	
<i>Recovers the cost of transport &amp; disposal (CSU &amp; OWS contracts).</i>			
Revenue in excess of unit cost	- 0 -	\$0.73	
<b>Subtotal, Disposal Charges</b>	<b>\$42.55</b>	<b>\$43.12</b>	<b>- 57¢</b>
<i>Fees &amp; Taxes</i>			
Regional System Fee	\$16.57	\$15.00	+ \$1.57
<i>Recovers cost of Metro's regional solid waste services &amp; programs.*</i>			
Metro Excise Tax	\$6.39	\$6.39	
<i>Contributes toward Metro general government costs.</i>			
DEQ Fees	\$1.24	\$1.24	
<i>DEQ promotion fee, orphan site fund, etc. collected on behalf of DEQ.</i>			
Community Enhancement Fee	\$0.50	\$0.50	
<i>Collected on behalf of communities that host the transfer stations.</i>			
<b>Subtotal, Fees &amp; Taxes</b>	<b>\$24.70</b>	<b>\$23.13</b>	
<b>Total, Metro Tip Fee .....</b>	<b>\$67.25</b>	<b>\$66.25</b>	<b>+\$1.00</b>

Notes The Metro transaction fee and tip fee are charged to users of Metro transfer stations only. Other facilities may charge different rates.

The Regional System Fee and Metro Excise Tax are charged on all solid waste that is generated in the region, regardless of the disposal site.

DEQ imposes its fees (totaling \$1.24) on waste delivered to all DEQ-permitted disposal sites. The host fee (community enhancement) is a local option.

\* Including waste reduction, hazardous waste, illegal dumpsite monitoring & cleanup, enforcement, latex paint recycling, Recycling Information Center hotline, etc. Excludes costs of MSW disposal operations.

## BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING ) ORDINANCE NO. 03-1000  
 METRO CODE CHAPTER 5.02 TO )  
 AMEND DISPOSAL CHARGES AND ) Introduced by: Mark Williams, Interim Chief  
 SYSTEM FEES ) Operating Officer, with the concurrence of  
 ) David Bragdon, Council President

WHEREAS, Metro Code Chapter 5.02 establishes solid waste charges for disposal at Metro South and Metro Central transfer stations; and,

WHEREAS, Metro Code Chapter 5.02 establishes fees assessed on solid and hazardous waste generated within the District or delivered to solid waste facilities regulated by or contracting with Metro; and,

WHEREAS, Metro's costs for solid waste programs have increased; now, therefore,

## THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Section 5.02.025 is amended to read:

## 5.02.025 Disposal Charges at Metro South &amp; Metro Central Station

(a) The fee for disposal of solid waste at the Metro South Station and at the Metro Central Station shall consist of:

- (1) ~~The following charges~~ A Tonnage Charge as provided in subsection (b) for each ton of solid waste delivered for disposal;

(A) A tonnage charge of \$42.55 per ton,

(B) The Regional System Fee as provided in section 5.02.045,

(C) An enhancement fee of \$.50 per ton, and

(D) DEQ fees totaling \$1.24 per ton;

- (2) All applicable solid waste taxes as established in Metro Code Chapter 7.01, which excise taxes shall be stated separately; and

- (3) A Transaction Charge of \$6.00 for each Solid Waste Disposal Transaction.

~~(b) The Tonnage Charge specified in subsection (a) of this section shall consist of:~~

~~(1) A disposal charge of \$33.02 per ton;~~

~~(2) A regional transfer charge of \$7.53 per ton;~~

~~(3) The fees specified in section 5.02.045;~~

~~(4) An enhancement fee of \$.50 per ton; and~~

~~(5) DEQ fees totaling \$1.24 per ton.~~

(be) Notwithstanding subsection (a) of this section, there shall be a minimum solid waste disposal charge at the Metro South Station and at the Metro Central Station for loads of solid waste weighing 340 pounds or less of \$17, which shall consist of a minimum Tonnage Charge of \$11.00 plus a Transaction Charge of \$6.00 per Transaction.

(cd) Total fees assessed in cash at the Metro South Station and at the Metro Central Station shall be rounded to the nearest whole dollar amount, with any \$0.50 charge rounded down.

(de) The Director of the Regional Environmental Management Department may waive disposal fees created in this section for Non-commercial Customers of the Metro Central Station and of the Metro South Station under extraordinary, emergency conditions or circumstances.

Section 2. Metro Code Section 5.02.045 is amended to read:

5.02.045 System Fees

(a) Regional System Fee: Solid waste system facility operators shall collect and pay to Metro a Regional System Fee of ~~\$16.57~~~~\$24.00~~ per ton for the disposal of solid waste generated, originating, collected, or disposed of within Metro boundaries, in accordance with Metro Code section 5.01.150.

(b) Metro Facility Fee: Metro shall collect a Metro Facility Fee of ~~\$1.09~~~~\$2.55~~ per ton for all solid waste delivered to Metro Central Station or Metro South Station.

(c) System fees described in paragraph (a) shall not apply to exemptions listed in section 5.01.150(b) of this Code.

Section 3. Metro Code Section 5.02.047 is amended to read:

5.02.047 Regional System Fee Credits

(a) A solid waste facility which is certified, licensed or franchised by Metro pursuant to Metro Code Chapter 5.01 or a Designated Facility regulated by Metro under the terms of an intergovernmental agreement shall be allowed a credit against the Regional System Fee otherwise due each month under Section 5.02.045 for disposal of Processing Residuals from the facility. The Facility Recovery Rate shall be calculated for each six-month period before the month in which the credit is claimed. The amount of such credit shall be in accordance with and no greater than as provided on the following table:

### System Fee Credit Schedule

Facility Recovery Rate		
From Above	Up To & Including	System Fee Credit of no more than
0%	30%	0.00
30%	35%	9.92
35%	40%	11.46
40%	45%	13.28
45%	100%	14.00

(b) The Chief Operating Officer:

- (1) Shall establish administrative procedures to implement subsections (b) and (c) of Metro Code Section 5.02.046; and,
- (2) May establish additional administrative procedures regarding the Regional System Fee Credits, including, but not limited to establishing eligibility requirements for such credits and establishing incremental System Fee Credits associated with Recovery Rates which fall between the ranges set forth in paragraph (a) of this section.

~~(c) The following users of Metro solid waste system facilities shall be allowed a credit in the amount of \$9 per ton against the Regional System Fee otherwise due under Section 5.02.045(a):~~

~~(1) Users of Metro Central and Metro South Transfer Stations;~~

~~(2) Any Person delivering authorized waste:~~

~~(A) to any landfill or other solid waste facility that is authorized to receive such waste through a Metro license, certificate, franchise or Designated Facility Agreement; or~~

~~(B) under the authority of a Metro Non-System License.~~

~~(cd)~~ Any person delivering Cleanup Material Contaminated By Hazardous Substances that is derived from an environmental cleanup of a nonrecurring event, and delivered to any Solid Waste System Facility authorized to accept such substances shall be allowed a credit in the amount of ~~\$12.50~~ \$14.07 against the Regional System Fee otherwise due under Section 5.02.045(a) of this Chapter.

~~(de)~~ During any Fiscal Year, the total aggregate amount of credits granted under the Regional System Fee credit program shall not exceed the dollar amount budget without the prior review and authorization of the Metro Council.

~~(ef)~~ The Director of the Regional Environmental Management Department shall make a semi-annual report to the Council on the status of the credit program. The report shall include that aggregate amount of all credits paid during the preceding six months and the amount paid to each facility eligible for the credit program. The report shall also project whether the appropriation for the credit program will be sufficient to meet anticipated credit payment requests and maintain existing contingency funding.

Section 4. Effective Date

The provisions of this ordinance shall become effective on July 1, 2003.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
David Bragdon, Council President

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel



## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 03-1000 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02 TO AMEND DISPOSAL CHARGES AND SYSTEM FEES

Date: March 20, 2003

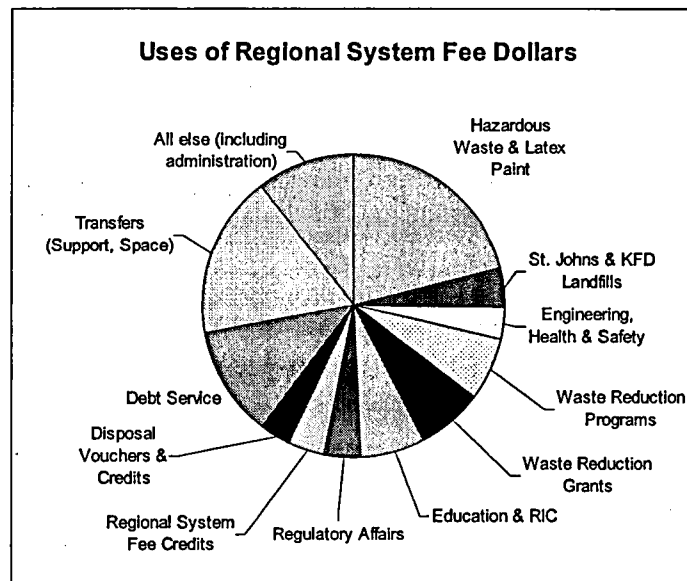
Prepared by: Douglas Anderson

## BACKGROUND

*This Ordinance would increase the Regional System Fee by \$1.57 per ton and the Metro tip fee by \$1, from \$66.25 to \$67.25 in Fiscal Year 2003-04. These changes are projected to raise an additional \$1.56 million for the Solid Waste Revenue Fund in FY 2003-04. They would increase the residential garbage customer's bill by an average of about 6¢ per month.*

*Although the Department had proposed to draw deeper into reserves for FY 2003-04 and had not included a rate increase in its requested budget of November 15, 2002, the continuing slump in tonnage-related revenue points toward the need for a mild rate increase to avoid drawing-down reserves below their target levels. This ordinance would reduce the amount of the draw-down.*

The Regional System Fee is a user charge that Metro levies on disposal of solid waste generated or disposed in the District. The Regional System Fee ("RSF") is currently \$15 per ton, and is included in the tipping fees of all landfills and regional transfer stations (including the Metro stations) that accept waste from the region. The RSF currently raises about \$18 million per year that is used to fund regional solid waste programs and the Department's debt service. The RSF is established in Metro Code Chapter 5.02, and has been an element of the regional solid waste revenue system since the late 1980s. The uses of Regional System Fee revenue are depicted in the following graph. Revenue from the RSF does not pay for disposal operations at the Metro transfer stations, for which there are separate user charges.\*



\* However, the user charges for disposal generate a bit more revenue than required, and this "overcollection" has historically been used to offset the RSF. Some councilors have expressed concern that transfer station customers effectively pay a greater share of the RSF than users of non-Metro facilities. This issue is addressed further below.

In recent years, the Department has implemented a planned draw-down of reserves by paying for a portion of these programs from the fund balance. As a consequence, for some time now the RSF has been suppressed below the price that would fully recover costs. As reserves began to approach their target levels, the Department had planned a gradual transition to a full-cost rate from FY 2002-03 to 2004-05. An increase of \$2.10 (from \$12.90 to the current \$15) was implemented last July. However, the Department's requested FY 2003-04 budget\* did not include any rate changes, on the assumption that the Department could suspend rate increases for a year and dig further into reserves until the current economic climate changed. In the first draft of the budget, the shortfall between the cost of regional programs and RSF revenue required a draw of \$3.18 million from the fund balance. (The total difference of \$3.9 million between budget requirements of \$22.33 million and RSF revenues of \$18.43 million is partially offset by \$720,000 of "overcollection" at the Metro transfer stations.) These figures are shown in the "Requested" column of the table below.

**Comparison of Sources & Uses of Funds  
FY 2003-04 Regional Solid Waste Programs  
Based on the Department's Requested Budget**

<u>Source/Use of Funds</u>	<u>Amount (million\$)</u>	
	<u>Requested</u>	<u>Updated</u>
<b>Regional program budget (uses)</b>	<b>\$22.33</b>	<b>\$22.27</b>
<b>Resources</b>		
Transfer station revenue in excess of costs	\$ 0.72	\$ 0.47
Draw required from fund balance	\$ 3.18	\$ 3.83
RSF revenue at \$15 per ton†	\$18.43	\$17.97
<b>Total resources</b>	<b>\$22.33</b>	<b>\$22.27</b>

The "Regional Program" budget includes hazardous waste, waste reduction, latex paint, RIC, inspections, etc.—net of dedicated revenue such as paint sales. It also includes debt service and transfer payments within Metro, but excludes the cost of transfer station disposal operations.

† The Regional System Fee would have to be \$18.59 per ton to recover the \$22.3 million in program costs, based on 1.2 million regional tons.

However, tonnage-related revenue has continued to slump since the preparation of the proposed budget, with implications for next year's financing strategy. The Department has updated its assumptions about the revenue generated during FY 2003-04 to account for this trend (see "Updated" column). Specifically:

- ❑ Next year's RSF revenue is now expected to be about \$460,000 less than the projection in the requested budget (see "RSF revenue" line in table above).
- ❑ Collections from disposal operations are projected down about a quarter million dollars (from \$720,000 to \$470,000) next year (see "Transfer station revenue" in table).

All told, the draw required from the fund balance next year is now projected to be \$3.83 million, up \$650,000 from the requested budget (see "Draw from fund balance" in table above). Adding the \$470,000 available from revenue in excess of costs at the transfer stations, the total subsidy on regional services from all sources would be \$4.3 million, or 20 percent of the program budget.

\* References to the Department's proposed budget mean the FY 2003-04 budget submitted to Finance on November 15, 2002. Throughout this report, fixed expenditures are as submitted in that draft; but variable costs, revenues and reserves have been adjusted to account for changes since last November.

This situation gives rise to two concerns of fiscal management: (1) in order to meet the shortfall in revenue, the reserves will have to be drawn below the fiscally-prudent targets recommended last year by an independent consultant; and (2), the Department will require a steeper rate increase in FY 2004-05 or a longer transition period to realize cost-of-service rates. A minimum prudent fiscal course is to implement a mild increase in the Regional System Fee, barring reductions in the proposed budget. Increasing the RSF will raise additional revenue in FY 2003-04 and simultaneously begin the transition to cost-of-service rates.

Metro's Rate Review Committee (RRC) has been reviewing these conditions and issues, and on March 5, recommended that the Regional System Fee be increased \$1.50 per ton, to \$16.50, for FY 2003-04. The RRC further recommended that this increase be passed-on at Metro transfer stations, for a tip fee of \$66.75, up from \$66.25. In addition, the RRC recommended that the Council examine the Department's budget carefully to determine if cost savings and efficiencies could be found to further reduce the potential draw-down of reserves.

The Council President has considered the RRC's recommendation, and further has taken into account the issue of overcollection at the Metro transfer stations. The Council President proposes an increase in the Regional System Fee of \$1.57 (within 7¢ of that recommended by the RRC), but further proposes charging the unit cost of disposal at Metro transfer stations—a reduction of 57¢ in this component of the rate, to \$42.55 per ton. This proposal will help meet the Department's original objective of having fees equal to unit cost by FY 2004-05, but will also hold the line on increases to the Metro tip during the current economic conditions. This rate package is projected to raise an additional \$1.56\* million for regional programs, reduce the subsidy of non-Metro facilities, and reduce the draw on the fund balance from \$3.83 million to \$2.27 million, which will maintain reserves closer to their target levels.

The specific changes to Metro's tip fee and the RSF are shown in the following table.

**Components of the Metro Tip Fee, FY 2002-03—03-04**  
(dollars per ton)

Rate Component	Current Rate (FY 2002-03)	FY 2003-04 Recommendations	
		Rate Review Committee	Council President
Disposal Operations*	\$ 43.12	\$ 43.12	\$ 42.55
Regional System Fee	\$ 15.00	\$ 16.50	\$ 16.57
Excise Tax	\$ 6.39	\$ 6.39**	\$ 6.39**
DEQ Fees	\$ 1.24	\$ 1.24	\$ 1.24
Host Fee	\$ 0.50	\$ 0.50	\$ 0.50
<b>Tip Fee</b>	<b>\$ 66.25</b>	<b>\$ 67.75</b>	<b>\$ 67.25</b>

\* Includes station operation, transport, fuel, disposal and miscellaneous contracts.

\*\* FY 2002-03 excise tax rate. Actual FY 2003-04 rate may differ slightly.

A comparison of costs and draw-downs on reserves is shown in the table on the following page. Metro's costs and revenue bases are depicted in the left-most columns. The degree of over- and under-collection by each of the rates is shown in the columns to the right. The table shows the \$3.83 million draw from

\* The \$1.57 increase in the RSF raises \$1.88 million, and the \$0.57 reduction in disposal charges reduces collections at the transfer stations by \$0.324 million, for a net increase of \$1.56 million for the whole rate package.

reserves if the current rates are held into next year. The table also shows that the rate package proposed by this ordinance would reduce this draw by \$1.56 million (to \$2.27 million) while holding the tip fee to only a \$1 increase.

This table is also set up to simplify analysis during the budget deliberations. Specifically, *any reductions from the Department's requested FY 2003-04 program budget may be deducted directly from the draw on reserves*. For example, if \$600,000 were cut from the budget, the draw on reserves would be further reduced by exactly this amount (\$2.27 million - \$0.60 million = \$1.67 million revised draw on reserves).

**Comparison of Rate Package with Department's Requested Budget**  
**Analysis of Tip Fees and Under- & Over-Collection by Rate Bases**  
**(FY 2003-04)**

Operating Budget Components		Costs		Current		This Ordinance	
Cost Center	Rate Base	Total (\$million)	Per Unit <sup>1</sup>	Rates <sup>1</sup>	Over(Under) Collection <sup>2</sup>	Rates <sup>1</sup>	Over(Under) Collection <sup>2</sup>
Scalehouse*	342,133 trans.	\$1.910	\$5.58*	\$6.00*	\$0.144	\$6.00*	\$0.144
Disposal <sup>3</sup>	569,015 tons	\$24,210	\$42.55	\$43.12	\$0.324	\$42.55	\$0.000
RSF	1,198,101 tons	\$22,270	\$18.59	\$15.00	(\$4.301)	\$16.57	(\$2.420)
	Total per-ton costs		\$61.14	\$58.12		\$59.12	
	Plus: add-ons <sup>4</sup>		\$8.13	\$8.13		\$8.13	
	Equals: tip fee		\$69.27	\$66.25		\$67.25	
<b>Draw needed from fund balance</b>					<b>(\$3.833)</b>		<b>(\$2.276)</b>

- 1 Figures in these columns are per-ton costs except for the scalehouse, which is the cost per transaction.
- 2 The amount that the indicated rate over- or under-collects, relative to the total cost.
- 3 Includes station operation, transport, fuel, disposal and miscellaneous contracts.
- 4 Metro excise tax at \$6.39 + DEQ fees at \$1.24 + enhancement fee of \$0.50 per ton.
- \* These costs are recovered through the Transaction Fee, currently \$6.00 per visit to the transfer station.

## INFORMATION/ANALYSIS

### 1. Known Opposition.

Although no specific opposition has been voiced as of this writing, there is precedent for opposition to solid waste rate increases. The following are historical reactions from various user groups:

**Haulers.** Haulers' reactions to rate increases have been mixed. But generally, haulers tend to dislike rate increases because these costs are passed on to their customers, and the haulers are typically the first in line to field the resulting complaints and potential loss of business. In some local jurisdictions that regulate haulers' service charges, the allowed rate-of-return is based on the cost-of-sales; and in some of these cases, haulers may profit mildly from a rate increase because it increases the base on which their rate of return is calculated. However, historically, the majority of haulers have testified that negative customer relations issues outweigh any other advantages to rate increases, and therefore haulers have generally opposed such increases.

**Private Facility Operators.** Private solid waste facility operators have historically supported increases in Metro's tip fee because their own private tip fees can follow the public lead. However, the RSF is a cost to these same operators. Because this ordinance raises the system fee by more than the tip fee, facility operators' relative costs will go up, and they are very likely to be opposed. This opinion was expressed at the RRC. Operators that receive RSF credits are likely to argue that the credit schedule should be adjusted upward to keep their operating margins whole.

**Private Disposal Site Operators.** Landfills and private transfer stations will simply pass the increase in the RSF on to their customers through an increase in their tip fees. Private operators have typically opposed increases in the system fee because they have to field customers' negative responses to rate increases.

**Ratepayers.** Ratepayers costs will go up (see also "Anticipated Effects" below). Ratepayers typically oppose rate increases, although increases of only \$1 per ton have historically not motivated significant opposition. However, the current economic climate may magnify the effect of any rate increase. Some non-residential ratepayers that use non-Metro disposal facilities will experience increases in the full amount of the RSF.

Not all interests are necessarily opposed, however:

**Recycling Interests.** Because the RSF is levied on disposal only, it makes recycling relatively more attractive. For this reason, recycling interests have historically supported increases in the RSF.

2. **Legal Antecedents.** Metro's solid waste rates are set in Metro Code Chapter 5.02. Any change in these rates requires an ordinance amending Chapter 5.02. Metro reviews solid waste rates annually, and has amended Chapter 5.02 when changes are warranted.
3. **Anticipated Effects:** This ordinance will increase the cost of disposal throughout the region by \$1.00 to \$1.57 per ton—meaning, tip fees are likely to rise by up to \$1.57 per ton. The increase in the Metro tip fee is based on the assumption that there will be no change in the Metro excise tax rate. The effect of the \$1 tip fee increase on an average residential garbage customer would be a bump of about 6¢ per month in the garbage bill. See also Budget Impacts, below.  
  
As discussed earlier in this staff report, the deep subsidy of the RSF from reserves and revenue from Metro transfer stations, have led some policy observers to consider the Department's past financing strategy an implicit subsidy of non-Metro facilities by Metro facilities. By moving the RSF closer to its cost-recovery level of \$18.59 per ton, this implicit subsidy is significantly reduced.
4. **Budget Impacts.** The rate package described in this ordinance is projected to raise an additional \$1.56 million in operating revenue for the Solid Waste Revenue Fund in FY 2003-04, and a similar amount in subsequent years. This revenue estimate is based on the Department's tonnage projections.

## RECOMMENDATION

The Chief Operating Officer recommends approval of Ordinance No. 03-1000.