



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

February 25, 2013

To: Senate Rural Communities and Economic Development
Senator Arnie Roblan, Chair
Members of the Committee

Re: SB 251 – Streamlining Permit Processing: CONCERNS

The League of Women Voters is a grassroots, nonpartisan, political organization that encourages informed and active participation in government. The League believes that profitable companies that pay family wage jobs are a critical part of making Oregon a great place to live. We understand the link between those who pay taxes and the services those taxes provide.

With that in mind, the League also believes that public policies set by the Legislature and administered by rule by state agencies and public policies set by local governments and administered by local codes must be implemented as agreed to under the various public processes that created those laws, rules and codes. However, we also believe that efficiencies in administration are always welcomed, but any changes in those actions need a public process similar to the one that created those laws, rules and codes.

In 2009 the League testified before the Ways and Means Subcommittee on Natural Resources specifically related to water laws. We recommended a co-sharing of office space and increased public involvement and educational efforts as well as consolidation of data. (See attached April 23, 2009 letter.) The issue of working to find efficiencies in governance is not a new one for us.

We are concerned by the broad language provided under SB 251 and the lack of clarity regarding the Governor's authority. Specifically there are a range of permits issued by local governments from complicated conditional use permits for land actions to plumbing permits. There are also a range of permits issued by state agencies. Conflicts among agencies do occur as they administer these permits. What process would the Governor use to determine which agency's permit had precedent over the other?

SB 251 allows the Governor to "determine" if "a land development proposal addresses significant regional priorities" without any criteria for that determination. Using the testimony of examples provided to you during public testimony, do we know that the gold mine in Malheur County or the Walmart in The Dalles are priorities or should be? What's the role of local public opinion? Does regional significance override?

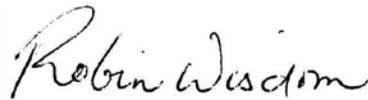
It is unclear that any meeting convened under this bill would be open and public or that the permit review plan and schedule would be required to meet current law or rule related to timelines and individual permit review requirements. What is the authority of the Governor in relation to local permits?

Lastly, as pointed out in League oral testimony on February 21, what authority does the Governor have to “resolve” the issues that arise? SB 251 says that “the Governor’s decision is final”. Does that mean he can override a state agency or local permitting decision?

The League supports government efficiencies and was pleased to work on the Integrated Water Resources Strategy (IWRS), where we encouraged and applauded inter-agency cooperation. We insisted that the Department of Land Conservation and Development and Business Oregon help provide input into the process, since water decisions are also linked to land use and business decisions/needs. We simply believe that SB 251, and other legislation now being considered by this Legislature, is too broad and not well defined as to execution.

We look forward to working with others to find ways to support Regional Solutions Teams and assuring the best possible administration of both state and local laws and rules. We hope to encourage greater cooperation with federal agencies. But we believe SB 251 is a work in progress.

Sincerely,



Robin Wisdom
President



Peggy Lynch
Natural Resources Coordinator

cc: Greg Wolf, Governor’s Staff

Attached: April 23, 2009 letter to Ways and Means