

HOUSE BILL REPORT

HJM 4011

As Passed House:
February 16, 1998

Brief Description: Requesting Congress to review the impact of the Columbia River Gorge National Scenic Area Act.

Sponsors: By House Committee on Government Reform & Land Use (originally sponsored by Representatives Boldt and Dunn).

Brief History:

Committee Activity:

Government Reform & Land Use: 2/17/97, 2/24/97 [DP].

Floor Activity:

Passed House: 2/16/98, 57-41.

Floor Activity:

Passed House: 4/16/97, 57-40.

HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

Majority Report: Do pass. Signed by 7 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Bush; Mielke; Mulliken and Thompson.

Minority Report: Do not pass. Signed by 4 members: Representatives Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Fisher and Gardner.

Staff: Kimberly Klaiber (786-7156).

Background: The United States Constitution prohibits any state from entering into a compact with any other state without the consent of Congress. When two states consent to an interstate compact that has been approved by Congress, the interstate compact becomes binding on the consenting states and assumes the status of federal law.

In 1986, the United States Congress passed the Columbia River Gorge National Scenic Area Act and gave its advance consent to an agreement between the states of Oregon and Washington (compact) for creation of the Columbia River Gorge Commission (commission). The Washington and Oregon Legislatures ratified the compact and declared the provisions of the compact to be the law of the respective states.

The commission is comprised of 12 voting members, half of whom are appointed by the Governors of Washington and Oregon and half of whom are appointed by the legislative bodies of the respective scenic area counties of Oregon and Washington. The commission has the authority to

- disapprove a land use ordinance adopted by a county within the Gorge Area if the ordinance is inconsistent with the management plan developed under the compact;
- enact a land use ordinance setting standards for the use of non-federal land in a county within the scenic area of the Gorge Area if a county fails to adopt a land use ordinance consistent with the management plan; and
- review all proposals for major development action and new residential development in each county within the Gorge Area, except in urban areas, and to disapprove such development if the commission finds that the development is inconsistent with the compact.

Under the compact, Washington and Oregon agree to provide the funding necessary to effectuate the commission, and the commission's budget is apportioned equally between Washington and Oregon.

Summary of Bill: The Joint Memorial formally asks Congress to hold public oversight hearings on the impacts of the Columbia River Gorge National Scenic Area Act and its implementation on the citizens and the counties within the area covered by the act. The memorial also requests that Congress amend the act by doing two things:

- directing the Columbia River Gorge Commission to cooperate and assist counties in implementing the act; and
- providing for election of the county members of the commission by the residents of the counties in both states.

Appropriation: None.

Fiscal Note: Requested on February 12, 1997.

Testimony For: Counties are left with little or no guidance at the hands of this federally created commission. It takes too much decision making away from local government.

Testimony Against: None.

Testified: Representative Boldt, prime sponsor (pro).