

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

TAPE LOG

April 10, 2007 Hearing Room D
7:30 AM Tapes 49 – 50

MEMBERS PRESENT: Sen. Brad Avakian, Chair
Sen. Jason Atkinson, Vice-Chair
Sen. Alan Bates
Sen. Roger Beyer
Sen. Floyd Prozanski

STAFF PRESENT: Sue Marshall, Committee Administrator
Matthew Davis, Committee Assistant

Measures or Issues Heard: SB 20 – Public Hearing

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE # AND SIDE	COUNTER NUMBER	BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER
49A	004	Chair Avakian calls the meeting to order at 7:35 a.m.
<u>SB 20 – PUBLIC HEARING</u>		
	038	Sue Marshall, Committee Administrator (EXHIBIT A)
	046	Chair Avakian
	057	Senator Vicki Walker, Senate District 7
	095	Lisa Arkin Executive Director of the Oregon Toxics Alliance (EXHIBIT B,C)
	266	Chair Avakian
	268	Sen. Prozanski
	298	Sen. Bates
	302	Arkin
	304	Sen. Bates
	306	Arkin
	307	Sen. Bates
	323	Sen. Walker
	331	Chair Avakian
	335	Senator Rick Metsger, Senate District 26
	413	Chair Avakian
	430	Bruce Decker, Hood River County, Oregon (EXHIBIT D)
50A	001	Decker (continued)
50A	025	Chair Avakian
	026	Decker
	038	Katherine Friedemann, Dallas, Oregon (EXHIBIT E)
	098	Robin Winfrey, Blachly, Oregon (EXHIBIT F)
	128	Chair Avakian
	140	Eric Geyer, Roseburg Forest Products (EXHIBIT G)
	176	Linda Gray, Parksdale, Oregon (EXHIBIT H)
	213	Jeffery Heater, President of Wasco County Fruit and Produce League

251 (EXHIBIT I)
Chair Avakian
260 Paul Engelking, Professor of Chemistry at the University of
Oregon

343 (EXHIBIT J)
Rick Jacobson, NorPack Foods
313 Chair Avakian
314 Mr. Jacobs
416 Jake Gibbs, Lone Rock Timber Management Company

49B (EXHIBIT K)
001 Gibbs (continued)

The following prepared testimony is submitted for the record without public testimony.

Ted Reiss, Oregonian (EXHIBIT L)
Steve Bickford, Hood River County, Oregon (EXHIBIT M)
Rene Kesecker, Good Earth Pest Company (EXHIBIT N)
Penny Kemper, Wilbur-Ellis Company (EXHIBIT O)
Ken Bailey, President, Orchard View Farms (EXHIBIT P)
Milt Ellis, Major Spray Service Inc. (EXHIBIT Q)
Bruce Alber, Certified Forester (EXHIBIT R)
Debra Ego, Rasmussen Spray Service Inc. (EXHIBIT S)
Gary Furr, J. Frank Schmidt and Son Co. (EXHIBIT T)
Bruce Alber, Certified Forester (EXHIBIT U)
J. Frank Schmidt III, J. Frank Schmidt and Son Co. (EXHIBIT
V)
Paul Mortenson, Philomath, Oregon (EXHIBIT W)
Jim Goes, Cottage Grove, Oregon (EXHIBIT X)
David Wiebalk, Hood River County, Oregon (EXHIBIT Y)
John Aguirre, Oregon Association of Nurseries (EXHIBIT Z)
Jon Laraway, Hood River County (EXHIBIT AA)
Dan Green, Clackamas County, Oregon (EXHIBIT BB)
Donna Hippert, Oregon Toxics Alliance (EXHIBIT CC)
Arlene Kovash, Monmouth, Oregon (EXHIBIT DD)
Jason Williams, Baker County Potato Growers (EXHIBIT EE)
Blake Rowe, Longview Fibre Company (EXHIBIT FF)
Scott McKinnie, President, Far West Agribusiness Association
(EXHIBIT GG)
Larry Martin, Hood River County, Oregon (EXHIBIT HH)
Russ Martin, Director, Wallowa County Public Works
(EXHIBIT II)
Lora Vess, Eugene, Oregon (EXHIBIT JJ)
Dan Sherwin, Vegetation Manager, Deschutes County Road
Department (EXHIBIT KK)
Mark Dickman, Salem, Oregon (EXHIBIT LL)
Darrin Lane, Linn County Roadmaster (EXHIBIT MM)
Karl Scronce, Klamath Falls, Oregon (EXHIBIT NN)
Arnie Grammon, Chair of the Oregon County Weed Control
Association (EXHIBIT OO)
Clair Klock, Corbett Oregon (EXHIBIT PP)
Lee Schrepel, Yamhill, Oregon (EXHIBIT QQ)
Phillip Lindstrom, Oregonian (EXHIBIT RR)

Peter Sikora, Eugene, Oregon **(EXHIBIT SS)**
Matt Faulconer, Pest Tech Inc. **(EXHIBIT TT)**
Carl and Nancy MacBeth, Longs Pest Control **(EXHIBIT UU)**
Loys Hawkins, Manager, Orchard Pest Control **(EXHIBIT VV)**
Jeanne Schoel, Oregonian **(EXHIBIT WW)**
Rod Krehbiel and Theresa North, Hood River County, Oregon
(EXHIBIT XX)
Char Avakian adjourns the committee at 8:37 a.m.

007

EXHIBIT SUMMARY

- A. SB 20, proposed amendments, staff, 1 p
- B. SB 20, informational packet, Lisa Arkin, 293 pp
- C. SB 20, written testimony, Lisa Arkin, 5 pp
- D. SB 20, written testimony, Bruce Decker, 2 pp
- E. SB 20, written testimony, Katherine Friedemann, 1 p
- F. SB 20, written testimony of Jan Wency and informational packet, Robin Winfrey, 4pp
- G. SB 20, written testimony, Eric Geyer, 2 pp
- H. SB 20, written testimony, Linda Grey, 2 pp
- I. SB 20, written testimony, Jeffrey Heater, 2 pp
- J. SB 20, written testimony, Paul Engelking, 2 pp
- K. SB 20, written testimony, Jake Gibbs, 2 pp
- L. SB 20, written testimony, Ted Reiss, 1 p
- M. SB 20, written testimony, Steve Bickford, 1 p
- N. SB 20, written testimony and informational packet, Rene Kesecker, 8 pp
- O. SB 20, written testimony of Bruce Alber, Penny Kemper, 3 pp
- P. SB 20, written testimony, Ken Bailey, 1 p
- Q. SB 20, written testimony, Milt Ellis, 1 p
- R. SB 20, written testimony, Bruce Alber, 3 pp
- S. SB 20, written testimony and fact sheet, Debra Ego, 3 pp
- T. SB 20, written testimony, Gary Furr, 1 p
- U. SB 20, fact sheet, Bruce Alber, 1 p
- V. SB 20, written testimony, J. Frank Schmidt, 1 p
- W. SB 20, written testimony, Paul Mortenson, 1 p
- X. SB 20, written testimony, Jim Goes, 2 pp
- Y. SB 20, written testimony, David Wiebalk, 1 p
- Z. SB 20, written testimony and fact sheet, John Aguirre, 8 pp
 - AA. SB 20, written testimony, Jon Laraway, 2 pp
 - BB. SB 20, written testimony, Dan Green, 2 pp
 - CC. SB 20, written testimony Donna Hippert, 1 p
 - DD. SB 20, written testimony, Arlene Kovash, 1 p
 - EE. SB 20, written testimony of Baker County Potato Growers, Jason Williams, 2 pp
 - FF. SB 20, written testimony, Blake Rowe, 1 p
 - GG. SB 20, written testimony, Scott McKinnie, 1 p
 - HH. SB 20, written testimony, Larry Martin, 1 p
 - II. SB 20, written testimony, Russ McMartin, 1 p
 - JJ. SB 20, written testimony, Lora Vess, 1 p
 - KK. SB 20, written testimony, Dan Sherwin, 1 p
 - LL. SB 20, written testimony, Mark Dickman, 2 pp

MM. SB 20, written testimony, Darrin Lane, 2 pp
NN. SB 20, written testimony, Karl Scronce, 1 p
OO. SB 20, written testimony, Arnie Grammon, 1 p
AP. SB 20, informational packet, Clair Klock, 7 pp
QQ. SB. 20, written testimony, Lee Schrepel, 2 pp
RR. SB 20, written testimony, Phillip Lindstrom, 1 p
SS. SB 20, written testimony, Peter Sikora, 1 p
TT. SB 20, written testimony, Matt Faulconer, 1 p
UU. SB 20, written testimony, Carl and Nancy MacBeth, 1 p
VV. SB 20, written testimony, Loys Hawkins, 1 p
WW. SB 20, written testimony, Jeanne Schoel, 1 p
XX. SB 20, written testimony of Rod Krehbiel and Theresa North, Rod Krehbiel, 1 p

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

TAPE LOG

April 10, 2007 Hearing Room B
3:00 P.M. Tapes 51 – 53

MEMBERS PRESENT: Sen. Brad Avakian, Chair
Sen. Jason Atkinson, Vice-Chair
Sen. Alan Bates
Sen. Roger Beyer
Sen. Floyd Prozanski

STAFF PRESENT: Sue Marshall, Committee Administrator
Matthew Davis, Committee Assistant

Measures or Issues Heard: SB 1011 – Public Hearing
HB 2051 A – Public Hearing
SB 235 – Public Hearing and Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE # AND SIDE	COUNTER NUMBER	BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER
51A	004	Chair Avakian calls the meeting to order at 3:10 P.M.
<u>SB 1011 and HB 2051 A – PUBLIC HEARING</u>		
	018	Sue Marshall, Committee Administrator (EXHIBITS A,B,C)
	035	Chair Avakian
	038	Lane Shetterly, Department of Land Conservation and Development
	096	Chair Avakian
	098	Sen. Atkinson
	100	Shetterly
	119	Chair Avakian
	120	Shetterly
	121	Jim Johnson, Water and Land Use Planning, Oregon Department of Agriculture
	160	Chair Avakian
	166	David Bragdon, Metro
	256	Randy Tucker, Legislative Affairs Coordinator for Metro
		(EXHIBITS D,E)
	259	Chair Avakian
	261	Tucker
	310	Michael Jordan, Metro
51A	313	Chair Avakian
	321	Kelly Ross, Oregon Chapter of the National Association of Industrial and Office Properties
	331	Harlan Levy, Oregon Association of Realtors
	361	Beverly Bookin, Commercial Real Estate and Economic Commission
	395	Chair Avakian
	402	Steven Kafoury, South Cooper Mountain Land Owner's

		Association (EXHIBIT F)
	415	Ed Bartholomy
	430	Kafoury
	445	Mary Kyle McCurdy, One Thousand Friends of Oregon
52A	001	McCurdy (continued)
	014	Chair Avakian
	018	Don Schellenburg, Oregon Farm Bureau
	052	Jim McCauley, Oregon Home Builder's Association
	062	Jon Chandler, Oregon Home Builder's Association
	074	Chair Avakian
	078	Pat Ribellia, City of Hillsboro
	082	Jack Isselman, City of Hillsboro (EXHIBIT G)
	088	Tom Brian, Chairman of the Washington County Board of Commissioners, (EXHIBIT H)
	111	Scott Lazenby, City Manager, City of Stanfield
	119	Mike Stewart, Clackamas County Oregon (EXHIBIT I)
	142	Chair Avakian
	148	Kevin Curry, Portland Metropolitan Association of Realtors
		(EXHIBIT J)
	161	Jonathan Schlueter, Westside Economic Alliance
	216	Carol Chesarek, Portland, Oregon (EXHIBIT K)
	239	Chair Avakian
<u>SB 235 - PUBLIC HEARING</u>		
	246	Sue Marshall, Committee Administrator
		(EXHIBIT L)
	259	Senator Gary George, District 12
	285	Sen. Bates
	286	Sen. George
	354	Chair Avakian
	357	Representative Brian Boquist, House District 23
	409	Chair Avakian
	412	Senator Gary George, Senate District 12
52A	416	Chair Avakian
	417	Rep. Boquist
	418	Chair Avakian
51B	001	Erin Miller, League of Women Voters of Oregon (EXHIBIT M)
	012	Kendra Kimbirauskas, Friends of Family Farmers (EXHIBIT N)
	070	Jeanette Logan, Ione, Oregon (EXHIBIT O)
	115	Chair Avakian
	120	Andrew Ginsburg, Air Quality Administrator for the Department of Environmental Quality (EXHIBIT P)
	151	Chair Avakian
	155	Ginsburg
	156	Chair Avakian
	157	Ginsburg
	158	Lisa Hanson, Department of Agriculture
	174	Ginsburg
	235	Chair Avakian
	236	Sen. Bates
	245	Ginsburg

	248	Sen. Avakian
	254	Sen. Bates
	255	Chair Avakian
	259	Sen. Bates
	265	Ginsburg
	290	Sen. Bates
	294	Ginsburg
	302	Sen. Bates
	306	Ginsburg
	320	Hanson
	331	Chair Avakian
	342	Mark Riskedahl, Northwest Environmental Defense Center
		(EXHIBIT Q)
	381	Chair Avakian
	383	Riskedahl
	399	Chair Avakian
	400	Rebecca Hawk Elwood, Confederated Tribes and Bands of the Yakima Nation (EXHIBIT R)
52B	001	Hawk Elwood (continued)
	026	Michael Lang, Friends of the Columbia River Gorge (EXHIBIT S)
	071	Chair Avakian
52B	072	Lang
	083	Chair Avakian
	089	Ivan Maluski, Sierra Club (EXHIBIT T)
	096	Katie Fast, Oregon Farm Bureau (EXHIBIT U)
	120	Jonathan Graca, Northwest Environmental Defense Council
		(EXHIBIT V)
	146	Jim Welsh, Oregon Cattlemen's Association
	154	Jason Hale, Mayor of Madras Oregon (EXHIBIT W)
	181	Peter Cornelison, Hood River Oregon (EXHIBIT X)
	202	Chair Avakian
	209	Donna Hippert, LISTEN for ORG
	229	Joan Carter, McMinnville Oregon (EXHIBIT Y)
	266	Loraine Stewart, Polk County, Oregon
	285	Chair Avakian
	292	Dave Nelson, Oregon Seed Council and Oregon Dairy Farmers Association
	319	Jim Krahn Executive Director of the Oregon Dairy Farmers Association (EXHIBIT Z)
	380	Louie Kazimeer, Oregon Dairy Farmer
	434	Chair Avakian
	444	Katherine Van Natta, Northwest Pulp and Paper
53A	001	Van Natta (continued)
	006	Colleen Callahan, Multnomah County Oregon
	039	Chair Avakian, Puts the Committee At Ease 5:13 p.m.
<u>SB 235 – WORK SESSION</u>		
	048	MOTION: Sen. Prozanski moves to ADOPT SB 235-1 amendments dated 3/13/07.
	050	Sen. Beyer

	054	Chair Avakian
	055	Sen. Bates
	063	VOTE: 4-1-0
		AYE: 4 - Atkinson, Bates, Prozanski, Avakian
		NAY: 1 - Beyer
		Chair Avakian declares the motion CARRIED.
	070	MOTION: Sen. Prozanski moves SB 235 to the floor with a
		DO PASS AS AMENDED recommendation.
	074	Sen. Bates
	078	Chair Avakian
	080	Sen. Beyer
	088	Chair Avakian
53A	094	Sen. Atkinson
	135	Chair Avakian
	138	Sen. Atkinson
	143	Chair Avakian
	145	Sen. Atkinson
	156	Sen. Bates
	160	Chair Avakian
	161	Sen. Bates
	173	Sen. Atkinson
	186	Chair Avakian
	187	Sen. Prozanski
	217	Chair Avakian
	220	VOTE: 3-2-0
		AYE: 3 - Bates, Prozanski, Avakian
		NAY: 2 - Atkinson, Beyer
		Chair Avakian declares the motion CARRIED.
		SEN. PROZANSKI will lead discussion on the floor.
	226	Sen. Beyer
	230	Chair Avakian adjourns the meeting at 5:29 p.m.

EXHIBIT SUMMARY

- A. SB 1011, proposed amendments, staff, 2 pp
- B. SB 1011, proposed amendments, staff, 3 pp
- C. HB 2051 A, proposed amendments, staff, 1 p
- D. HB 2051 A, informational packet, Randy Tucker, 10 pp
- E. SB 1011, informational packet Randy Tucker, 16 pp
- F. SB 1011, informational packet, Steven Kafoury, 2 pp
- G. SB 1011, written testimony of Tom Hughes, Jack Isselmann, 2 pp
 - G. HB 2051 A, written testimony of Tom Hughes, Jack Isselmann, 2 pp
 - H. SB 1011, written testimony, Tom Brian, 1 p
 - H. HB 2051 A, written testimony, Tom Brian, 1 p
 - I. SB 1011, written testimony and informational packet, Mike Stewart, 13 pp
 - J. SB 1011, written testimony, Kevin Curry, 1 p
 - K. SB 1011, written testimony, Carol Chesarek, 5 pp
 - L. SB 235, proposed amendments, staff, 3 pp
 - M. SB 235, written testimony, Erin Miller, 1 p
 - N. SB 235, informational packet, Kendra Kimbirauskas, 13 pp

O. SB 235, written testimony, Jeanette Logan, 2 pp
P. SB 235, written testimony, Andrew Ginsburg, 4 pp
Q. SB 235, written testimony, Mark Riskedahl, 4 pp
R. SB 235, written testimony, Rebecca Hawk Elwood, 2 pp
S. SB 235, written testimony and informational packet, Michael Lang, 20 pp
T. SB 235, written testimony, Ivan Maluski, 1 p
U. SB 235, written testimony, Katie Fast, 1 p
V. SB 235, written testimony, Jonathan Graca, 14 pp
W. SB 235, written testimony, Jason Hale, 2 pp
X. SB 235, written testimony, Peter Cornelison, 2 pp
Y. SB 235, written testimony and fact sheet, Joan Carter, 2 pp
Z. SB 235, informational packet, Jim Krahn, 15 pp
AA. SB 235, written testimony, Marianne Nelson, 1 p
**BB. SB 1011, written testimony of the Multnomah County Board of Commissioners,
Randy Tucker, 1 p**