

# SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

## TAPE LOG

April 19, 2007 Hearing Room C  
7:30 A.M. Tapes 60 – 61

**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 508 – Public Hearing**  
   **SB 812 – Public Hearing and Work Session**  
   **SB 165 – 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.

<b>TAPE # AND SIDE</b>	<b>COUNTER NUMBER</b>	<b>BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER</b>
<b>60A</b>	004	Chair Avakian calls the meeting to order at 7:34 a.m.
<b><u>SB 508 – PUBLIC HEARING</u></b>	007	Sue Marshall, Committee Administrator
	015	Chair Avakian
	020	Don Bishoff, testifying for Sen. Morrisette
	033	Daniel Terrell, Law Office of Bill Kloos ( <b>EXHIBIT A</b> )
	102	Chair Avakian
	103	Cheryl Boyum, Cascade Health Solutions ( <b>EXHIBITS B,C</b> )
	239	Chair Avakian
	248	Don Schellenberg, Oregon Farm Bureau ( <b>EXHIBIT D</b> )
	306	Chair Avakian
	313	Schellenberg
	325	Sen. Bates
	326	Chair Avakian
	327	Sen. Bates
	374	Schellenberg
	392	Chair Avakian
	395	Ron Ebber, Department of Land Conservation and Development
<b>60A</b>	443	Chair Avakian
	451	Ebber
<b>61A</b>	001	Ebber (continued)
	004	Kate Kimball, Staff Attorney 100 Friends of Oregon ( <b>EXHIBIT E</b> )
	017	Chair Avakian
<b><u>SB 812 – PUBLIC HEARING</u></b>	022	Sue Marshall, Committee Administrator ( <b>EXHIBIT F</b> )
	028	Chair Avakian

033 John Godard, Oregon People’s Utility District Association  
**(EXHIBIT G)**  
076 Brendan McCarthy, Portland General Electric  
088 Chair Avakian  
089 Sen. Beyer  
099 Godard  
105 Sen. Beyer  
107 Godard  
108 Sen. Beyer  
110 Godard  
112 Sen. Beyer  
114 Godard  
118 Sen. Beyer  
120 Godard  
121 Sen. Beyer  
122 McCarthy  
138 Sen. Beyer  
141 Godard  
151 Sen. Beyer  
159 Sen. Avakian  
160 Sen. Bates  
168 McCarthy  
180 Sen. Bates  
182 Chair Avakian  
186 McCarthy  
208 Chair Avakian  
212 McCarthy  
214 Chair Avakian

**SB 812 – WORK SESSION**

227 **MOTION: Sen. Bates moves to ADOPT SB 812-1 amendments dated 4/16/07.**  
**VOTE: 5-0-0**  
**Chair Avakian hearing no objection, declares the motion CARRIED.**  
231 **MOTION: Sen. Bates moves SB 812 to the floor with a DO PASS AS AMENDED recommendation.**  
234 Sen. Beyer  
244 Chair Avakian  
245 Sen. Bates  
262 Sen. Atkinson  
269 Chair Avakian  
288 **VOTE: 4-1-0**  
**AYE: 4 - Bates, Beyer, Prozanski, Avakian**  
**NAY: 1 - Atkinson**  
**Chair Avakian declares the motion CARRIED.**  
**SEN. AVAKIAN will lead discussion on the floor.**  
290 Chair Avakian puts the Committee at ease at 8:27  
309 Chair Avakian calls the Committee to order at 8:34

**SB 165 – PUBLIC HEARING**

311 Chair Avakian

**SB 165 – WORK SESSION**

	324	Sue Marshall, Committee Administrator ( <b>EXHIBIT H</b> )
	330	Chair Avakian
	340	Sen. Atkinson
	<b>344</b>	<b>MOTION: Sen. Atkinson moves to ADOPT SB 165-1 amendments dated 4/2/07.</b> <b>VOTE: 5-0-0</b> <b>Chair Avakian hearing no objection, declares the motion CARRIED.</b>
	<b>350</b>	<b>MOTION: Sen. Prozanski moves SB 165 to the floor with a DO PASS AS AMENDED recommendation.</b>
	357	Sen. Beyer
	365	Chair Avakian
	367	Sen. Prozanski
	378	Chair Avakian
	<b>384</b>	<b>VOTE: 2-3-0</b> <b>AYE: 2 - Prozanski, Avakian</b> <b>NAY: 3 - Atkinson, Bates, Beyer</b> <b>Chair Avakian declares that the motion FAILS.</b>
	386	Sen. Prozanski
	400	Chair Avakian
	402	Sen. Prozanski
	411	Chair Avakian
	412	Sen. Prozanski
<b>61A</b>	415	Chair Avakian, adjourns the meeting at 8:34 a.m.

**EXHIBIT SUMMARY**

- A. **SB 508, written testimony and conceptual amendments, Daniel Terrell, 19 pp**
- B. **SB 508, fact sheet, Cheryl Boyum, 2 pp**
- C. **SB 508, written testimony and informational packet, Cheryl Boyum, 6 pp**
- D. **SB 508, written testimony, Don Schellenberg, 2 pp**
- E. **SB 508, written testimony, Kate Kimball, 1 p**
- F. **SB 812, proposed amendments, staff, 20 pp**
- G. **SB 812, written testimony, John Godard, 1 p**
- H. **SB 165, proposed amendments, staff, 1 p**

# SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

## TAPE LOG

April 19, 2007 Hearing Room B  
3:00 P.M. Tapes 62 – 63

**MEMBERS PRESENT:** Sen. Brad Avakian, Chair  
Sen. Roger Beyer  
Sen. Floyd Prozanski

**MEMBER EXCUSED:** Sen. Jason Atkinson, Vice-Chair  
Sen. Alan Bates

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

**Measures or Issues Heard:** SB 600 – Public Hearing and Work Session  
SB 601 – Public Hearing

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<b>TAPE # AND SIDE</b>	<b>COUNTER NUMBER</b>	<b>BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER</b>
<b>62A</b>	004	Chair Avakian calls the meeting to order at 3:09 p.m.
<b>SB 600 and SB 601 – PUBLIC HEARING</b>		
	012	Sue Marshall, Committee Administrator ( <b>EXHIBITS A,B,C,D,E,F</b> )
	033	Chair Avakian
	034	Senator David Nelson, Senate District 29 ( <b>EXHIBITS G,H</b> )
	037	Wally Hicks, Legislative Aide for Sen. Nelson, University of Oregon, Law Student
	038	Sen. Nelson
	243	Sen. Beyer
	245	Sen. Nelson
	248	Sen. Beyer
	249	Sen. Nelson
	250	Sen. Beyer
	251	Sen. Nelson
	260	Chair Avakian
	261	Sen. Nelson
	274	Debbie Colbert, Water Resources Department ( <b>EXHIBITS L,M</b> )
	299	Anita Winkler, Oregon Water Resources Congress
	348	Chair Avakian
<b>62A</b>	362	Paul Rainey, Confederated Tribes of the Umatilla Indian Reservation
	369	John Barkley, Vice-Chair of Water Commission, Confederated Tribes of the Umatilla Indian Reservation ( <b>EXHIBIT I</b> )
<b>63A</b>	001	Barkley (continued)
	017	Chair Avakian
	031	Jim Welsh, Oregon Cattlemen's Association
	044	John DeVoe, Executive Director, Water Watch of Oregon

(EXHIBITS J,K)  
087 Chair Avakian  
089 DeVoe  
125 Leslie Bach, Director of Freshwater Programs, The Nature Conservancy (EXHIBIT N)

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

Randy Leonard, Commissioner-in-Charge, Portland Water Bureau (EXHIBIT B)  
LeRoy Hippe, Clean Air and Water Inc. (EXHIBIT C)  
Jeff Boyer, Bend, Oregon (EXHIBIT D)  
Frederick Fleetwood, Trail, Oregon (EXHIBIT E)  
Robert Levy, Chairman of the Board of Directors, Westland Irrigation District (EXHIBIT F)  
Chair Avakian

161

**SB 600 – WORK SESSION**

165

**MOTION: Sen. Beyer moves to ADOPT SB 600-1 amendments dated 4/18/07.**

168

**VOTE: 3-0-2**

**EXCUSED: 2 - Atkinson, Bates**

**Chair Avakian hearing no objection, declares the motion CARRIED.**

169

**MOTION: Sen. Beyer moves SB 600 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**

174

Chair Avakian

183

**VOTE: 3-0-2**

**EXCUSED: 2 - Atkinson, Bates**

**Chair Avakian hearing no objection, declares the motion CARRIED.**

184

Chair Avakian adjourns the meeting at 4:11 p.m.

**EXHIBIT SUMMARY**

- A. SB 600, proposed amendments, staff, 3 pp
- B. SB 600, written testimony of Randy Leonard, staff, 1 p
- C. SB 600, written testimony of LeRoy Hippe, staff, 1 p
- D. SB 600, written testimony of Jeff and Tracy Boyer, staff, 1 p
- E. SB 600, written testimony of Frederick Fleetwood, staff, 2 pp
- F. SB 600, written testimony of Robert Levy, staff, 2 pp
- G. SB 600, informational packet, Sen. David Nelson, 6 pp
- H. SB 601, informational packet, Sen. David Nelson, 11 pp
- I. SB 600, written testimony, John Barkley, 2 pp
- J. SB 600, written testimony and informational packet, John DeVoe, 23 pp
- K. SB 601, written testimony, John DeVoe, 1 p
- L. SB 600, written testimony and fact sheet, Debbie Colbert, 3 pp
- M. SB 601, written testimony, Debbie Colbert, 2 pp
- N. SB 600, written testimony, Leslie Bach, 2 pp