

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

TAPE LOG

April 26, 2007 Hearing Room C
7:30 A.M. Tapes 67 – 68

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 823 – Public Hearing and Work Session
SB 665 – Public Hearing
SB508 – Work Session
SB 1044 – 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
67A	004	Chair Avakian calls the meeting to order at 7:39 a.m.
<u>SB 823 – PUBLIC HEARING</u>	006	Sue Marshall
	012	Chair Avakian
	047	Stafford Hazelett, (EXHIBIT A)
	117	Chair Avakian
	121	Sen. Atkinson
	129	Hazelett
	134	Sen. Atkinson
	135	Hazelett
	138	Sen. Atkinson
	140	Hazelett
	151	Sen. Atkinson
	157	Hazelett
	159	Chair Avakian
	160	Hazelett
	163	Sen. Atkinson
67A	169	Hazelett
	177	Chair Avakian
	185	Hazelett
	190	Chair Avakian
	191	Linda Ludwig, League of Oregon Cities
	210	Chair Avakian
	213	Ludwig
	214	Sen. Prozanski

218	Art Schlack, Association of Oregon Counties
238	Chair Avakian
241	Sen. Prozanski
243	Schlack
248	Chair Avakian

SB 823 – WORK SESSION

251

MOTION: Sen. Atkinson moves to ADOPT SB 823-1 amendments dated 4/25/07.

VOTE: 4-0-1

EXCUSED: 1 - Bates

Chair Avakian hearing no objection, declares the motion CARRIED.

254

MOTION: Sen. Atkinson moves SB 823 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 4-0-1

EXCUSED: 1 - Bates

Chair Avakian hearing no objection, declares the motion CARRIED.

SEN. AVAKIAN AND SEN. ATKINSON will lead discussion on the floor.

SB 665 – PUBLIC HEARING

267

Sue Marshall

271

Senator David Nelson

299

Chair Avakian

301

David Allen, Oregon International Speedway (**EXHIBIT B**)

344

Chair Avakian

345

Allen

356

Chair Avakian

359

Sen. Prozanski

363

Allen

364

Sen. Prozanski

369

Allen

380

Sen. Prozanski

67A

390

Chair Avakian

403

Harlan Levy, Oregon Association of Realtors

412

Steven Kafoury, Oregon Chapter of the American Planning Association

426

Amy Joyce, Highway Division Legislature Coordinator (**EXHIBIT C**)

434

Chair Avakian

436

Sen. Prozanski

68A

001

Sen. Prozanski (continued)

004

Chair Avakian

009

Bill Murray, Pacific Motorsports Management LLC (**EXHIBIT D**)

030

Chair Avakian

031

Murray

052

Chair Avakian

053

Bob Rindy, Department of Land Conservation and Development (**EXHIBIT E**)

079

Chair Avakian

080	Bob Rindy
082	Chair Avakian
086	Rindy
087	Chair Avakian
088	Rindy
089	Kate Kimball, Staff Attorney, 1000 Friends of Oregon (EXHIBIT F)
099	Chair Avakian
104	Linda Ludwig, League of Oregon Cities
119	Peggy Lynch, League of Women Voters (EXHIBIT G)
124	Chair Avakian

SB 508 – WORK SESSION

128	Sue Marshall, Committee Administrator (EXHIBITS H,I)
136	Chair Avakian
137	Sen. Prozanski
147	Chair Avakian
148	MOTION: Sen. Prozanski moves to ADOPT SB 508-2 amendments dated 4/24/07.

VOTE: 5-0-0

Chair Avakian hearing no objection, declares the motion CARRIED.

151	MOTION: Sen. Prozanski moves SB 508 to the floor with a DO PASS AS AMENDED recommendation.
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154	Chair Avakian
169	Sen. Prozanski
175	Chair Avakian

68A

177	VOTE: 4-1-0
	AYE: 4 - Bates, Beyer, Prozanski, Avakian
	NAY: 1 - Atkinson

Chair Avakian declares the motion CARRIED.

SEN. PROZANSKI AND SEN. MORRISETTE will lead discussion on the floor.

SB 1044 – PUBLIC HEARING

188	Chair Avakian
190	Senator Atkinson, Senate District 2
215	Linda Swearingen, Deschutes County
225	Bob Rindy Department of Land Conservation and Development (EXHIBIT J)
231	Chair Avakian
238	Paul Dewey, Central Oregon Landwatch (EXHIBIT K)
273	Steven Kafoury, Oregon Chapter of the American Planning Association
285	Kate Kimball, Staff Attorney, 1000 Friends of Oregon (EXHIBIT L)
303	Chair Avakian
304	Sen. Bates
316	Dewey
329	Sen. Bates
330	Kimball
334	Chair Avakian

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

EXHIBIT SUMMARY

- A. SB 823, informational packet, Stafford Hazelett, 16 pp
- B. SB 665, fact sheet, David Allen, 1 p
- C. SB 665, written testimony, Amy Joyce, 1 p
- D. SB 665, written testimony, Bill Murray, 3 pp
- E. SB 665, written testimony of Lane Shetterly, Bob Rindy, 3 pp
- F. SB 665, written testimony, Kate Kimball, 2 pp
- G. SB 665, written testimony, Peggy Lynch, 1 p
- H. SB 508, proposed amendments, staff, 1 p
- I. SB 508, proposed amendments, staff, 1 p
- J. SB 1044, written testimony of Lane Shetterly, Bob Rindy, 1 p
- K. SB 1044, fact sheet, Paul Dewey, 1 p
- L. SB 1044, written testimony, Kate Kimball, 3 pp
- M. SB 1044, written testimony of Erik Kancler and informational packet, Paul Dewey, 26 pp

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

TAPE LOG

April 26, 2007 Hearing Room B
3:00 P.M. Tapes 69 – 70

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 576 – Work Session
SB1011 – Work Session
SB 665 – Work Session
SB 737 – Work Session
SB 883 – Public Hearing and Work Session
SB 239 – Public Hearing and Work Session
SB 683 – Public Hearing and Work Session
SB 1044 – Work Session
SB 98 – Public Hearing and Work Session

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TAPE # AND SIDE	COUNTER NUMBER	BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER
69A	004	Chair Avakian calls the meeting to order at 3:09 p.m.
<u>SB 576 – WORK SESSION</u>		
	045	Sue Marshall, Committee Administrator (EXHIBIT A,B)
	047	Chair Avakian
	051	Cindy Robert, American Institute of Architects
	067	Chair Avakian
	068	Robert
	070	Chair Avakian
	071	Robert
	073	Sen. Prozanski
	074	Robert
	075	Chair Avakian
	078	John Blumenthal, President Elect, American Institute of Architects
	082	Chair Avakian
69A	084	Sen. Beyer
	085	Chair Avakian
	088	Sen. Beyer
	090	Betty Merrill, Dept of Energy
	091	Sen. Beyer
	094	Merrill
	097	Sen. Beyer

099	Merrill
100	Sen. Beyer
102	Merrill
104	Sen. Beyer
105	Chair Avakian
112	Paul Rainey, Association of Oregon Housing Authorities
124	Chair Avakian
129	John Fletcher, Oregon Department of Housing and Community Services
132	Chair Avakian
139	Robert
152	Chair Avakian
154	MOTION: Sen. Atkinson moves to ADOPT SB 576-4 amendments dated 4/26/07.
	VOTE: 5-0-0
157	Chair Avakian hearing no objection, declares the motion CARRIED.
163	MOTION: Sen. Atkinson moves to ADOPT SB 576-6 amendments dated 4/26/07.
165	Chair Avakian
175	Sen. Atkinson
176	Sen. Prozanski
185	Sen. Beyer
190	Sen. Bates
201	VOTE: 4-1-0
	AYE: 4 - Bates, Beyer, Prozanski, Avakian
	NAY: 1 - Atkinson
	Chair Avakian declares the motion CARRIED.
202	MOTION: Sen. Atkinson moves SB 576 to the floor with a DO PASS AS AMENDED recommendation.
206	VOTE: 5-0-0
	Chair Avakian hearing no objection, declares the motion CARRIED.
	SEN. ATKINSON will lead discussion on the floor.
211	Chair Avakian

SB 1011 – WORK SESSION

69A	214	Sue Marshall, Committee Administrator (EXHIBIT C)
	223	Randy Tucker, Legislative Affairs Manager, Metro
	233	Chair Avakian
	234	Tucker
	236	Chair Avakian
238		MOTION: Sen. Bates moves to ADOPT SB 1011-5 amendments dated 4/24/07.
	240	Sen. Beyer
	244	Chair Avakian
	245	Sen. Beyer
249		VOTE: 4-1-0
		AYE: 4 - Atkinson, Bates, Prozanski, Avakian
		NAY: 1 - Beyer
		Chair Avakian declares the motion CARRIED.
	253	Sen. Bates

255 **MOTION: Sen. Bates moves SB 1011 to the floor with a DO**
PASS AS AMENDED recommendation.
260 Sen. Beyer
268 Chair Avakian
269 Sen. Bates
260 Chair Avakian
272 Michael Jordan, Chief Operating Officer, Metro
273 Sen. Bates
276 Jordan
277 Sen. Bates
286 Jordan
309 Sen. Bates
331 Chair Avakian
334 Sen. Beyer
350 Chair Avakian
351 Sen. Beyer
354 Chair Avakian
372 **VOTE: 3-2-0**
AYE: 3 - Bates, Prozanski, Avakian
NAY: 2 - Atkinson, Beyer
Chair Avakian declares the motion CARRIED.
SEN AVAKIAN will lead discussion on the floor.

SB 665 – WORK SESSION

386 Sue Marshall, Committee Administrator (**EXHIBIT D**)
395 Chair Avakian
69A 404 **Sen. Atkinson**
MOTION: Moves to ADOPT SB 665-2 amendments dated
4/26/07.
407 **VOTE: 5-0-0**
Chair Avakian hearing no objection, declares the motion
CARRIED.
409 **MOTION: Sen. Atkinson moves SB 665 to the floor with a**
DO PASS AS AMENDED recommendation.
416 Sen. Bates
418 Chair Avakian
419 Sen. Prozanski
435 **VOTE: 3-2-0**
AYE: 3 - Atkinson, Bates, Beyer
NAY: 2 - Prozanski, Avakian
Chair Avakian declares the motion CARRIED.
SEN. NELSON will lead discussion on the floor.

SB 737 – WORK SESSION

448 Sen. Vicki Walker
70A 001 Sen. Walker (continued)
019 Chair Avakian
024 Ralph Sapperstein, Oregon Water Quality Coalition
031 Chair Avakian
032 **MOTION: Sen. Prozanski moves to ADOPT SB 737-8**
amendments dated 4/26/07.
036 **VOTE: 5-0-0**

Chair Avakian hearing no objection, declares the motion
CARRIED.

037

MOTION: Sen. Prozanski moves SB 737 to the floor
WITHOUT RECOMMENDATION as to passage
but with amendments and **BE REFERRED** to the
committee on Ways and Means.

039

Sen. Beyer

043

VOTE: 4-1-0

AYE: 4 - Atkinson, Bates, Prozanski, Avakian

NAY: 1 - Beyer

Chair Avakian declares the motion **CARRIED.**

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

Courtney Dillard, Vice-Chair, Oregon Center for Christian Values
(EXHIBIT O)

SB 883 – PUBLIC HEARING

	048	Sue Marshall, Committee Administrator
	051	Chair Avakian
	056	Lisa Hanson, Department of Agriculture (EXHIBIT E)
	065	Chair Avakian
70A	067	Hanson
	068	Chair Avakian
	070	Sen. Beyer
	071	Chair Avakian
	074	Sen. Ted Ferrioli, Senate District
	103	Chair Avakian
	107	Terry Witt, Executive Director, Oregonians for Food and Shelter (EXHIBIT F)
	118	Barry Bushue, OFBF
	131	Jeff Stone, Oregon Association of Nurseries (EXHIBIT G)
	133	Sen. Atkinson
	135	Witt
	136	Chair Avakian

SB 883 – WORK SESSION

140

MOTION: Sen. Atkinson moves SB 883 to the floor with a
DO PASS recommendation.

142

Sen. Atkinson

151

Chair Avakian

VOTE: 5-0-0

Chair Avakian hearing no objection, declares the motion
CARRIED.

SEN. FERRIOLI will lead discussion on the floor.

SB 239 – PUBLIC HEARING

160

Sue Marshall

167

Katie Coba, Director of the Department of Agriculture
(EXHIBIT H)

210

Chair Avakian

215

Scott Ashcom, Oregon Agricultural Alliance

226

Lanny Quackenbush, Oregon Department of Forestry **(EXHIBIT
I)**

237

Chair Avakian

SB 239 – WORK SESSION

241 **MOTION: Sen. Atkinson moves SB 239 to the floor with a DO PASS recommendation.**

244 Sen. Atkinson

246 Sen. Prozanski

247 Chair Avakian

248 **VOTE: 5-0-0**

Chair Avakian hearing no objection, declares the motion CARRIED.

SEN. BEYER will lead discussion on the floor.

SB 683 – PUBLIC HEARING

70A 251 Sue Marshall, Committee Administrator (**EXHIBIT L**)
260 Steven Kafoury, Northwest Coalition for Alternatives to Pesticides
266 Aimee Code, Northwest Coalition for Alternatives to Pesticides (**EXHIBIT J**)
312 Sen. Bates
313 Terry Witt, Executive Director, Oregonians for Food and Shelter (**EXHIBIT K**)
258 Chair Avakian
259 Scott Ashcom, Oregon Agricultural Alliance
384 Barry Bushue, President of the Oregon Farm Bureau
428 Chair Avakian

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

Gail Shibley, Administrator, Office of Environmental Public Health, Oregon Department of Human Services (**EXHIBIT P**)

SB 683 – WORK SESSION

439 **MOTION: Sen. Prozanski moves to ADOPT SB 683-1 amendments dated 3/28/07.**

VOTE: 5-0-0

Chair Avakian hearing no objection, declares the motion CARRIED.

443 **MOTION: Sen. Prozanski moves SB 683 to the floor WITHOUT RECOMMENDATION as to passage but with amendments and BE REFERRED to the committee on Ways and Means.**

69B 448 Sen. Beyer

001 Beyer (continued)

002 Sen. Atkinson

006 Chair Avakian

008 **VOTE: 3-2-0**

AYE: 3 - Bates, Prozanski, Avakian

NAY: 2 - Atkinson, Beyer

Chair Avakian declares the motion CARRIED.

SB 1044 – WORK SESSION

016 Linda Swearingen, Department of Land Conservation and Development

019 Chair Avakian

020 Sen. Bates

022 Swearingen

027 Chair Avakian

028 Sen. Beyer

	031	Chair Avakian
	033	Swearingen
	045	Chair Avakian
69B	048	MOTION: Sen. Atkinson moves to ADOPT SB 1044-1 amendments dated 4/26/07.
	051	Sen. Bates
	055	Chair Avakian
		VOTE: 5-0-0
		Chair Avakian hearing no objection, declares the motion CARRIED.
	057	MOTION: Sen. Atkinson moves SB 1044 to the floor with a DO PASS AS AMENDED recommendation.
	060	VOTE: 5-0-0
		Chair Avakian hearing no objection, declares the motion CARRIED.
		ATKINSON will lead discussion on the floor.
 <u>SB 98 – PUBLIC HEARING</u>		
	067	Sue Marshall, Committee Administrator (EXHIBITS M)
	074	Chair Avakian
	077	Jim Paul, Assistant State Forester, Oregon Department of Forestry
		(EXHIBIT N)
	095	Chair Avakian
	096	David Moskowitz, Trout Unlimited and the Wild Salmon Center
	108	Chair Avakian
	110	Moskowitz
	129	Chair Avakian
	131	Paul
	137	Chair Avakian
	138	Bill Kluting, Carpenters Industrial Council
	148	Chair Avakian puts the committee at ease 4:20 p.m.
	178	Chair Avakian calls the meeting to order at 4:28 p.m.
 <u>SB 98 – WORK SESSION</u>		
	179	Chair Avakian
	191	Sen. Beyer
	192	MOTION: Sen. Prozanski moves SB 98 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Revenue AND then to the committee on Ways and Means by prior reference.
	196	Sen. Beyer
	220	Chair Avakian
	223	Sen. Atkinson
	225	Chair Avakian
	227	Sen. Prozanski
	228	Chair Avakian
	230	VOTE: 3-1-1
		AYE: 3 - Atkinson, Prozanski, Avakian
		NAY: 1 - Beyer
		EXCUSED: 1 - Bates
		Chair Avakian declares the motion CARRIED.
69B	232	Chair Avakian adjourns the meeting at 4:30 p.m.

EXHIBIT SUMMARY

- A. SB 576, proposed amendments, staff, 6 pp
- B. SB 576, proposed amendments, staff, 2 pp
- C. SB 1011, proposed amendments, staff, 9 pp
- D. SB 665, proposed amendments, staff, 1 p
- E. SB 883, written testimony, Lisa Hanson, 1 p
- F. SB 883, written testimony, Terry Witt, 1 p
- G. SB 883, written testimony, Jeff Stone, 1 p
- H. SB 239, written testimony, Katie Coba, 2 pp
- I. SB 239, written testimony, Lanny Quakenbush, 1 p
- J. SB 683, written testimony and informational packet, Aimee Code, 6 pp
- K. SB 683, written testimony, Terry Witt, 2 pp
- L. SB 683, proposed amendments, staff, 4 pp
- M. SB 98, proposed amendments, staff, 7 pp
- N. SB 98, written testimony, Jim Paul, 3 pp
- O. SB 737, written testimony, Courtney Dillard, 1 p
- P. SB 683, written testimony, Gail Shibley, 2 pp