

HOUSE COMMITTEE ON ENVIRONMENT

May 10, 2005 Hearing Room D

1:00 P.M. Tapes 51 - 52

MEMBERS PRESENT: Rep. Gordon Anderson, Chair

Rep. Bob Jenson, Vice-Chair

Rep. Mary Nolan, Vice-Chair

Rep. Phil Barnhart

Rep. Bill Garrard

Rep. John Lim

Rep. Diane Rosenbaum

STAFF PRESENT: John Houser, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

SB 42 – Public Hearing and Work Session

SB 43 A – Work Session

SB 66 – Work Session

SB 68 – Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 51, A

003 Chair Anderson Calls the meeting to order at 1:18 p.m. Opens a public hearing on SB 42.

SB 42 – PUBLIC HEARING

008 John Houser Committee Administrator. Introduces SB 42.

024 Chair Anderson Closes the public hearing and opens a work session on SB 42.

SB 42 – WORK SESSION

025 Rep. Barnhart **MOTION: Moves SB 42 to the floor with a DO PASS recommendation.**

030 Rep. Barnhart Speaks in favor of SB 42.

VOTE: 6-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Nolan

Chair Anderson The motion CARRIES.

045 Rep. Jenson **MOTION: Moves SB 42 be placed on the CONSENT CALENDAR.**

VOTE: 6-0-1

EXCUSED: 1 - Nolan

Chair Anderson Hearing no objection, declares the motion CARRIED.

050 Chair Anderson Closes the work session on SB 42. Opens a work session on SB 43 A.

SB 43 A – WORK SESSION

052	John Houser	Committee Administrator. Introduces SB 43 A.
072	Bob Danko	Department of Environmental Quality (DEQ). Explains the changes in civil penalty requirements in the bill.
089	Jim Craven	American Electronics Association. Concurs with the testimony of Mr. Danko. Testifies that the requirements are reasonable.
105	Chair Anderson	Notes the diversity of the work group and wonders if there was any objection.
108	Craven	Answers that it was the consensus of the workgroup. Notes the support of the Oregon Environmental Council.
116	Rep. Barnhart	Asks who headed the work group.
118	Craven	Answers that it was appointed by DEQ. Notes that there were 12-15 parties involved.
125	Rep. Barnhart	Commends the work group for reaching a consensus.
139	Craven	Testifies that the intent of the bill is to re-examine government regulations.
143	Rep. Jenson	Cites bill language and asks for the intent related to toxic use reporting.
154	Danko	Explains that the objective is to match state law to federal requirements due to different thresholds.
180	Rep. Garrard	MOTION: Moves SB 43 A to the floor with a DO PASS recommendation.
		VOTE: 6-0-1
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Nolan
	Chair Anderson	The motion CARRIES.

REP. BARNHART will lead discussion on the floor.

190 Chair Anderson Closes the work session on SB 43 A. Opens a work session on SB 66.

SB 66 – WORK SESSION

193 John Houser Committee Administrator. Introduces SB 66.

200 Rep. Garrard Explains that his objection to the bill is for using taxpayer money to give to Indian tribes who will purchase property and charge the taxpayer for the use of the property.

205 Rep. Jenson Concurs with Rep. Garrard's concerns regarding the bill and wonders about the tax status of land located within reservations not owned by Indians.

218 Roger Martin Confederated Tribes of the Umatilla. Answers that the owners of the land pay a property tax and will bring the information back to the committee.

236 Chair Anderson Asks if it would be paid to the state or the sovereign nation.

238 Martin Answers that it would be paid to the county in the form of property taxes.

242 Chair Anderson Closes the work session on SB 66. Opens a work session on SB 68.

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SB 68 – WORK SESSION

248 John Houser Committee Administrator. Introduces SB 68.

263 Chair Anderson Asks why all-terrain vehicles (ATVs) and go carts are not allowed on the beach.

271 Tim Wood Director, Oregon State Parks and Recreation Department (OPRD). Explains the regulations regarding vehicle operation on the beach. Explains that OPRD would adopt rules restricting vehicle operation to areas of the beach that are currently open to driving.

288	Rep. Jenson	Expresses concern about allowing vehicle use on beaches.
316	Rep. Garrard	Recalls that during the March 8 committee meeting, Mr. Wood indicated a fee would likely not be charged, but that language allowing a fee is still in the bill.
340	Wood	Notes that it would be his recommendation to the OPRD commission not charge a fee for the permits.
351	Rep. Garrard	Asks if an amendment is appropriate.
356	Wood	Answers that OPRD would not object to amendments.
360	Rep. Lim	Asks how many permits have been issued to allow disabled persons to drive on the beach.
363	Wood	Answers that the number of people who would apply for a permit would be a small subset of the total number of disabled permits.
370	Rep. Lim	Notes the disparity between allowing disabled individuals to drive in restricted areas and not allowing others.
378	Wood	Explains the intent for the permits.
400	Rep. Lim	Asks what is different between areas of the beach that are open to vehicles and those that are not.
405	Wood	Explains the regulations regarding vehicle operation on the beach.

TAPE 52, A

007	Rep. Jenson	Asks about the language regarding cables and conduits that run under the beach.
011	Wood	Cites language in the bill and the intent to clarify statute regarding running cables and conduits under the ocean shore and crossing a state recreation area..
019	Rep. Lim	

Asks about potential loopholes to allow anyone to use vehicles on the beach under the guise of scientific work and hopes that it will be restricted to legitimate work.

027	Wood	Clarifies that OPRD would ensure that the scientists had a legitimate purpose.
033	Chair Anderson	Suggests that Mr. Wood coordinate with Rep. Garrard to propose amendment language. Closes the work session on SB 68. Adjourns the meeting at 1:49 p.m.

EXHIBIT SUMMARY

None submitted