

SENATE COMMITTEE ON ENVIRONMENT & LAND USE

March 29, 2005
7:00 A.M.

Hearing Room 343
Tapes 61 - 62

MEMBERS PRESENT: Sen. Charlie Ringo, Chair
Sen. Roger Beyer
Sen. Frank Shields

MEMBER EXCUSED: Sen. Jason Atkinson, Vice-Chair
Sen. Ginny Burdick

STAFF PRESENT: Matt Shields, Committee Administrator
Katie Lowry, Committee Assistant

MEASURES/ISSUES HEARD:
SB 91 – Public Hearing and Work Session
SB 92 – Public Hearing and Work Session
SB 346 – Public Hearing and Work Session
SB 740 – Public Hearing

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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 61, A		
005	Chair Ringo	Calls meeting to order at 7:05 a.m. Makes opening comments. Opens public hearing on SB 91.
<u>SB 91 – PUBLIC HEARING</u>		
	Matt Shields	Committee Administrator. Submits SB 91-1 amendments for the record (EXHIBIT A).
018	Jeannette Holman	Assistant Director, Department of State Lands. Submits and reads written testimony in support of SB 91 (EXHIBIT B).
046	Chair Ringo	Asks about kinds of activities.
047	Holman	Gives details.
059	Chair Ringo	Asks if weddings are the main activity that witness needs to charge for.
060	Holman	Replies no and lists activities.
063	Sen. Shields	Asks about possibility of day retreats.
065	Holman	States that is a possibility that has been discussed.
066	Sen. Shields	Makes comment.
068	Holman	Explains that there is not currently a fee schedule. Mentions SB 91-1 amendments and explains.
078	Sen. Shields	Makes comment.
082	Sen. Beyer	Asks about change in section 2 of SB 91.
083	Holman	Explains change that occurred in 1997.
090	Sen. Beyer	States that SB 91 changes that.
091	Holman	Explains that SB 91 does not change the funding source.
093	Sen. Beyer	States that SB 91 puts the funds in the Common School Fund (CSF) instead of the General Fund.
096	Holman	Discusses clarification of statutes.
103	Chair Ringo	Asks if Sen. Beyer is satisfied with that.

104	Sen. Beyer	Replies no. Asks witness for statutory references.
110	Holman	Gives explanation of funds and states that it was never changed in the statutes.
115	Sen. Beyer	Understands. Verifies that the money comes from the CSF and goes into an account in the General Fund.
116	Holman	Replies that it may.
118	Sen. Beyer	Asks where the interest on that account is credited.
119	Holman	Replies the CSF account.
120	Sen. Beyer	States that he knows where the CSF money goes. Asks where the interest currently goes.
122	Holman	Replies that currently it is an expenditure limitation out of the CSF. States that it never gets switched over to the General Fund account.
126	Sen. Beyer	Verifies that it does not currently generate interest.
127	Holman	Replies that it does not and explains.
129	Chair Ringo	Verifies that there is no interest changing accounts.
131	Holman	Responds.
133	Sen. Beyer	States that he understands now.
138	Chair Ringo	Asks if there are any other witnesses on SB 91. Closes public hearing on SB 91 and opens work session on SB 91.

SB 91 – WORK SESSION

139 Sen. Beyer MOTION: Moves to ADOPT SB 91-1 amendments dated 03/21/05.

VOTE: 3-0-2

EXCUSED: 2 - Atkinson, Burdick

Hearing no objection, declares the motion CARRIED.

142 Chair Ringo States that SB 91 has a referral to Ways and Means.

145 Chair Ringo States that there is no fiscal impact.

146 Sen. Beyer Committee Administrator. Comments on fiscal impact.

147 Matt Shields Wants to send SB 91 to the floor.

154 Chair Ringo **MOTION: Moves SB 91 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

155 Sen. Beyer **VOTE: 3-0-2**

EXCUSED: 2 - Atkinson, Burdick

Hearing no objection, declares the motion CARRIED.

158 Chair Ringo **SEN. SHIELDS will lead discussion on the floor.**

160 Chair Ringo Closes work session on SB 91 and opens public hearing on SB 92.

SB 92 – PUBLIC HEARING

163 Jeannette Holman Assistant Director, Department of State Lands. Testifies in support of SB 92. Submits written testimony (**EXHIBIT C**).

187 Danny Krossman Confederated Tribes of Coos, Siuslaw and Lower Umpqua. Testifies in support of SB 92. Submits written testimony (**EXHIBIT D**) and maps of the South Slough territory (**EXHIBIT E**).

200 Chair Ringo Closes public hearing on SB 92 and opens work session on SB 92.

SB 92 – WORK SESSION

202 Sen. Beyer MOTION: Moves SB 92 to the floor with a DO PASS recommendation.

205 Sen. Beyer Makes comment.

VOTE: 3-0-2

		EXCUSED: 2 - Atkinson, Burdick
210	Chair Ringo	Hearing no objection, declares the motion CARRIED.
216	Chair Ringo	SEN. SHIELDS will lead discussion on the floor. Closes work session on SB 92 and opens public hearing on SB 346.
<u>SB 346 – PUBLIC HEARING</u>		
218	Chair Ringo	States that the -1 amendments need to be adopted. Closes public hearing on SB 346 and opens work session on SB 346.
<u>SB 346 – WORK SESSION</u>		
	Matt Shields	Committee Administrator. Submits SB 346-1 amendments for the record (EXHIBIT F).
220	Sen. Beyer	MOTION: Moves to ADOPT SB 346-1 amendments dated 02/03/05. VOTE: 3-0-2
223	Chair Ringo	EXCUSED: 2 - Atkinson, Burdick
225	Sen. Beyer	Hearing no objection, declares the motion CARRIED. MOTION: Moves SB 346 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 3-0-2
228	Chair Ringo	EXCUSED: 2 - Atkinson, Burdick Hearing no objection, declares the motion CARRIED. SEN. BEYER will lead discussion on the floor.
230	Chair Ringo	Closes work session on SB 346 and opens public hearing on SB 740.
<u>SB 740 – PUBLIC HEARING</u>		
235	Rep. Jackie Dingfelder	Represents House District 45. Mentions visual aid which is an old TV that no longer works. Explains and gives background information on SB 740. Submits fact sheet on SB 740 (EXHIBIT G) and a report from the Oregon Advisory Committee on Electronic Product Stewardship (EXHIBIT H). States that SB 740 needs some amendments and they are being worked on.
353	Rep. Peter Buckley	Represents House District 5. Testifies in support of SB 740.
385	Rep. Dingfelder	Submits written testimony on behalf of Greg Sampson, Vice President of Electronics Recovery for Earth Protection Services Inc. in support of SB 740 (EXHIBIT I).
390	Sen. Beyer	Verifies that Rep. Dingfelder said that if a federal program goes into effect then SB 740 will be repealed. Says that he is trying to find where that language is in SB 740.
395	Rep. Dingfelder	Responds.
015	Craig Lorch	Total Reclaim. Testifies in support of SB 740. Submits written testimony (EXHIBIT J).
042	Chair Ringo	Asks if witness has a percentage of either volume or weight.
044	Lorch	Says that he does not know how much is sold.
045	Chair Ringo	Clarifies that he is asking how much of the total waste is e-waste.
046	Lorch	Replies that it is one to two percent of the waste stream in Washington. Gives example. Discusses SB 740.
069	Sen. Shields	Asks if witness is saying that a program could save Oregon money.
071	Lorch	Responds.
076	Sen. Shields	States that it still comes out of everyone's pockets if the landfills are being filled more quickly. Suggests that it would save money

		not to fill the landfills up so quickly. Asks question about business opportunities to help poor people have more access to computers.
098	Lorch	Responds.
110	Wayne Rifer	Rifer Environmental. Testifies in support of SB 740. Submits written testimony (EXHIBIT K) .
192	Sen. Shields	Asks about the idea of a deposit.
199	Rifer	Confirms that the deposit concept has been discussed.
212	Dennis Brown	Vice President, State Government Relations, Equipment Leasing Association. Testifies on SB 740.
219	Chair Ringo	Asks where witness is from.
220	Brown	Replies Washington D.C.
221	Chair Ringo	Asks if witness flew to Oregon from Washington D.C. to testify.
222	Brown	Replies yes. Continues testifying on SB 740. Submits written testimony (EXHIBIT L) .
300	Chair Ringo	Acknowledges witness' concern with SB 740. Asks if all of witness' objections can be addressed.
304	Brown	Replies no and discusses uniformity and consistency among multiple states. Says this already being done in other regions.
307	Chair Ringo	Verifies that this is being done in the northeast.
308	Brown	Confirms this.
310	Chair Ringo	Discusses distance between states. Asks if witness wants to see Oregon collaborate with Washington.
316	Brown	States that California should be involved also.
321	Jerry Jordan	Executive Vice President and Chief Operating Officer, US Bancorp Equipment Finance. Gives background information on company and how SB 740 would affect them. States that a program on a national level would make more sense.
363	Chair Ringo	Asks if both witnesses understand that the program has to be administered carefully.
364	Jordan	Replies yes.
365	Brown	Replies yes.
366	Chair Ringo	Asks if witnesses agree that e-waste is a significant problem that needs to be addressed.
369	Brown	States that is why they do not voice outright opposition to SB 740.
373	Jordan	Replies yes and explains.
378	Chair Ringo	Asks if the problem is the volume of the waste or the toxic chemicals.
383	Brown	Replies neither and explains.
389	Chair Ringo	Clarifies that he didn't mean the problem with the California program.
390	Brown	States that SB 740 is based on the California program.
391	Chair Ringo	Understands, but asks what is witness' specific problem with e-waste. Asks if it is the volume of the waste or the toxic chemicals.
392	Jordan	Replies all of the above.
408	Jim Craven	Government Affairs Manager, American Electronics Association. Submits and highlights written testimony in opposition to SB 740 (EXHIBIT M) . Discusses task force.
TAPE 61, B		
001	Craven	Continues highlighting testimony (EXHIBIT M) .
045	Chair Ringo	Asks if witness supports these concepts on a national scale.
046	Craven	Supports the continuation of people trying to structure a national

		framework.
047	Chair Ringo	Verifies that might include a recycling program which would involve some fees.
048	Craven	Replies yes.
049	Chair Ringo	Says that the idea that e-waste is such a small component of solid waste is not consistent with constructing a national solution.
051	Craven	Clarifies that he did not say it wasn't a problem. States that resource conservation is always preferable to throwing something away.
065	Craven	Continues highlighting testimony (EXHIBIT M) .
120	Julie Brandis	Associated Oregon Industries. Testifies in opposition to SB 740.
180	Doug Smith	Sony Electronics. Testifies in support of SB 740.
202	Chair Ringo	Asks what raw materials can be taken out of an old television.
203	Smith	Gives details. Continues testimony in support of SB 740.
273	Chair Ringo	Asks where three million pounds of e-waste is being collected.
274	Smith	Replies in California.
275	Chair Ringo	Thanks witness for his testimony and states that he found it very persuasive.
276	Lorraine Kerwood	Executive Director, Computer Reuse and Recycling Center. Testifies in support of SB 740. Submits written testimony (EXHIBIT N) .
353	Matt Blevins	Legislative Affairs Director, Oregon Environmental Council (OEC). States that the OEC supports SB 740 and introduces Heidi Sickert.
356	Heidi Sickert	OEC. Testifies in support of SB 740.
TAPE 62, B		
005	Paul Cosgrove	Hewlett Packard (HP). Gives background information on HP recycling.
010	Marcy Eastham	Northwest Government Affairs Manager, HP. Submits and reads written testimony in opposition to SB 740 (EXHIBIT O) .
025	Chair Ringo	Asks if the California program is popular among consumers.
028	Larry King	HP, Roseville, California. States that the consumers don't know about the program. States that participation rate with retailers is very low.
031	Eastham	Continues highlighting testimony (EXHIBIT O) .
046	King	Testifies in opposition to SB 740.
065	Chair Ringo	Asks question about incentive.
070	King	Responds. Continues testimony.
090	Chair Ringo	Makes comment.
091	Cosgrove	Responds.
100	Sen. Beyer	Mentions previous witness who testified that the California program was collecting three million pounds per month. Asks if that is correct.
105	King	Replies that no reporting has been done yet.
109	Chair Ringo	Asks if witnesses accept that e-waste is an important public policy issue that needs to be addressed.
110	King	Replies yes.
111	Eastham	Replies yes and believes that manufacturers have a solution.
115	Chair Ringo	Makes comment regarding bottle bill.
116	Eastham	Responds that, with the bottle bill, people get their deposit back.
118	Chair Ringo	Replies that is true.
120	Rick Winterhalter	Association of Oregon Recyclers. Testifies in support of SB 740. Submits written testimony (EXHIBIT P) .

150	Oso Martin	Founder and Outreach Coordinator, Free Geek. Gives background information on Free Geek.
153	Chair Ringo	Verifies that Martin recovered 50 percent of the material.
154	Martin	Explains.
157	Chair Ringo	Asks Martin how many employees work for him.
158	Martin	Responds. Continues giving background information on Free Geek and recycling. Expresses support for SB 740 and states that he is confident that the concerns will be worked out.
190	Dale Swanson	Panasonic Matsushita Electric. Testifies in support of SB 740. Submits written testimony (EXHIBIT Q)
213	Randy Tucker	Metro. Testifies in support of SB 740.
230	Bob Danko	Department of Environmental Quality. Testifies on SB 740 and explains neutral position.
235	Tucker	Offers to provide written testimony.
237	Bailey Paine	Recycling Coordinator, Marion County Public Works. Testifies on costs for Marion County and submits written testimony that shows costs for the 2005 fiscal year (EXHIBIT R).
277	Pete Ray Chism	Citizen. Testifies in support of SB 740. Submits written testimony (EXHIBIT S).
312	Mike Dewey	Waste Management, Inc. Testifies in support of SB 740.
The following prepared testimony is submitted for the record without public testimony:		
	Frank Dick	Environmental Manager, Sharp Microelectronics of the Americas. Submits written testimony in support of SB 740 (EXHIBIT T).
	Bruce Walker	Solid Waste and Recycling Program Manager, City of Portland. Submits written testimony in support of SB 740 (EXHIBIT U).
	Marc A. Pearl	Executive Director, Consumer Electronics Retailers Coalition. Submits written testimony in opposition to SB 740 (EXHIBIT V).
320	Chair Ringo	Closes public hearing on SB 740 and adjourns meeting at 8:50 a.m.

EXHIBIT SUMMARY

- A. SB 91, -1 amendments, Staff, 1 p**
- B. SB 91, written testimony, Jeannette Holman, 2 pp**
- C. SB 92, written testimony, Jeannette Holman, 2 pp**
- D. SB 92, written testimony, Danny Krossman, 1 p**
- E. SB 92, maps, Danny Krossman, 2 pp**
- F. SB 346, -1 amendments, Staff, 37 pp**
- G. SB 740, fact sheet, Rep. Jackie Dingfelder, 2 pp**
- H. SB 740, report, Rep. Jackie Dingfelder, 101 pp**
- I. SB 740, written testimony of Greg Sampson, Rep. Jackie Dingfelder, 1 p**
- J. SB 740, written testimony, Craig Lorch, 2 pp**
- K. SB 740, written testimony, Wayne Rifer, 2 pp**
- L. SB 740, written testimony, Dennis Brown, 9 pp**
- M. SB 740, written testimony, Jim Craven, 4 pp**
- N. SB 740, written testimony, Lorraine Kerwood, 1 p**
- O. SB 740, written testimony, Marcy Eastham, 6 pp**
- P. SB 740, written testimony, Rick Winterhalter, 1 p**
- Q. SB 740, written testimony, Dale Swanson, 2 pp**

- R. SB 740, written testimony, Bailey Paine, 1 p**
- S. SB 740, written testimony, Pete Ray Chism, 2 pp**
- T. SB 740, written testimony, Frank Dick, 1 p**
- U. SB 740, written testimony, Bruce Walker, 2 pp**
- V. SB 740, written testimony, Marc A. Pearl, 2 pp**