

SENATE COMMITTEE ON
RULES AND ELECTIONS

May 22, 1995 Hearing Room
 Tapes 76-77

MEMBERS PRESENT: Sen. Randy Miller, Chair
Sen. Brady Adams
Sen. Shirley Gold
Sen. Dick Springer

MEMBERS EXCUSED: Sen. Paul Phillips

STAFF PRESENT: Kristina McNitt, Committee Administrator
Gretchen Haber, Committee Assistant

MEASURES HEARD: Executive Appointment of:
John Brogoitti, Pacific Northwest Electric Power and Conservation Planning
Council
Joyce Cohen, Pacific Northwest Electric Power and Conservation Planning
Council
Eugene Kelley, Oregon Board of Dentistry
Janice Staver, Columbia River Gorge Commission

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation marks
report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE 76 SIDE A

002 CHAIR MILLER: Calls the meeting to order at 9:15 a.m. Reviews agenda.

EXECUTIVE APPOINTMENT OF EUGENE KELLEY
OREGON BOARD OF DENTISTRY - PUBLIC HEARING/WORK SESSION

Witnesses: Eugene Kelley

008 EUGENE KELLEY: Testifies on his ability to serve on the Oregon Board of
Dentistry.

- Testifies that he has the training, time, and experience to serve on the
board.

MOTION: Sen. Gold moves that the Senate confirm the appointment of Dr.
Eugene Kelley to the Oregon Board of Dentistry.

VOTE: Hearing no objections, the motion passes. Sen. Adams and Sen.
Phillips excused.

EXECUTIVE APPOINTMENT OF JANICE STAVER, COLUMBIA RIVER GORGE COMMISSION

Witnesses: Janice Staver

030 JANICE STAVER: Testifies that she has been working hard on learning the various situations of the Columbia Gorge during the last year and has the time and interest to serve on the Commission.

MOTION: Sen. Gold moves that the Senate confirms the appointment of Janice Staver to the Columbia River Gorge Commission.

VOTE: In a roll call vote, the motion passes. Sen. Adams and Sen. Phillips excused.

EXECUTIVE APPOINTMENT OF JOYCE COHEN, PACIFIC NORTHWEST POWER AND CONSERVATION PLANNING COUNCIL

Witnesses: Joyce Cohen, Pacific NW Power and Conservation Planning Council
Sandra Flicker, Oregon Rural Electric Cooperative Assn.
Tom O'Conner, Oregon Municipal Electric Utilities

062 JOYCE COHEN: Testifies that she has served the balance of Ted Hallock's term, and is now seeking another full term.

- The Council was created in 1980 as a compact. The compact includes the states of Oregon, Idaho, Washington, and Montana, two members from each state. The mission is to encourage conservation and efficiency in the use of electric power and the development of renewable resources, to assure adequate efficient, economic and reliable power supply, and to protect, mitigate and enhance the fish and wildlife of the Columbia River.

- The Council is now embarked on reviewing the underlying science of some of the controversial elements of the 1994 Fish & Wildlife plan; my 15 years

of medical research and science will assist in this.

- The new members of the Council have agreed to aggressive efforts to implement the 80% of the plan that everyone supports: harvest habitat, hatcheries, and modification of some of the hydro dams to facilitate safer passage of the fish.

- The Act requires that we create a power plan, and we have begun this with

stakeholders. Moving forward with actions to protect salmon which have broadbased support We need to lay out the choices for a healthy discussion.

- The role of the Council must be established in the market driven, deregulated, system that is evolving.

- We have past commitments with the tribes and the fishing communities.

- We must ensure that the cost of saving fish doesn't fall disproportionately on some citizens.

- Must try to disentangle the issue from the courts.

160 SANDY FLICKER: Testifies in favor of the appointment (EXHIBIT A).

194 TOM O'CONNER: States support of the reappointment of Joyce E. Cohen.

EXECUTIVE APPOINTMENT OF BOB BROGOITTI, PACIFIC NW ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Witnesses: Sandra Flicker, Oregon Rural Electric Cooperative Assn.
Justin Burns, for Sen. Gordon Smith
John Brogoitti, nominee
Bob Hale, Hermiston farmer
Ken Coppinger, Echo farmer
Chuck Norris, House District 57
John Chandler, Oregon HomeBuilders Assn.

225 SANDRA FLICKER: Testifies in support of the appointment (EXHIBIT A).

274 BOB HALE: Speaks in support of the appointment. Mr. Brogoitti is honest and straightforward. The issues the Council considers are complex, and Mr. Brogoitti will be a positive addition to this process. He listens to both sides of an issue.

286 KEN COPPINGER: Mr. Brogoitti's integrity is beyond reproach.

293 JUSTIN BURNS: Testifies in support of Mr. Brogoitti on behalf of Senate President Gordon Smith. Sen. Smith pledges his full support for the appointment.

300 JOHN BROGOITTI: The issues at hand are extremely important. Eastern Oregon, having the largest land mass in the state, and using the most water for irrigation purposes, needs representation on the Council. I have the time to serve. In my seven and a half years serving on LCDC I have learned about contentious issues and have learned to be a party in developing consensus. I have also served on the Agricultural Stabilization Conservation Service - they administer all the farm programs for the state.

My background lends itself to serving on this Council.

343 SEN. GOLD: States she is in strong support of the appointment.

360 SEN. SPRINGER: Appreciates Mr. Brogoitti's Eastern Oregon background - can we count on his representation of Oregonians living west as well?

375 BROGOITTI: Yes; Although I bring an Eastern Oregon perspective, I intend to represent all of Oregon in working for the Governor.

393 CHAIR MILLER: What would your decision be, should a policy be developed with strong public support but opposition from the governor?

400 BROGOITTI: I consider myself an employee of the governor from the standpoint that the state will have a policy; if that policy of the Council is different from what the state has set, I will work for the state and the governor; I will be a player in setting that policy with the governor.

Tape 77, Side A

020 CHAIR MILLER: How much time do you anticipate spending on the Council?

030 BROGOITTI: I am prepared to provide 40 hours a week.

045 REP. CHUCK NORRIS: Testifies in favor of the appointment of John

Brogoitti.

- In his participation on the Land Conservation and Development Board, Mr. Brogoitti has voted with independence, effectively representing House District 57.

- The Salmon Recovery Plan and river levels are important issues to District 57; John Brogoitti effectively understands these concerns. Draw downs are a big issue.

106 JOHN CHANDLER: Testifies in favor of the appointment of John Brogoitti.

- I've worked with Mr. Brogoitti on LCDC and found him fair and able to make tough decisions. He listens to all viewpoints.

- There is a need for representation on the Council from Eastern Oregon.

MOTION: Sen. Adams moves to confirm the appointment of John Brogoitti to the NW Electric Power Planning Council.

VOTE: In a roll call vote, the motion passes. Sen. Phillips and Sen. Miller excused.

APPOINTMENT OF JOYCE COHEN - WORK SESSION

146 CHAIR ADAMS: Opens work session on Joyce Cohen appointment

MOTION: Sen. Gold moves to recommend confirmation of the governor's appointment of Joyce Cohen to the Northwest Power Planning Council.

VOTE: In a roll call vote, the motion passes. Sen. Phillips and Sen. Miller excused.

151 CHAIR ADAMS: Adjourns the committee.

Submitted by,

Committee Assistant

EXHIBIT SUMMARY

A - testimony, appointment of Brogoitti and Cohen, Flicker, 2 pgs.