

HOUSE COMMITTEE ON RULES AND REORGANIZATION Subcommittee on Rules

March 15, 1993 Hearing Room E 3:00 p.m. Tapes 8 - 9

MEMBERS PRESENT: Rep. Fred Girod, Chair Rep. Lonnie Roberts Rep. Dave McTeague

MEMBER EXCUSED: Rep. Cedric Hayden

STAFF PRESENT: Adrienne Sexton, Committee Administrator Kenneth Brady, Committee Clerk

MEASURES CONSIDERED: HCR 3 - Proclaims the month of March 1993 Oregon Women's History Month

HB 2662 - Prohibits E.Q.C. & D.E.Q. from adopting more stringent regulations than the federal government

HB 2716 - Prohibits any state agency from adopting more stringent regulations than the federal government

WITNESSES: Rep. Bill Markham Rep. Avel Gordly Rep. Liz VanLeeuwen Jim Whitty, A.O.I. John Charles, O.E.C. Liz Frenkel, Sierra Club Roger Martin Betsy Bailey, A.O.I. Fred Hansen, D.E.Q. Sherwin Cullison, A.F.S. Brad Witt, AFL-CIO Mike Marsh, Exec. Dept. Scott Ashcom Amy Clair, AFL-CIO

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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. [--- Unable To Translate Graphic ---]

TAPE 8, SIDE A

003 REPRESENTATIVE FRED GIROD, SUBCOMMITTEE CHAIR: Convenes meeting at 3:07 p.m. PUBLIC HEARING ON HB 2716 & HB 2662

012 REPRESENTATIVE BILL MARKHAM: In support of HB 2662. -Notes expansion of laws from D.E.Q. and E.Q.C. through administrative rules. -No need to go beyond federal laws. -Notes federal E.P.A.

076 REPRESENTATIVE LONNIE ROBERTS: Do you have any comments on HB 2716?

080 MARKHAM: I haven't read it, but will get back to you.

090 GIROD: Closes hearings on HB 2662 and HB 2716. -Opens work session on HCR3.

WORK SESSION - HCR3

093 REPRESENTATIVE AVEL GORDLY: Here in place of Rep. Nancy Peterson.  
-Offers amendment (EXHIBIT A) to read "that the month of March is  
hereby proclaimed Oregon Women's History month."

096 GIROD: Delete the "1993"?

097 GORDLY: Correct.

102 MOTION: Rep. ROBERTS moves that the amendment be adopted.

104 GIROD: Hearing no objections, the amendment is adopted.

106 MOTION: Rep. ROBERTS moves that HCR3 be moved to the full  
committee with a DO PASS recommendation.

108 VOTE: In a ROLL CALL VOTE, all members present vote AYE. Rep.  
Hayden is EXCUSED.

114 GIROD: Declares HCR3 passed to full committee. -Reopens hearing  
on HB 2716 and HB 2662.

PUBLIC HEARING - HB 2662 and HB 2716

120 REPRESENTATIVE LIZ VANLEEUWEN: In support of HB 2662. -Lots of  
people are concerned with the overregulation.

160 JIM WHITTY, A.O.I.: In support of HB 2662. -Submits written  
testimony (EXHIBIT B). -Oregon should not exceed federal standards on  
environmental matters. -Notes HB 2175 from a few years ago.

231 ROBERTS: Who makes the decision as to an imminent threat to  
public health and welfare?

242 WHITTY: Responds.

259 GIROD: Do the standards keep industry out of Oregon? Does it cost  
jobs? Good paying jobs?

264 WHITTY: Yes.

286 JOHN CHARLES, OREGON ENVIRONMENTAL COUNCIL: In opposition to HB  
2662 and HB 2716. -Need to identify the problem. -Written testimony  
(EXHIBIT C). -Current system of oversight is adequate.

367 GIROD: Which regulations, those that would be affected by these  
bills, would you least like to  
see dismissed?

378 CHARLES: Responds.

394 REPRESENTATIVE DAVE MCTEAGUE: D.E.Q. apparently has standards  
for dioxins that the federal government does not. Are you familiar  
with that?

403 CHARLES: No, I'm not.

422 GIROD: How many administrative rules do you put out per biennium?

430 CHARLES: My employer, the O.E.C. doesn't put out any, but I don't

know about the E.Q.C. 454 LIZ FRENKEL, SIERRA CLUB: In opposition to HB 2662 and HB 2716. -This would paralyze government. -Written testimony (EXHIBIT D).

TAPE 9, SIDE A

034 FRENKEL: Responds to the previous question of what regulation she would not like to see made invalid. -Gives an example.

058 ROGER MARTIN: In support of HB 2662 & HB 2716. -Gives an example. -Notes EXHIBIT B from A.O.I.

157 BETSY BAILEY, A.O.I.: Submits written testimony (EXHIBIT E). -In support of HB 2716. -Gives examples.

234 FRED HANSEN, DEPARTMENT OF ENVIRONMENT QUALITY: In opposition to HB 266 2. -Submits written testimony (EXHIBITS F, G, & H). -Gives examples.

TAPE 8, SIDE B

015 ROBERTS: How is the advisory committee selected?

018 HANSEN: Usually it is chosen by me.

027 ROBERTS: Are there people on there whose own industries will be regulated?

031 HANSEN: Yes. -Explains.

034 ROBERTS: Do they each have a vote?

036 HANSEN: Yes. There is almost always a unanimous concensus.

042 ROBERTS: Do you take testimony from the public?

044 HANSEN: Yes. -Explains.

055 ROBERTS: Then why is there so much discontent?

057 HANSEN: I don't know.

072 ROBERTS: Have you ever gone back and loosened any requirements?

076 HANSEN: Yes. -Explains.

095 GIROD: Notes P.C.B. discussion from Roger Martin's testimony. How did that come about and why?

098 HANSEN: Explains.

146 GIROD: Is it technologically possible to clean to that level?

149 HANSEN: Yes. -Explains.

222 GIROD: Asks about the spill at Santiam Hospital.

224 HANSEN: I don't know it in detail.

226 GIROD: Do these regulations cost jobs?

233 HANSEN: If so, only as a trade off.

242 SHERWIN CULLISON, A.F.S.: Comments on HB 2716. -Written testimony (EXHIBIT I). -Concern is that HB 2716 could increase the cost of state government. -Should not apply to non-regulatory agencies. -Phrases such as "More stringent" are unclear as to how they apply to agencies like A.F.S.

377 ROBERTS: What is the federally recognized poverty level for a family of four?

380 CULLISON: I'm not sure.

384 ROBERTS: \$14,500 a year for a family of four.

409 GIROD: "More stringent" is the problem you're having?

411 CULLISON: It is understandable for water quality, but not for humans. Difficult to understand.

429 GIROD: Asks about managed health care.

433 CULLISON: Responds.

437 BRAD WITT, AFL-CIO: In opposition to HB 2716. -Submits written testimony (EXHIBIT J).

471 GIROD: Do you have a position on HB 2662?

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032 WITT: We have taken no position since we represent people on both sides of that issue.

038 MIKE MARSH, EXEC. DEPT.: Notes discussions with the federal government. -In opposition to HB 2716.

077 ROBERTS: Federal guidelines are a minimum standard, and you don't have to get approval to go above them, correct?

082 MARSH: Yes.

090 SCOTT ASHCOM, on behalf of many groups: In support of HB 2716 and in general HB 2662. -The bill could stand some fattening up. -Amendments are needed for 2716.

177 AMY CLAIR, AFL-CIO: Notes that the federal government does not have all of the laws already. Oregon has some, such as family leave, that are already in place.

198 GIROD: Are there certain parts that you disagree with?

203 CLAIR: I'm not an expert, but on family leave there are several different bills. -Explains.

215 GIROD: Closes hearing on HB 2716 and HB 2662. -Adjourns at 4:51 p.m.

Submitted by:

Reveiwed by:

Kenneth Brady  
Administrator

Adrienne Sexton Clerk

EXHIBIT LOG:

A - Amendments to HCR3 - Nancy Peterson - 1 page B - Testimony on HB 2662 - Jim Whitty - 9 pages

C - Testimony on HB 2662 & HB 2716 - John Charles - 9 pages D - Testimony on HB 2662 & HB 2716 - Liz Frenkel - 1 page E - Testimony on HB 2716 - Betsy Bailey - 3 pages F - Testimony on HB 2662 & HB 2716 - Fred Hansen - 13 pages G - Testimony on HB 2662 & HB 2716 - Fred Hansen - 7 pages H - Testimony on HB 2662 & HB 2716 - Fred Hansen - 22 pages I - Testimony on HB 2716 - Sherwin Cullison - 2 pages J - Testimony on HB 2716 - Brad Witt - 2 pages