

HOUSE COMMITTEE ON RULES AND REORGANIZATION Subcommittee on Rules

March 26, 1993      Hearing Room E 2:00 p.m.      Tapes 10 - 11

MEMBERS PRESENT:    Rep. Fred Girod, Chair Rep. Dave McTeague Rep. Cedric Hayden

MEMBER EXCUSED:    Rep. Lonnie Roberts

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

MEASURES CONSIDERED: HB 2662 - Prohibits E.Q.C. and D.E.Q. from adopting more stringent requirements than the federal government.

WITNESSES:            Fred Hansen, D.E.Q. Emery Castle, E.Q.C. Bob Gilbert, James River Corp. Bruce Anderson, Oregon Home Builders Assoc. Joe Gilliam, Federation of Small Businesses Jim Whitty, Associated Oregon Industries

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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 10, SIDE A

002 REPRESENTATIVE FRED GIROD, SUBCOMMITTEE CHAIR: Convenes meeting at 2:05 p.m. as a subcommittee of the subcommittee. -Opens public hearing on HB 2662.

PUBLIC HEARING - HB 2662

009      FRED HANSEN, D.E.Q.: Introduces self and others.

020      EMERY CASTLE, E.Q.C.: In opposition to HB 2662. -Gives reasons and examples. -Explains rulemaking process.

050      GIROD: How are you selected to this commission?

051      CASTLE: We're appointed by the governor. -Continues explanation.

103      GIROD: How many regulations would you say are above federal standards?

107      HANSEN: There are seven categories for rules.

126      CASTLE: Continues explanation.

160      GIROD: What check does the federal government have to see if the

rule is within the scope and intent  
of the legislation?

174 CASTLE: Responds.

175 REPRESENTATIVE CEDRIC HAYDEN: On what do you base your assumption  
that, without these rules and agencies, we'd have a worse environmental  
condition?

180 CASTLE: Responds.

184 GIROD: Wouldn't the federal standards cover it?

190 CASTLE: Responds.

192 GIROD: Do you have any suggestions for checks to be put in place?

199 CASTLE: Responds. -We have public hearings and input.

202 GIROD: Do you always take that into account?

205 CASTLE: Absolutely.

216 GIROD: If there's a poor rule, what check does the public have on  
it?

220 CASTLE: They could go to court, if it wasn't legal.

222 GIROD: Even if it's within the scope and intent, what if it  
isn't feasible?

230 HANSEN: Responds.

270 GIROD: Did D.E.Q. take a position on HJR 22?

274 HANSEN: Responds.

289 CASTLE: Responds.

300 HANSEN: We believe the rules we've made are important.

380 GIROD: Would you have a problem justifying each more stringent  
rule you've passed?

385 HANSEN: No problem.

396 CASTLE: These are rules that the E.Q.C. has made and the  
D.E.Q. enforces. -We'd have no problem, either.

425 REPRESENTATIVE DAVE MCTEAGUE: What's changed in the last ten  
years in

environmental issues?

447 CASTLE: Responds.

TAPE 11, SIDE A

030 CASTLE: Continues response.

060 BOB GILBERT, JAMES RIVER CORPORATION: Submits written testimony (EXHIBIT A) in support of HB 2662. -Explains problems with exceedingly stringent rules.

168 GIROD: It wasn't very cost effective?

173 GILBERT: Correct. We need to check on them afterward.

177 GIROD: Do these stringent standards affect employment in this state?

182 GILBERT: Responds.

190 BRUCE ANDERSON, OREGON HOME BUILDERS ASSOCIATION: In support of HB 266 2. -Economic impact and cost is an important issue.

236 JOE GILLIAM, FEDERATION OF SMALL BUSINESSES: In support of HB 2662. -The court of appeals is not a viable option. -HJR 22 may help a lot, however E.P.A. is another situation.

265 HAYDEN: Do things get worse without a law to prevent it or do they get better? Or is there a compromise?

280 GILLIAM: Responds.

295 HAYDEN: Without governmental regulations, would we go away from those goals or toward them?

302 GILLIAM: Responds.

305 MCTEAGUE: Have you participated in the processes to make these rules?

317 ANDERSON: Responds.

339 GILLIAM: Responds. 361 MCTEAGUE: Do you want an across the board repeal of environmental legislation or do you want to address individual problems?

420 GILLIAM: Responds.

434 MCTEAGUE: We need to see some comparisons on precise issues.

TAPE 10, SIDE B

040 ANDERSON: It seems to be intended to examine rulemaking and regulation as a whole.

062 MCTEAGUE: If this legislation passes, could restrictions be put on all of the existing laws without specifically referencing them?

070 ADRIENNE SEXTON, COMMITTEE ADMINISTRATOR: Responds. -The D.E.Q. and E.Q.C. would probably make those decisions.

080 JIM WHITTY, ASSOCIATED OREGON INDUSTRIES: Our intention is not to change laws that have come from the legislature. -Talking about rules (regulations) from agencies like the E.Q.C. -In support of HB 2662.

122 GIROD: Would you be opposed to a compromise position in that all rules be reviewed by the legislature?

127 WHITTY: Responds.

130 MCTEAGUE: It looks like it would repeal a lot of environmental legislation. Tell me one specific example and let someone from the other side argue against it, and do that with all of them.

169 GIROD: Closes public hearing on HB 2662. -Adjourns meeting at 3:16 p.m.

Submitted by:

Reveiwed by:

Kenneth Brady  
Administrator

Adrienne Sexton Clerk

EXHIBIT LOG:

A - Testimony on HB 2662 - Bob Gilbert - 8 pages