

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.

HOUSE COMMITTEE ON ENVIRONMENT AND ENERGY

May 10, 1991 Hearing Room E 1:00 p.m. Tapes 160 - 162

MEMBERS PRESENT: Rep. Parkinson, Chair Rep. Whitty, Vice-Chair Rep. Burton Rep. Courtney Rep. Naito Rep. Norris Rep. Repine Rep. Van Leeuwen Rep. Watt

MEMBER EXCUSED: ?Sen./Rep. Name

VISITING MEMBER: ?Sen./Rep. Name

PRESENT: Kathryn VanNatta, Committee Administrator Evie Redler, Committee Assistant ?Name, Legislative Counsel

MEASURES CONSIDERED: HB 3570 (WRK) HB 2175 (WRK) SB 93 (PPW)

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TAPE 160, SIDE A

CHAIR PARKINSON calls the meeting to order at 1:07 pm.

HB 3570- WORK SESSION

Ralph Blanchard, Polk County Commissioner: Testifies in support of HB 3570. Use of the local community, dash 3 amend. -section 8, 1d very workable definition. -section 8, 4 ab: very workable. -Overall this is workable in Polk County. Do not want to see dense urbanization, secondary lands will provide flexibility.

040 Park: We were asked if we had support of county commissioners so glad you're here.

BLANCHARD: We need a good secondary lands bill.

Norris: Comment on the definition of secondary lands.

BLANCHARD: People in the area valuable. SB 91, people in my area can solve the problems in the area effectively.

NORRIS: strict criteria or general guidelines?

BLANCHARD: general, but strong support protection from outside disturbances.

077 BILL ZELENKA, Crook County: Submits and reads written testimony (EXHIBIT A) Local authority can make priorities easier than legislation. -small more productive -non regulatory incentives -willamette valley is different from land east of the cascades. -HB 3570 is supportive of all these beliefs.

138 CATHERINE MORROW, Deschutes County: Testifies in opposition to HB 3570. Pilot study in Deschutes County. Proposed did not accurately define 2nd lands. If counties use baseline definition... have option

162 park: Your suggestions may not work as well as you had hoped.

MORROW: We were under the impression that the committee would be open to possible suggestions. Need a non-farm dwelling criteria.

park:

MORROW: I did submit some comments here on behalf of the county and the county commissioners.

park:

norris: So you're not enthused about 2nd lands.

morrow: no.

park: if 2nd lands are identified it will probably do away with...

morrow:

park:

222 morrow: Our forest lands are small. If we are not able to get 2nd lands we will probably have to have some low density to comply with big game.

235 BILL GRILE, Coos County Board of Commissioners: Testifies in support of HB 3570. This is the only workable 2nd lands that we have seen to date. -objective criteria will not work. Gives an example.

280 naito: A lot of county planners have acted in support of the bill. I would caution you on your statement about prostituting yourself currently.

norris: you would just have to live there.

park: In LDCD admin rule, no non-forest dwellings. Would this be serious?

308 GRILE: It would be devastating. 30 days after LDCD enacts there will be no non-forest dwellings.

whitty: Comments to the committee regarding the make-up of Coos County.

This is not like the north coast. We are trying to accomodate people who want to live there. We4 don't have urban growth boundries. almost all of our land is public land. theres no where to go.

park:

GRILE: I would invite anyone to look at the data from lcdc to see if the additonal suggestions are necessary.

park: Specific criteria. comment.

GRILE: Would like objective criteria. In application the decistion may not make sense. We would prefer nothing to having a marginal lands bill.

norris: in section 3, is that adequate at your level?

GRILE: Absolutely.

norris: In the end will your results differ from other couties?

GRILE: We put together a local options report and the conclusion was actually more restrictive than lcdc.

Tape 161, Side A

020 park: good time to ask questions on planning.

norris: There are definitely differences in counties.

035 BILL MASHOFSKY, Oregon in Action: Change in amendments submitted last week. We feel there should be the same opportunities in non-forest dwelling as in the farm zone. Item 21, section 25. -Not proposing unlimited rights. -Would like specific criteria, but could go along with general if you could encorporate the language.

078 HB 2175- WORK SESSION

-Staff submits dash 7 amendments (exhibit B) Paul congrove, dash 8 (c) wood stove industries dash 9 (d) (e) are the concept amendments dash 10 (f) auto emisstions, aoi, collection of industry. (g) hand engrossed vesion deq, concept amendments from Oregon Environmental Council (h) and sierra club (i)

155 naito: subsequent referral?

park: dont know

repine: some of the amendments would require w and m

kathryn: some of the amendments are not drafted because LC couldn't get do them yet.

173 park: The turn out date of this bill will be Monday, May 13.

191 cosgrove: who the hell is this person?????

naito:

cosgrove: explains amendments.

212 FRED VAN NATTA, Wood Stove Industry: dash 7 amendments. (trash dash 8 amendments). Policy questions in the wood stove amendments. -wood stoves contribute to dirty air, mostly old stoves. -the industry wants to be able to market new stoves but the problem is dealing with the old stoves. We don't want it to end up that stoves are legislated against completely. -Three things with old stoves 1. burn ban. incentive to buy new stove 2. wood stove tax. 3. mandatory trade out after 1995.

298 park: What do you mean by trade out?

VAN NATTA: Section D, Line 6 addresses that issue. could be limited to non attainment areas only, and still address the problem.

park: section 10-a, says the resale...

VAN NATTA: that is correct. the industry supports that.

norris:

repine: Refers to two other bills in this legislation. If we do something like this to control the air problem, what would prevent other legislators from applying this sort of mandate on water, power, etc.. how far do you want to go?

VAN NATTA: Addresses the water issue first. Energy is currently under new home buyer laws. - As a home builder representative I do not want to support not having fireplaces in new homes.

Tape 160, Side B

002 courtney: You want this committee to support a tax?

VAN NATTA: that is correct.

018 GARY DONKLING, Tektronix: discusses amendments currently being drafted. It makes sense for the Portland area people to take a look at ... We have attempted to make changes to the dash 6 amendments. -proposing a gubernatorial task force to look at mobility alternatives in the metro area. Also to make recommendations for considerations in 1993.

norris: this will have no affect on anywhere except the Portland area?

DONKLING: Yes.

norris:

DONKLING: I do believe that the Portland metro area's problems and solutions can be used by other metro areas in the state.

dash 6 amendments just arrived exhibit J

100 ANDY COTUGNO: This clean air act is If you slip backward more laws come into affect. -The level of polution out of each automobile has lowered but now there are more cars out there. -We have proposed these amendments to focus on lowering auto travel.

133 park: discusses the idea of building new blazer coluseum. More traffic.

COTUGNO: Just the opposite, on the light rail line.

burton: Has a great spot in his district to put it.

park: will this conflict with other amendments to the bill?

COTUGNO: they are devised to work with the dash 6 amendments.

park: If we approve your amendments will it knock out other amendments.

norris: Do you see the high tech industry ...

COTUGNO: In the Portland Metro area the industry has grown.

185 JOHN KOALACHECK (SPELLING)

DENNY MOORE: Refers to the dash 10 amendments.

230 whitty: If this is going to be state wide, are people from around the state going to be paying for the problems in Portland?

MOORE: The point that was raised is that if you raise the fee, you receive more money from the people who use the source.

whitty: were you involved in...

naito: I agree with whitty. It may be at the county level that they know what they need. suggests amending the bill.

park:

285 MOORE: If we are going to use... it should be put back into the general transportation. -fee is proposed -funds would be transferred into a transit...fund. It is essentially a vacant fund waiting for funds. - discusses the rest of the amendments.

wow. more amendments. dash 11 (k) and 12 (l)

burton:

368 MOORE:

burton: The reason I bring that up is because...

MOORE:

418 LOOK OVER TAPE/ NOT LISTENING

420 MOORE: Submits testimony (EXHIBIT M).

Tape 161, Side B

Koalacheck: Any help to the clean air in this state would be smart.

027 JOHN CHARLES, Oregon Environmental Council: Speaks of conceptual amendments (exhibit H). -Confused that everyone is saying that a task force is okay. Motor vehicles is 38% of the problem. Why are we discussing studies before we take action? -Reviews charts attached to testimony. -Studies in Singapore.

094 park: These amendments look very similar to...

CHARLES: There are some specific differences. If you don't drive much, under our bill you will pay less than those who drive more.

park: odometer thing, people volunteer that information?

CHARLES: Under our proposal each county has the ability to decide what to do with the funds.

whitty: how do you determine how clean a car is? What about people stealing odometers? People are going to come up with ways to get around this.

CHARLES: People usually do. You can't construct a foolproof system. -Under this bill you get rewards for less emission.

whitty: We are talking about getting rid of old wood stoves, why not get rid of the old cars?

176 ANDY YOU HAVE TO LISTEN TO THIS ONE- IT'S WHITTY AT HIS BEST

182 CHARLES: This has to go on a vehicle miles. That's the only way to do it.

190 LIZ FRANKLE (SPELLING), Sierra Club : Refers to conceptual amendments. (EXHIBIT I).

254 whitty: The sierra club is interested in collecting all this money but it's not going to go towards helping the clean air act. Unless I can see fees helping the problem, I won't vote for them.

burton: Refers to congress clean air act in 1990. Locally we can ignore that or try to deal with it. If you will have to pay to drive more, I think it will help.

naito: We should have free mass transit if we reall want to help.

whitty: to make people pay to drive their car, but let people ride the bus free doesn't sound very american.

342 DOUG MORRISON, PGE: Submits testimony (EXHIBIT M) and describes amendments (EXHIBIT J).

382 park:

MORRISON: Minor change in proposed amendments.

Tape 162, Side A

008 DENISE McPHAIL, PGE: Discusses the proposed amendments.

whitty: after all this you would still be throwing the same amount of polutions into the air. We are essentially penalizing you for doing the same things you normally do.

048 McPHAIL:

053 whitty: I don't understand how it's going to help that you have to

pay money to a federal agency. Why can't we just put a date on when you need to stop this. No one can answer that question, how are we going to make the air cleaner here in Oregon.

McPHAIL: This is a message we have to send to congress...

park: will this improve the air?

McPHAIL: No.

MORRISON: there will be a maximum... over the next 7 years.

park: Essetially they will lower the fees if a company implements...

JIM WHITTY,...: These fees are going to be assessed no matter what we want. Refers to the dash 6 amendments. Should not need the FTE's as requested. that is a little bit high.

120 FRED HANSEN, Director of DEQ : Refers to the dash 12 amendments (exhibit L).

park:

HANSEN: 1.2. financing -If I were the president of a large company that discharges

217 courtney: Five sources of polution identified. Possibly we were discussing automobiles. In the situation of large companies, they will be looking for savings so it may work. -also, we are not a ways and means committee so it is hard to decide on the issue of FTE's.

park: this will go the w and M eventually.

HANSEN: The fee issue drives a lot. In 93-95 biennium...

park: Reflects again that this bill will have to go to ways and means.

279 Steve XXX , DEQ: Responds to Rep. Courtney's question.

park: Some of us feel like we got burnt pretty badly...

ADJOURNS HEARING AT 3:25 PM