

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 13, 1991Hearing Room E 1:15 p.m.Tapes 163 - 163

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 Andy Sloop, Committee Assistant ?Name, Legislative Counsel

MEASURES CONSIDERED: SB 66 (PUB) HB 3278 (WRK)

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TAPE 163, SIDE A

06CHAIR PARKINSON: Calls the meeting to order at 2:05 p.m. Representatives Burton, Repine and Courtney and Burton not present and excused.

PUBLIC HEARING - HB 66 Witnesses:???????

07par: Recognizes obvious importance of the bill.

17DIANNA GODWIN, OREGON SANITARY SERVICE INSTITUTE: Reviews goals embodied in Section 2 of the bill and summarized in senate staff measure summaries (EXHIBITS A AND D).

(rep: and cou: arrive 2:07)

>Consensus group convened during interim to discuss recycling market development and solid- waste management.

>Counties initially wanted state only to define goals, not establish how

to achieve them, which is the approach taken in SB 66B.

67wat: Where are we today in terms of recycling achievement percentages?

71god: ????? Estimates not good. Know high on aluminum and newsprint.

83wat: Just give me a feeling.

85god: About 20 percent overall.

87van: ?????

91god: By Dec. 31, 1995, local waste sheds will have achieved their recycling goals. Will have better accounting by then and it will include achievements to date.

270 god: ??? Rates will not include ???

290 JIM WHITTY, AOI: Testifies in support of the measure. (EXHIBIT E)

355 JERRY ????, AOI: ??? Reviews minimum standards beginning in Section 26.

>Compromise effort with diverse interests involved.

375 nor: Resents preemptive use of term "economic community" because everyone is part of the environmental community.

TAPE 164, SIDE A

24van: I though you said these recycling rates pertained to plastic containers manufactured in Oregon.

26jer: ????

36rep: Since we're first in the plastics arena, what percent of material in Oregon land fills is plastics?

39jer: ????

44rep: Why have other states opted not to deal with plastics?

47jer: This is a proactive approach by the plastics industry to avoid harmful regulatory measures down the road.

50nor: ???

56jer: ???

59van: Believe there are lots of states that are far ahead of Oregon in plastics recycling.

67jer: Much of what is proposed in this bill is intended so that Oregon can catch up to efforts in other states.

70CAMERON BIRNIE, DEPARTMENT OF GENERAL SERVICES: Comments on impacts of implementing the bill, as written, on the Department of General Services and proposes amendments. (EXHIBIT F)

142 BOB MARTIN, METRO SOLID WASTE: Testifies in support of the measure and speaks specifically to recycling information center provisions. Proposes housekeeping amendment. (EXHIBIT G)

153 par: We were at a solid-waste conference awhile back, and you said you were proud that Metro had got the garbage rate high enough to encourage recycling.

157 mar: Increases in the Portland area accurately reflect disposal costs, and have reached the point they are encouraging responsible solid-waste management, including recycling.

(bur: arrives 2:52)

269 rep: Walk me through the toll free number.

275 mar: We envision having somebody who makes regular contact with communities throughout the state; maintaining a dynamic database; actively promoting the system; and allowing access to the computer database via computer modem.

301 rep: ?????

304 mar: This wouldn't replace anything that we're already doing.

310 rep: Did the group that developed Metro's toll free number, did it ????

320 mar: Refers to page 23, which directs DEQ to contract with Metro to provide statewide recycling information center. This doesn't preclude other public nformation efforts.

334 bur: How much does Metro's current recycling hotline cots?

340 mar: Budgeted about \$200,000 for operations for this fiscal year
????

349 VICKI ROCKER, METRO: ???????

358 bur: ????

368 mar: Yes. There's an awful lot of leverage using what we've already done.

384 bur: With respect to Metro's house keeping amendment, ????

399 mar: That amendment simply provides language that would bring this bill in line with what's already happening in solid-waste and recycling markets.

TAPE 163, SIDE B

15BOB DANKO, DEQ: Testifies in support of the measure, and specifically addresses household hazardous waste provisions. (EXHIBITS H THROUGH K)

85nor: How much will the program you are proposing cost?

89par: Will get into at next meeting.

97bur: Metro has an updated solid waste program. Would that and other

local plans be allowed to stay in place?

100 dan: Yes.

106 bur: So the statewide plan wouldn't override any local plans?

109 dan: It would complement them. "It has to be a team approach."
The state plan will set guideposts.

114 par: ???Sounds very much like land-use system.

121 bur: What portion of fees under this proposal would go to the
planning process?

124 dan: Between 25 and 33 percent.

127 rep: Will we have another opportunity to discuss other aspects of
this with DEQ reps.?

134 par: ????? Breaks 3:13. Reconvenes at 3:32.

145 JOEL ARIIO, OSPIRG: Testifies in support of the measure.

>True consensus effort, but fragile coalition.

>Spent lots of time on Sections 18 to 20 pertaining to plastics, but
could not reach agreement on pertuation and escalation of plastics
recycling standard after 1995. Bad public policy not to strive for 50
percent recycling rate, but OSPIRG willing to give on this issue in
broader interest of survival of the bill itself.

>(185) DEQ stripped out all unessential responsibilities of DEQ.

>This bill is an investment in the future. Disposal rates in Portland
have gone up five times, from \$10 to \$50 a month in last four to five
years. Rest of the state on same trajectory.

224 >This bill means 47 cent costs per year to consumers.

235 PAUL COSGROVE, AMERICAN PAPER INSTITUTE: Testifies in support of
the measure (EXHIBIT L) and proposes amendments (EXHIBIT M).

318 par: Your technical amendments are probably a little bit early for
us.

336 JACK BROWN, JAMES RIVER: Testifies in support of the measure.
Acknowledges agreement with previous testimony.

350 LAURIE AUNAN, CONSUMERS FOR RECYCLING: Testifies in support of the
measure. ?????

384 JOHN HAZEN, SALEM CITIZEN: Tesitifies in support of the measure and
proposes amendments to delete recycling exemptions in Marion County that
may be in conflict with existing statutes and which discourage local
recycling efforts. (EXHIBIT N)

TAPE 164, SIDE B

?????

20JERRY GRIFFITH, SALEM CITIZEN: Proposes amendments (EXHIBIT O).

90par: This is the last week to consider house bills, so will concentrate on house bills rest of week.

104 vannatta: Enters written testimony from Oregon Student Lobby (EXHIBIT P).

110 par: Closes public hearing on SB 66 and opens work session on HB 3278.

WORK SESSION - HB 3278

115 REP. RANDY MILLER: Explains dash 2 amendments (EXHIBIT Q). ????? Suggests deleting, on page 2, line 17 after the word "damages" to the word "action" on line 19.

178 par: Letter of opposition from League of Oregon Cities. Have you conferred with them on dash 2 amendments?

184 mil: No.

186 cou: Where does the historic designation come from?

188 mil: LCDC goal 5.

197 BILL MOSHOFSKY, OIA: No federal mandate in this regard, but primary motivation in Oregon is LCDC goal 5, as nor: indicated.

211 cou: So historic areas on the East Coast are result of local efforts?

215 mos: Yes. Generally through voluntary agreement.

221 cou: Concerned that amendment speaks to local government, and not clear where authority comes from to designate property historic.

????

240 nai: Rep. Miller, amendment refers to "normal" uses of property. What does that mean?

249 mil: Expect that probably means constraints and zoning laws in effect at time property zoned.

259 mos: Suggests amendment to ??????

269 nai: Why do we single out historic takings for compensation when there are other mandated constraints on property use?

282 mos: Difference between constraints such as setbacks because other constraints deal with adverse impacts of new development. Historic designations, however, apply to ??????

331 mil: This legislation developed to deal with problem in my district. Anticipate that this could be expanded to deal with people who's property may protect wetland areas to such an extent that it is effectively taking of their land.

354 nai: This doesn't seem to be a problem in Portland.

366 mil: In some cases, historic designation can enhance property value. This is intended to deal with devaluation.

383 PHIL FELL, LEAGUE OF OREGON CITIES: Testifies in opposition to the measure. Adequate measures are in place, especially in light of recent U.S. Supreme Court decisions. ?????

TAPE 165, SIDE A

10bur: What jurisdictions designate historic properties?

20fel: Don't know.

29mos: There is increasing pressure, through LCDC, to incorporate additional measures to set aside historic sites, and there isn't enough guidance to protect property rights.

41van: LCDC goal 5 is very definite about state intent to designate historic sites.

45mos: ????

53whi: moves dash two amendments, deleting ?????

65bur:Objects

67par: Calls roll call.

75bur: ?????

80par: Probably are glitches that will be fixed on Senate side.

82mil: ????

88rep: Concerns about definition of "normal" in dash 2 amendments are legitimate. Not comfortable moving this out of committee today.

96par: This is last week to move house bills. Could fix problems down the line.

105 SUE HANNA, LC: This was processed but not drafted by LC. Did not draft this. Don't know what "normal" means.

113 par: mil: Would you like to give us your def. of normal?

115 mil: The use of the affected property at the time of the designation, so that if there was a regulation affecting that made without property owner consent, s/he could be compensated.

125 nor: "Aren't we addressing usual ?????

131 mil: ??????

139 cou: Normal practices within or outside a historic district? There are some real problems with the word "normal" -- normal under what circumstances?

152 van: Two ways to look at this: can be desirable in urban areas, but

generally not desirable in rural areas because of sever constraints that severely limit practical uses.

181 mos: Suggests revisions to dash two amendments ????

193 par: ?????

195 mos: This suggested amedment would take care of that. ????

204 han: ???? That could improve the dash two amendments, ????

220 han: ?????

226 par: motion

245 par: Hearing no objection, par: so orders.

250 bur: ??????

260 mil: 60 days before filing that action, need to notify local jurisdiction ????

?????

280 par: Closes work session and adjourns at 4:44.