

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 29, 1991 Hearing Room E 1:00 p.m. Tapes 187 - ?

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

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

MEASURES CONSIDERED: SB 66 (WRK) SB 184 (PPW) SJM20 (PPW)

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TAPE 187, SIDE A

004 CHAIR PARKINSON calls the meeting to order at 1:08 p.m.

SB 66- WORK SESSION WITNESSES:

016 Kathryn: Discusses concept amendments.

park: Goes over the amendments passed.

048 GORDON FALF, AOC: Introduces dash 51 amendments (EXHIBIT A).

repine: B51 amendments line 8. Is that the entire subsection 2?

falk: that is correct.

kathryn: explains

Mike, Oregon waste systems: Funding with the 50 cent fee. The tip fee was becoming a set fund for DEQ. Gives Ways and Means the leaway to add

to the needed amount if 50 cents was not an accurate amount.

FALK: This could be a major funding source if necessary.

108 whitty: It is not our job to fill in the amount of funding for DEQ.
All we need to do is make sure that there is funding available.

FALK: We are leaving the blank in there but are allowing changes if necessary.

125 whitty: If the money source is section 13A can go outside of the department or is it limited?

FALK: There is a fiscal impact which we didn't agree with.

courtney: Two issues. the amount, the instrument. are you dealing with the instrument?

144 FALK: We are trying to deal with the instrument.

DEWEY:

160 VAN L: Agrees with the dash B51 amendments.

park: 1. 50 cent 2. fund only new programs by DEQ 3. Section 2, 35 cents starting next biennium.

naito: Relying on existing funding with hazerdous..

DEWEY: Directly funded by ORS.

burton: that funding is state wide?

DEWEY: That is correct.

192 JIM WHITTY, ASSOC OREGON INDUSTRIES: Testifies in oppostion to amendments B51. This may not allow all proponents to support this bill.

BOB DANKO, DEQ: opposition to the bill. Monies going directly to DEQ, other agencys should have the funds as well.

JOEL ARIIO, OSB IRG: oppostion. One of the principal things is the fee.
In essence, if our tipping fee stays low it encourages companies to dump in Oregon.

254 park:

watt: Concern that this amend will change the mechanisMof funding to give solely to DEQ.

repine: Oringinal 50 cent a ton fee would fund the program. Now we don't know.

284 DANKO: Agencies decided what it takes to implement the bill. The Ways and Means Committee will have the final say.

park: will DEQ request of Ways and Means that the highway division recieves fees?

DANKO:

repine: We have not heard from any other agencies. Need to know their role.

339 norris: We need to find a way to fund this bill. One side puts the tipping fee in, the other takes it out. MOTION:van l moves to adopt dash b51 amendments TO B engrossed bill.

VOTE: 5-4 motion carries

PAUL COSGROVE: Refers to B27 amendments (ex b) and submits written testimony (ex c). -Delete lines 17 and 18 in the dash B27 amendments.

Tape 188, Side B

030 COSGROVE: Continues testimony in favor of B27 amendments. -Gives history on the need of recycling and background of amendments.

080 van L: What do the franchise collectors do with the refuse?

COSGROVE: They would like to sell the refuse to the plants.

van l: Under current law, you can do that now.

COSGROVE: 3 companies have ...

104 van l: Have you gotten an interpretation of the bill. have you won these cases?

COSGROVE: Yes, we have won the court cases. but this would make it for sure.

van L: Who has set up all the mechanism. what is the loss to..

COSGROVE: It is not a loss to ... it is actually a loss to us. -Names a number of other agencies which support these amendments.

135 DIANNA GODWIN, OSSI: opposition to amendments dash 27. Introduces dash B45 amendments (EXHIBIT D). -Commercial recycling and economic recycling are different.

211 park: Were both of these amendments presented on the senate side? amend b27 and amend dash45

GODWIN: Particular areas of disagreement. Need to provide for economic recycling.

van l: Why can't you decide thes things outside of committee?

norris: that is the key...line 14 and 15, transport without consideration.

GODWIN:

DANKO:

270 park:

LEONARD LANFRANCO, xx: Not sure the intentions of the

LORI AWNING, OSB IRG: Not in favor of either of the amendments dash 27 or dash 45. In favor of recycling. Don't want to see limits placed on recycling.

norris: Are the definitions commercial and economic recycling statutory definitions?

GODWIN: if there was a downturn in the price of cardboard and you actually would pay someone to take the cardboard away, under our franchise we must still pick up the cardboard even if we can't get money for it.

400 norris:

Tape 187, Side B

GODWIN:

007 park:

COSGROVE: There have been discussions on the differences between b27 and b45. B27 will take into account.

Diane ???, Metals: In support of B27 but also agrees with the current statutes in place.

DAVID KNOWELS, METALS AND WOOD EXCHANGE????: The generator actually pay the client for ... a franchise is for the purpose of protecting a public service.

050 repine: Aren't you a franchise if you charge X to haul recyclables.

KNOWELS: they are paying us but that money goes to fund

061 JOHN DREW, XX: In support of B27 from paper side. -commercial recycling is defined in ORS and also by DEQ. -Dash B27 goes farther on recycling.

repine:

DREW: The discussion are the words without consideration.

park: Not in the position to adopt either one. Suggests the groups discuss to make a decision.

naito: This is an issue but it is not ready.

van 1: They can strike an agreement if needed.

145 park: If you can reach an agreement on dash 45 and dash 27 amendments go do it.

189 kathryn: Reviews which amendments are still alive and will be discussed.

240 CAMERON BIRNIE: Discusses the dash b 30 amendments (EXHIBIT E). Staff hands out hand engrossed b30 amendments. (EXHIBIT F).

Repine:

BIRNIE:

DANKO: The intent of the language on the senate side ...

284 BIRNIE: In agreement.

van 1: Noticed a technical error in the hand engrossed bill.

kathryn: The error will not need to be changed until they are adopted by the committee.

DANKO: Reviews the technical amendments needed to amend dash 30 amendments.

BIRNIE:

363 burton: How are you funded to do this study?

BIRNIE: we are currently not funded for that.

burton:

MOTION: rep. courtney moves the dash 30 amendments to the b engrossed bill as amended.

VOTE: Hearing no objections, Chair Parkinson so moves.

018 watt: In lines 6 through 9 why do you need the ...

BIRNIE: The sections dealing with recycled tires isn't complete.

TED HUGHES, XXX: Testifies on behalf of DuPont on the dash 31 amendments (EXHIBIT G).

DANKO: Opposition to dash 31 amendments.

park: Dash 31 amend dead.

078 DELYN KIES, OSSI: Introduces the dash B33 amend (EXHIBIT H). Staff submits hand engrossed dash B33 amendments. (EXHIBIT I). -Most are technical amendments.

DANKO: Suggests better language on page 13, line 14. -This allows the metro service district to collect a fee when it gets to the transfer station, rather than where it is dumped.

KIES: Agrees with the changes made by Bob Danko.

204 discussion on the technical changes in the amendments.

223 KIES: continues discussing the dash 33 amendments.

246 courtney: these are not really technical amendments.

KIES: I believe they are.

DANKO: I don't agree with ... -ORS.. speaks to the dumping of waste tires.

whitty: what if you have more than four tires?

park: would it be okay to delete the tires section?

GODWIN: Yes. -Page 5 of hand engrossed line 41, after of insert providing.

park: Does that change make it less ambiguous?

DANKO: Yes.

XXX WHITTY, xxx: Concerned with amendments.

361 GODWIN: In agreement. will make the changes necessary.

371 WHITTY:

VAN 1: Another technical change.

Tape 189, Side A

010 HUGHES: In opposition to dash 33 amendments.

watt: Do you feel strongly on this change?

KIES:

van 1:

MOTION: norris dash 33 to SB 66 b

watt: Strike the changes in 34 d.

AMENDED MOTION: watt moves to delete lines 7,8 on page two of dash 33 amendments.

VOTE: no objections, rep. park excused.

kathryn: Reviews the changes to dash 33 amendments.

DANKO:

kathryn:

burton and whitty both object to the amendments before and after amendments.

park: why?

van 1: Lets vote on it. comfortable with the amendments.

232 courtney: Not that easy.

DANKO: delete that section.

GODWIN: Agrees to delete that section.

CHAIR PARKINSON recesses at 3:20pm. Reconvenes at 3:30pm.

discussion on motions on the floor.

van 1: Are the concerns with these amendments or the whole bill.

VOTE: 5-3 motion carries. naito excused.

340 DAVE OVERSTREET, : Introduces dash 34 amendments (EXHIBIT J) and staff submits hand engrossed version of the bill with dash 34 amendments (EXHIBIT K).

burton:

OVERSTREET: We are looking at this as an alternative to non- recyclable bags.

burton: Recyclable materials can refer to something other than plastics.

DANKO: Opposition to dash 34 amendments.

OVERSTREET:

tape 190, side a

029 TOM O'CONNER, LEAGUE OF OREGON CITIES: Introduces dash 35 amendments (EXHIBIT L) with staff hand engrossed version included in that exhibit.

burton: How is this funded?

O'CONNER: By the industry groups which make up that council. the parties participate at their own cost.

burton: differentiate between rural and urban?

O'CONNER: the intent is to get at rural areas over 10,000 population.

burton:

whitty: could we just put statewide market strategy?

WHITTY, AOI:

whitty: suggests changes to the amendments

MOTION: whitty moves to amend dash 35 amendments. and adopt. VOTE: Hearing no objections, Chair Parkinson so moves.

099 JOHN HAZEN, CITIZEN: Introduces the dash 40 amendments (EXHIBIT M) and staff submits a similar amendment hand engrossed dash 24 (EXHIBIT N).

200 van 1: How do these amendments solve the problems in Marion County?

HAZEN: one paragraph gives Marion County a reduces recycling goal.

222 JIM SEARS, DIRECTOR SOLID WASTE MANAGEMENT OF MARION COUNTY: Opposed to dash 40 amendments.

park: Is there any other county which has same day weekly pickup of

recyclables?

SEARS: Not that I know of.

courtney: Recycling and the burner are on a collision course. Need something to be done.

repine: In earlier testimony , there is material being sold after the burning process. Is the county getting the credit for that?

SEARS:

MOTION: Naito moves dash 40 amendments to SB 66 b engrossed.

VOTE: 5-3 motion fails. whitty is excused.

368 KIES, AOC: Introduces dash 46 amendments (EXHIBIT O). The amendments add an educational clause to the bill.

park:

404 KIES: Describes the method of education.

Tape 189, Side B

van L: Your amendment is just a definitive look at SB 66.

KIES: No. It is much more broad.

GREG MCMURDO, : cannot accept lessons except from deq

DANKO: Concerns about the dates on the amendments. Would like to do this out of existing resources. Supports the language in concept.

McMURDO:

norris: The amendments look to be sort of inflated. Why not just show a video once a year.

McMURDO:

DANKO: The language would create a good program if funding is available.

repine: In the fiscal impact currently there is 62,000 for educational

McMURDO: The additional costs are placed on DEQ not on the department of education.

092 repine: The money must represent something. Does this include the cost of publications?

McMURDO: That was the fiscal impact turned out for section 35. The amendment would put the burdon back on DEQ.

129 van l: delete the entire section 35 and added that the DEQ and department of education would work out a program together.

DANKO:

McMURDO: That is correct.

repine: The 62,000 is for all the schools in the state? If that is the case, I'd like to see you do it.

park: Are any of you in opposition to this amendment?

DANKO:

CHAIR PARKINSON recesses at 4:20. Reconvenes at 4:32.

MOTION: watt moves to suspend rules to allow reconsideration of b42 amendments. VOTE: All present voting aye MOTION: watt moves to reconsider the vote by which adopted dash b51 amendments. VOTE: all present voting aye

kathryn: explains where we are at currently.

234 park: do yo have problems

DANKO: no.

park: anyone in opposition?

MOTION: van l moves the dash 46 to SB 66 as amended.

kathryn: Reads for the record how the amendment now reads.

burton: Why is it only good through grade 12?

McMURDO: Just because of drafting. Don't believe it is an objection.

burton: who pays?

McMURDO: DEQ would have that responsibility.

burton: define portland metro area.

McMURDO: Urban growth boundaries.

norris: I object to this amendment.

342 park: hearing no other objections, so moved. norris objecting.

358 DANKO: Introduces dash 38 amendments (EXHIBIT P)

MOTION: repine moves the dash 38 amendments to SB 66 b

VOTE: no objections, so ordered.

407 BILL PUTNEY: Introduces dash 48 amendments (EXHIBIT Q).

park: this amendment looks like the same amendments as dash 45 and 27 as sent to the hall.

XXX: Describes the differences between dash 27 and dash 38 amendments. Lines 3-5 of dash 38 amendments are separate. -Without the amendments the franchised companies can put the private businesses out of business.

PUTNEY: Owns small recycling business. Franchise collectors would

rather not have small businesses exist.

109 GODWIN: Oppose dash 38 amendments.

144 CRAIG STARR, AOC: oppose dash 38 amend.

norris: wouldn't this be a problem only with small bus and franch together?

STARR: Don't believe so.

park: There has been no concensus on dash 27 or 45 amendments.

MOTION: burton moves to amend SB 66 by restoring...

burton: Explains reason for this motion.

norris: Fiscal impact?

DANKO: On senate side the amount of money was \$600,000 for section 51.

van 1: this is to allow this to happen if there is funding for it.

burton: yes.

kathryn: Adds necessary wording.

VOTE: 5-4 motion carries.

MOTION: whitty move SB 66 to floor with a referral to ways and means with do pass. as amended.

VOTE: 9-0 motion passes.

adjourned at 5:15.

MOTION: burton moves SB 66 to the committee on ways and means as amended.

VOTE: