

Senate Committee on Agriculture and Natural Resources February 20, 1991
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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.

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

February 20, 1991Hearing Room C 8:00 a.m.

Tapes 50 - 53

MEMBERS PRESENT:Sen. Dick Springer, Chair Sen. Joyce Cohen,
Vice-Chair Sen. John Brennehan Sen. Shirley Gold Sen. Bob Kintigh
Sen. Tricia Smith Sen. Eugene Timms

VISITING MEMBERS:Senator Shirley Gold Senator Jeannette Hamby, Senate
District 5

STAFF PRESENT: Peter Green, Committee Administrator Chris Beck,
Research Associate Kus Soumie, Committee Assistant

MEASURES HEARD: SB 270 - PROHIBITS DEQ FROM ISSUING NEW OR
RENEWAL PERMITS UNDER CERTAIN CIRCUMSTANCES - PUBLIC HEARING SB 473 -
ESTABLISHES FEE ASSESSED ON DISPOSAL OF SOLID WASTE - PUBLIC HEARING SB
474 - DIRECTS DEQ TO ESTABLISH STATEWIDE SOLID WASTE MANAGEMENT PLAN -
PUBLIC HEARING SB 475 - REQUIRES SENATE PRESIDENT AND SPEAKER OF HOUSE
OF REPRESENTATIVES TO DESIGNATE APPROPRIATE INTERIM COMMITTEE AS
REGIONAL SOLID WASTE MANAGEMENT COMMITTEE - PUBLIC HEARING SB 66 -
ESTABLISHES STATEWIDE INTEGRATED SOLID WASTE MANAGEMENT PROGRAM - WORK
SESSION SB 183 - ESTABLISHES STATEWIDE GOAL FOR MATERIAL RECOVERY FROM
SOLID WASTE - WORK SESSION

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.

TAPE 50, SIDE A

005 CHAIR SPRINGER calls the meeting to order at 8:00 am.

WITNESSES: SENATOR SHIRLEY GOLD JUDGE KEVIN CAMPBELL
SENATOR JEANNETTE HAMBY, SENATE DISTRICT 5 MAURY ASTLEY, OREGON
INDEPENDENT TELEPHONE ASSOCIATION KATHY GILL, NORTHWEST PULP AND PAPER
PAUL PASCO, AMERICAN PAPER INSTITUTE, NATIONAL TRADE ASSOCIATION FOR THE
PAPER COMPANIES BOB DANKO, DEPARTMENT OF ENVIRONMENTAL QUALITY, CHAIR,
RECYCLING MARKETS DEVELOPMENT SUB-GROUP LEONARD LANFRANCO, MINIMUM
CONTENT SUB-GROUP CAMERON BIRNIE, ADMINISTRATOR, TRANSPORTATION
DISTRIBUTION DIVISION, DEPARTMENT OF GENERAL SERVICES SANDRA BURT,
ADMINISTRATOR, DEPARTMENT OF GENERAL SERVICES

SB 473 - ESTABLISHES FEE ASSESSED ON DISPOSAL OF WASTE - PUBLIC HEARING
SB 474 - DIRECTS DEQ TO ESTABLISH STATEWIDE SOLID WASTE MANAGEMENT PLAN
- PUBLIC HEARING SB 475 - REQUIRES SENATE PRESIDENT AND SPEAKER OF HOUSE
OF REPRESENTATIVES TO DESIGNATE APPROPRIATE INTERIM COMMITTEE AS
REGIONAL SOLID WASTESHED MANAGEMENT COMMITTEE - PUBLIC HEARING

018 SENATOR SHIRLEY GOLD, PORTLAND (EXHIBIT A) > Testifies in support of SB 473, SB 474, SB 475. > Presents overview of Exhibit A (-1, -2 and -3).

131 JUDGE KEVIN CAMPBELL (EXHIBIT B) > Testifies in support of SB 473, SB 474, and SB 475. > Presents overview of EXHIBIT B.

247 SENATOR GOLD: > Calls attention to the executive summary of the report. In many ways these bills contain many of the same principles toward the end of the summary. > The staff work was done by DEQ at no cost to the state.

291 CHAIR SPRINGER: How has the concept of wasteshed worked? If it is recognized, is the wasteshed concept the more appropriate unit to be responsible, if the funding can be obtained to do the job?

313 CAMPBELL: > There is no dedicated staff toward wasteshed. Wastesheds are an in-state problem. Wastesheds are an out of state problem, wastesheds are an out of region problem. Dealing with solid waste should be share by all generators of solid waste. > The needs are across the state. We need to recognize the efficiencies of on the ground resources rather than from the top up programs, which generally come down with bits and pieces of money to those who can shout the loudest.

369 SENATOR GOLD: > In the discussions of the commission, it was made clear to us by the companies now involved in regional land fill that they have no intention of seeking business outside of the region. > The purpose of the commission is to establish a planning process that would go on into the future for many years.

TAPE 51 SIDE A

001 SENATOR TIMMS: What moneys would we split among the 36 counties - the fees from out of state?

003 CAMPBELL: No, the additional fee that would be charged to out of region solid waste.

008 SENATOR TIMMS: What is the thinking for eastern Oregon about the fee which has been assessed?

CAMPBELL: > The general feeling is that it is a highly indefensible fee. Our commission did not deal with that specific fee. The fee is somewhat suspect as to where the fees will ultimately go and what moneys will ultimately come back to the beneficiaries.

025 SENATOR TIMMS: Is it your thinking that a fee should strictly go for the cost of taking care of that out of state solid waste in the dumps in eastern Oregon?

034 CAMPBELL: I think we have missed the point when we talk about only the beneficiary fees and only the focus of those fees and what those costs should be dedicated to. The point is there has to be some certainty in the market place that private enterprise can go on and do business knowing with some degree of certainty that this is going to be the cost of doing business. That is where a lot of skepticism came about.

043 SENATOR TIMMS: The answer then is that it would be strictly a cost price to those individual counties and to the state of Oregon for bringing solid waste into the state. We should not be funding other projects or other things in the Department of Environmental Quality at the sacrifice of a free enterprise system.

055 CAMPBELL: > If we are dealing with out of region fees, it becomes nothing more than an embargo or a boycott on someone's solid waste. It's a very indefensible position. That's why I speak of different dedicated functions which speak to different dedicated needs of the state of Oregon or of the region. > This should be a commission and an issue with some vision. The setting of the out of state fees was a highly reactionary type of activity. A decision had to be made as quickly as possible. Our commission dealt with a very specific issue: what should the posture of the State of Oregon be, recognizing the fact that we have private, regional landfill operators in the State of Oregon, recognizing the fact that we have excellent opportunities for landfiling and other activities based around solid waste because of transportation, strata, geology and other things in the State of Oregon - what should the posture of the State of Oregon be with regard to something that hasn't occurred yet? We have given you 14 principles which offer opportunities for a number of different postures, we have explored a number of different postures, and certainly as individuals have opinions as to which of those postures is more or less defensible, but certainly it's in the benefit of the State of Oregon to take action on something before it occurs and recognize the fact that it probably will occur, and maybe should occur, versus simply reacting at the 11th hour, when something is on the border and we don't know how to handle it.

134 CHAIR SPRINGER: Would you give an idea of what is happening with solid waste in Grant County? How many disposal sites are there, how much are people paying on an average to have their trash picked up? What percentage of households are using a hauler as opposed to self-haul, or the backyard wigwam burner or whatever they do with trash out in your part of the world, and whether or not a local fee is something that is an option for you?

148 CAMPBELL: > In his county, as everywhere else, they are essentially, post measure 5, looking at an increase of 250% in solid waste fees this year in Grant County. That's simply a recognition of the true cost of doing business and the fact that the funds which have been subsidizing that activity are no longer able to support that activity at the level they have. > If government wants to own landfills, it must recognize that it is very inefficient in landfill operation. Private enterprise can do business better and more efficiently than government. > Solid waste is largely a product of people. However, environmental quality and resource management are largely not population driven but a product of land mass. Consequently, if you have a situation where there is a toxic spill in Grant County, it's as big an impact as if it happened here in Mill Creek or somewhere. We have to recognize that all of the activities cannot be driven by population and they can't always be looked at as subsidizing inactivity in another area at the expense of one area.

192 CHAIR SPRINGER: In Portland, we are going to be paying \$55 per ton to haul our trash. In Marion County they are paying about the same amount per ton to burn it. We have heard that in Deschutes County it's about \$15 a ton in the county operated landfill there. There is an equity issue and a local effort issue that I'm sure you're going to be hearing a lot more about as we talk about who does what. Can you help me with some numbers here?

204 CAMPBELL: We will be looking at approximately \$20 a month for disposal in incorporated John Day where they do have pick up available. The minimum charge at the landfill has been highly subsidized in the past, and the fact of the matter is that people have come in with two cans of garbage, and it's been \$2. Now the minimum charge will be \$5. I don't know whether the market can bear that. The bottom line does not pencil out for anything less than that, and the funds are restricted to the point where there is not money available to continue the subsidizing

of landfill operations. This has no component which is dedicated toward long-term liability or long-term planning.

238 SENATOR GOLD: I would like to express for the record my personal gratification that even though we have not come to satisfactory conclusions, the project appears to be on the front burner, and that, for me, is great. I am very grateful to you and the members of the committee for the time that we're taking with this subject.

TAPE 51, SIDE A

SB 66 - ESTABLISHES STATEWIDE INTEGRATED SOLID WASTE MANAGEMENT PROGRAM
- PUBLIC HEARING SB 183 - ESTABLISHES STATEWIDE GOAL FOR MATERIAL
RECOVERY FROM SOLID WASTE - PUBLIC HEARING

284 SENATOR JEANNETTE HAMBY, SENATE DISTRICT 5 (EXHIBIT D) > Testifies in support of SB 66. > Presents overview of EXHIBIT D.

355 KATHY GILL, NORTHWEST PULP AND PAPER (EXHIBIT E) > Testifies in opposition to SB 66. > Details EXHIBIT E.

375 CHAIR SPRINGER: I need to know if the capacity for using secondary fiber is as you say it is or will become, why are we in such a mess for the price of used newsprint in this area?

395 PAUL PASCO, AMERICAN PAPER INSTITUTE, NATIONAL TRADE ASSOCIATION FOR THE PAPER COMPANIES > The significant reason for the price fluctuations in the old newsprint market is because newsprint is an international market - both a national and an international market, and pricing is affected by that. Even though we have this massive production of newsprint in the Northwest, the United States as a whole imports 58% of its newsprint from Canada. > The United States significantly exports old newsprint to Canada and other countries. So the price is not affected by the market in this state, it is affected by factors around the globe.

447 CHAIR SPRINGER: What's the long-term prognosis here. I heard Weyerhaeuser say it was slowly going to trend up for used newsprint. My sense is that a lot of recycling operations really depended on some stability in terms of the price for newsprint, and they lost that floor and have been struggling ever since. What can the industry tell recyclers about the price of used newsprint this month, next year, or for the next five or ten years. Can anybody tell us that?

TAPE 50 SIDE B

006 PASCO: > Continues testimony on SB 66 > The trend for utilization of old newsprint is up dramatically in this county, in this region and in this state in particular. > A lot of newsprint is not used to produce recycled newsprint. It is recycled into other products. Less than one-third of the newsprint that is recycled in this country goes back into newsprint. > Other things affect the price of newsprint. There will be more use of paper in the future and it is expanding dramatically. There are 600 paper mills in this country, and of those, 200 use nothing but recycled paper for their stock. Another 300 use substantial amounts of recycled paper. And that trend is increasing at a much higher rate than it was even in the last 10 years. > There are some kinds of paper that are supply limited, where we could use more if we could get more. There are some areas for improvement. > Recommends omitting definition of newsprint. They would strongly recommend not using the definition which came out of California's AB 1305. The history of AB 130 5 is that definition is one of the reasons that the regulations are still not implemented to make that program work. There is a definition which they supplied to the Minimum Content Subgroup, based on the harmonized tariff schedule of the United States, it's recognized by the European community and other major trading partners, and it defines standard newsprint. He requests they modify any definition of any paper product, either in SB 66 or other legislation to

be considered to be consistent with those nationally and internationally recognized definitions so that we know the product we're talking about.
> The United States recycles 81% of the domestic production in newsprint, despite the fact that 58% is imported from Canada. We are recycling almost all of what is produced in the United States rather than shipping it back out. The recycling process is primarily happening in this country.

107 GILL: > Price is not the only factor in bringing paper supplies from the Midwest. You need 1.2 million office workers recycling mixed waste paper to run a 400 ton per day secondary fiber plant. Part of it is population based, and the recycling capacity is population based as well.

114 SENATOR SMITH: Is James River going to run a recycling plant in the Northwest?

GILL: Yes.

SENATOR SMITH: Where will that be?

GILL: In Halsey.

SENATOR SMITH: When will that come on line?

118 GILL: 1992

126 CHAIR SPRINGER: It would appear that the industry is somewhat critical or at least questions minimum content legislation generally?

127 GILL: Yes. In general, the industry does not see minimum content standards as either necessary or appropriate. In Oregon it would necessitate the import of even more paper, which would be solving solid waste problems for other cities.

133 SENATOR COHEN: Because of the transportation issues and because of the types of contracts that might be taking place there might be a circumstance down the road where Oregon recyclers would be disadvantaged somehow with respect to price. Could someone talk to us on that?

159 CHAIR SPRINGER: You also talk about packaging in your written comments. What are we going to do at the front end?

172 PASCO: We are dealing with it on the front-end on the utilization issue. Our use of recycled fiber is great and will be getting greater. We are doing our part and will continue to do so. That doesn't have much to do with recycled minimum content legislation in the area of newsprint. > With respect to packaging or any other kind of solid waste, the reason that back-end kinds of solutions are preferable have to do with a number of factors: Front-end solutions have not yet been adopted anywhere because people recognize there are problems of equity and how to have funding that would not cost more than it gains in revenue. The incentives have to be on the back-end for the end users - industry, commercial businesses. It's not just consumers. If the prices reflect the actual cost of disposal, we think it will tend to drive the market toward waste reduction, recycling and reuse.

219 SENATOR COHEN: The people who use those products should pay some part of that as a free market effort, too, wouldn't you agree? Some responsibility should fall on free-flow as the product becomes a more important viable option to wood chips, then wouldn't it also be fair to expect the industry to pay a fair share of the collection in terms of the costs and sort of rebate it back?

230 PASCO: The industry does pay for the recycled paper it uses and it will continue to do so. I didn't mean to imply that recycled paper should become free.

330 LEAGUE OF WOMEN VOTERS (EXHIBIT F) > CHAIR SPRINGER introduces EXHIBIT F, submitted by the League of Women Voters, for the record pm SB 66 and SB 183.

334 MAURY ASTLEY, OREGON INDEPENDENT TELEPHONE ASSOCIATION (EXHIBIT G) > Testifies in opposition to SB 66. > Presents overview of EXHIBIT G.

TAPE 51, SIDE B

001 ASTLEY, CONTINUED > Continues overview of EXHIBIT G.

SB 66 - ESTABLISHES STATEWIDE INTEGRATED SOLID WASTE MANAGEMENT PROGRAM
- WORK SESSION

059 PETER GREEN, ADMINISTRATOR, COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES > Gives overview of 13 amendments and hand-engrossed bills to SB 66. The 14th amendment had not arrived in time to be hand-engrossed. > There are 10 amendments that do not cover areas in the sub-groups to be discussed, and there are 4 sets of amendments that do cover areas in the sub-groups.

083 SENATOR COHEN: I think it would be helpful to at least figure out the amendments that have been agreed on.

087 GREEN: > "-7" amendment, Market Development Sub-group comes first, in order. Mr. Danko is here and could tell us what came out of that group.

097 BOB DANKO, DEPARTMENT OF ENVIRONMENTAL QUALITY, CHAIR, RECYCLING MARKETS DEVELOPMENT SUB-GROUP > Gives overview of SB 66-7.

119 SENATOR GOLD: The Oregon Recycling Markets Development Fund, created separate and distinct from the General Fund - does that mean that fund will be overseen by the Economic Development Department? Whatever administrative costs generated by that fund would be taken care of by the economic development fund, right?

130 DANKO: We realized that there would be a sub-group that would take care of funding. We thought it would be best to take care of administrative costs separately from the development fund. The development fund is to be used by the commission for purposes as listed in the bill, but the administrative costs of the Economic Development Department should be addressed separately so it's not coming out of the Fund to pay administration.

165 SEN TIMMS: When the Governor looks at the representation on the Commission, I don't want it to be somebody from Medford, Oregon. It should be somebody from a smaller area who has a recycling problem. It's important that you have somebody to represent those very rural areas.

MOTION: CHAIR SPRINGER moves adoption of the "-7" amendments to SB 66-7

VOTE: Hearing no objection, the motion carries and the "-7" amendments are adopted.

CHAIR SPRINGER: Let's take up the "-8" goals and standards sub-group.

257 GREEN: > Presents overview of the "-8" amendments to SB 66.

TAPE 52, SIDE A

001 GREEN, CONTINUED > Continues overview of the "-8" amendments to SB 66.

027 SENATOR SMITH: There was a great concern by the cities and counties

that the state not put in more mandates. That's the purpose of a menu type approach. There are still some things to be completed: Fill in the blank on page 2, which is also one of the menu choices. They have to determine whether or not METRO's mix solid waste composting facility product should be included in their 40% goal requirement. Marion County wants a special rate for itself because of the incinerator, and there is disagreement on the committee as to whether or not that should be granted.

061 CHAIR SPRINGER: Let me note for the record that Mr. Whitty wants an opportunity to comment. In the opinion of the group he represents, it's not strict enough. I would agree with that.

107 MOTION: CHAIR SPRINGER moves the "-8" amendments be adopted.

VOTE: Hearing no objections, the motion carries and the "-8" amendments are adopted.

CHAIR SPRINGER CALLS RECESS AT 10:10

MEETING RECONVENES AT 10:34

113 GREEN: > Presents overview of "-9" to SB 66, the Minimum Content Sub-group.

136 LEONARD LANFRANCO, MINIMUM CONTENT SUB-GROUP > Gives testimony on SB 66-9 amendments.

189 SENATOR SMITH: Did you believe that in 1995 it would be possible to get recycled content paper at the same cost as virgin and in the same time frame as virgin?

190 LANFRANCO: > We hope that is achievable. Based on the numbers that we received from manufacturers, we think that is achievable, yes. > Our problem is that we are one of 50 states, and we are not sure what will happen here in Oregon specifically.

199 SENATOR SMITH: Do you think California's standard is 40%?

LANFRANCO: > I think by 1995 their standard will be 40%. > I believe there was consensus among the manufacturers that 25 percent is achievable. > Continues testimony and overview of the "-9" amendments to SB 66. > Regardless of whether the legislation is passed or not, his industry intends to meet their goals because they believe in recycling. However, they would prefer that it not be written in law. > The newspaper association did note the definition problem. > DEQ has an exemption to the task force concept, and OSPIRG and AOR are also concerned with the task force concept. > They prefer not to discriminate among their members as to size. Through 1995, they believe this issue should be addressed as a collective goal. If they fail to achieve that goal by 1991, then it triggers back to the individual newspaper. > Their concern is that the bill concentrates only on one use. > After the fourth time, newsprint can no longer be recycled. It is not recyclable forever. It is one of their concerns for setting goals that are unrealistically high.

TAPE 53, SIDE A

035 MOTION: CHAIR SPRINGER moves the "-9" amendments be adopted.

VOTE: Hearing no objections, the motion carries.

037 CAMERON BIRNIE, ADMINISTRATOR, TRANSPORTATION DISTRIBUTION DIVISION, DEPARTMENT OF GENERAL SERVICES > Gives overview of proposed "-12"

amendments to SB 66. This subgroup switched the burden of evaluation relating to composting and sewage sludge projects from the Department of General Services to the Department of Environmental Quality. They consolidated Sections 61 and 88, which relate to the purchase of materials and supplies manufactured for recycled materials. Public agencies or state agencies would not be required to use recycled oils if they were not in quantities necessary to meet the agencies needs or if they were not in tune with standards required by equipment or vehicle manufacturers. General Services will conduct a one year study to compare the quality, performance and cost-effectiveness of retreaded tires to new tires. California is having difficulty in finding retreaded tires that meet standards of wear and safety. There is data which indicates that retread tires are more expensive per mile than are new tires. The results of the study will be presented to the legislative assembly. Unless the legislative assembly decides otherwise, based on the results, on or before 1993 retread tires will be used by the State of Oregon. Recycled batteries will be required to meet the standards of performance of specific state agencies, and to the extent that adequate quantities are available, meet state agency needs. Recommend that the Garten Foundation suggestions are reasonable, and should be inserted through Administrative Rule rather than through statutes. They do endorse Section 83 changes.

128 SENATOR COHEN: Who is going to pay for a research project, and are they going to be duplicating? Explain about research projects and what they are about.

BIRNIE: A representative from Highway Division is not here today to specifically zero in on what that Division has in mind.

145 SENATOR COHEN: Do you know if that means putting up plastic sign holders or posts or whatever - are they actually going to do those kinds of things, or is this going to be a paper research type of project. If it's a demonstration project that's one thing, if it's just paper research there are whole entities being set up the Clackamas County Environmental Learning Center at the Community College that's trying to do research on new plastic products, and I'd like not to have our Department of Transportation start their own internal research project if they can contribute some highway money to get it done over there.

158 SENATOR SMITH: On page 5, Section 3, will you explain to me the kinds of language which are currently in procurement specifications that discriminate against recycled products, and how are you going to eliminate discrimination in the language. Can you explain what kind of language currently exists for the Department of General Services specifications that discriminates against recycled products?

175 BIRNIE: The one area in which we have been acquiring the most recycled products has been the area of recycled paper. We will be providing up to 12% favoritism to the seller of recycled papers over the seller of virgin paper stocks.

SENATOR SMITH: You mean 12% in price? So if the recycled paper costs 12% more than the virgin paper, you'll go ahead and buy the recycled paper.

BIRNIE: That's correct.

SENATOR SMITH: On average, how much more does recycled paper cost today?

188 SANDRA BURT, ADMINISTRATOR, DEPARTMENT OF GENERAL SERVICES > It is my understanding that recycled paper products are running about 11% more than the virgin paper. In 1990, the State of Oregon purchased about \$4.5 million in total paper volume, and of that, about \$828,000 was recycled paper that was purchased. That represents about 18% of the

total volume.

201 SENATOR SMITH: I don't think that's very much. When you think about all the paper that State government consumes, as an employee and a worker in state government, I have trouble getting recycled paper. > My concern is that the State government is the only entity in Oregon that isn't going to have to meet certain stated goals under SB 66. Can you talk about discriminatory language you are going to eliminate?

BURT: Perhaps that's not a very good term to use in characterizing the language. I don't believe that there is discriminatory language. However, we have reworked the specifications in the paper arena to allow for the maximum amount of purchase. We're using language that encourages is to have some specific goals.

231 SENATOR SMITH: Could you explain the language in Section 3 that says "the department in consultation with DEQ shall review and revise the procurement specifications used by state agencies in order to eliminate discrimination against of recycled products"?

238 BURT: We will have to look at that again and perhaps that phraseology that we're using there was not an appropriate way to phrase what we're trying to achieve there. We're trying to get information to determine what products are available in the market place that we can then correlate to the requests that we get from agencies for commodities, and then try to deal with this on a case by case basis by using language in those specifications that would encourage the purchase of those given recycled commodity products.

243 SENATOR SMITH: Can you tell me why Section 79 was deleted?

BURT: > We had some concerns about that particular provision. As we discussed it, it became very clear that what was being targeted here was the volume of paper that was generated in the area of personal services contracting, where the state is, as a whole, going out and recruiting these kinds of services. > In trade services we have public works, where we're contracting for building projects, etc. It was felt that the way this provision was written that it would require the State of Oregon to monitor the note pads that are being used by contractors on building sites, that it extended well beyond what we felt to be the constraints of ORS 279, and perhaps should be dealt with in another context, so we chose to eliminate that provision.

269 SENATOR SMITH: Do you offer alternative language somewhere else in the bill?

272 BURT: Not in this particular bill.

285 SENATOR SMITH: I have some real concerns with -12 amendments. It seems to me that if the legislature is going to require all of Oregon to increase its recycling and its resource conservation, then the State of Oregon should be in the lead in that effort. I don't think these amendments put us in that position. In fact I think they give the state itself lesser standards to meet than we requiring of everyone else. I think some of the language is too general for me to feel comfortable with, and so I am not going to support the amendment.

299 SENATOR COHEN: Do you have targets for recycling?

317 BIRNIE: The Department of General Services is statutorily mandated to oversee the state government solid waste management recycling program. This awareness has peaked in the last year or so by the Earth day celebration, by the governor's executive orders, and by a task force report that resulted from the governor's executive order. General Services has followed this up by hiring, for the first time, a full-time recycling specialist who works with state agencies. We are aware of the language in Sections 80 and 81, including the language that worked well

with the legislative assembly and legislative offices, to see that it is carried out. Right now we are taking inventory and we are upping our requirements to state agencies, we are having garbage audits, we are setting goals for individual agencies, and we are seeing an increase for recycled goods through Garten Foundation. This act does not contain numbers, but we are setting numbers with agencies as we meet with them so that we can figure out what their abilities are depending on the amount of paper they process.

346 SENATOR COHEN: It would be useful to see the goals and recycling numbers. I would like to see some target goals for recycling efforts along the same line that we asked local government to do, and I think from that standpoint I would agree with Senator Smith on that point.

362 BURT: We are not adverse to having goals. It's just that for those goals to be meaningful and non-arbitrary, we need to have them set commodity area. The state has a lot of experience in the procurement of paper, and so therefore, we felt comfortable increasing the 5% goal to the 12% goal, because we could calculate what the fiscal impact would be to state agencies if we did that. > In the other commodity areas, since we have very little experience, we felt that to pick a percent would be somewhat arbitrary, and to hold agencies responsible to that just didn't seem to be prudent.

397 SENATOR SMITH: My concern is that the language doesn't seem to make sense to me if there is no discriminatory language in your policies now. How can you say that you are going to review them and revise them to eliminate discriminatory policy? And if that's not what you meant to say, I would like language in the bill that would be a little less general than this.

TAPE 52 SIDE B

007 BURT: That is a simple request, and I believe that we can accommodate that.

016 SENATOR TIMMS: I would also like to have the Highway Division list two projects using rubberized paving. I'd like to know what they're doing in recycling.

CHAIR SPRINGER: There will be no action on "-12" amendments today, we will bring this bill back on Friday.

030 GREEN: > Presents overview on other amendments and language contained there in "-1" amendments were worked among staff, METRO, the League of Oregon Cities, and DEQ. These are largely technical amendments, but they are not the product of a consensus group. "-2" amendments were suggested by the battery manufacturers. He is not in a position to explain what their intent is in these amendments. "-3" amendments were suggested by recycling advocates, and because they made the changes through written amendments, the committee has not heard their verbal testimony. "-4" amendments submitted by the scrap metal industries. They are concerned that the definition of scrap metal as a solid waste causes them some problem. DEQ has concerns with the language, which they want to fine tune. "-5" amendments were suggested by the Garten Foundation. "-6" amendments were suggested by the plastic industry. These amendments are simply to go along with some new industry standards. "-10" amendments were submitted by the Department of Education, which they developed individually. "-11" amendments respond to concerns that once multi-family recycling is required, the burden will fall on the garbage hauler to do certain things, but it doesn't necessarily get to the consumer because the landlord is an intermediary there, and so this would require that through the Landlord/Tenant Act the landlord assist in the opportunity to recycle. "-13" amendments were originally in the bill - prohibited used oil, tires, auto bodies and large white goods from being deposited in landfills. This has been done in about a dozen other states, and the

language is being restored to the bill at the request of the Chair.
"-14" amendments were gleaned from numerous amendments submitted by the Oregon Environmental Council.

119 CHAIR SPRINGER introduces LC 3382.

MOTION: SENATOR COHEN moves the introduction of LC 3382 as a committee bill.

VOTE: Hearing no objection, the motion carries.

126 The meeting is adjourned at 11:30.

Submitted by:

Reviewed by:

Roberta White
Assistant

Peter Green
Administrator

EXHIBIT LOG:

A1 - Testimony on SB 473 - Senator Shirley Gold - 1 page A2 - Testimony on SB 474 - Senator Shirley Gold - 1 page A3 - Testimony on SB 475 - Senator Shirley Gold - 1 page B - Testimony on SB 473, SB 474, SB 475 - Judge Kevin Campbell - 1 page C - Final Report of Solid Waste Regional Policy Commission - Senator Shirley Gold - 2 pages D - Letter to Senator Jeannette Hamby from California Integrated Waste Management Board on SB 66 - Senator Shirley Gold - 3 pages E - NWPPA Position Paper on SB 66 - 5 pages F - Letter to the Senate Agriculture and Natural Resources Committee on SB 66 and SB 183 - League of Women Voters - 3 pages G - Testimony on SB 66 - Maury Astley - 2 pages H - Preliminary Staff Measure Summaries on SB 270, SB 473, SB 474, and SB 475 - Staff - 4 pages