

HOUSE COMMITTEE ON ENVIRONMENT AND WATER

**April 23, 2009
3:00 P.M.**

Hearing Room D

MEMBERS PRESENT: **Rep. Ben Cannon, Chair**
 Rep. Vic Gilliam, Vice-Chair
 Rep. Jefferson Smith, Vice-Chair
 Rep. Jules Bailey
 Rep. Phil Barnhart
 Rep. Cliff Bentz
 Rep. Debbie Boone
 Rep. Bob Jenson

STAFF PRESENT: **Beth Patrino, Committee Administrator**
 Sue Hampton, Committee Assistant

MEASURES/ISSUES HEARD: **HB 3178 – Public Hearing**
 HB 3090 – Work Session
 HB 3367 – Work Session
 HB 3463 – Work Session
 HB 2186 – Work Session
 HB 2155 – Work Session
 HB 2156 – Work Session
 HB 3123 – Work Session
 HB 3106 – Work Session
 HB 3013 – Work Session

This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.

HEW

4/23/2009 3:07:44 PM

3:07:46 PM Meeting Called to Order
3:07:51 PM Chair Cannon
3:07:52 PM HB 3178 - Public Hearing
3:08:05 PM Rep. Bruce Hanna, House District 7
3:10:26 PM Chair Cannon
3:10:43 PM Rep. Hanna
3:11:27 PM Chair Cannon
3:11:37 PM Beth Patrino, Committee Administrator
3:11:46 PM Vice-Chair Smith J.
3:12:12 PM Rep. Hanna
3:13:19 PM Chair Cannon
3:13:48 PM Brenda Bateman, Senior Policy Coordinator, Water Resource
Department
3:15:52 PM Rep. Barnhart
3:16:01 PM Bateman
3:16:22 PM Rep. Barnhart
3:16:25 PM Bateman
3:16:34 PM Rep. Bentz
3:16:45 PM Bateman
3:16:53 PM Rep. Bentz
3:17:03 PM Bateman
3:17:10 PM Katie Fast, Oregon Farm Bureau
3:20:04 PM David Pliz, The Freshwater Trust
3:20:15 PM {Exhibit} 1: Pliz
3:21:32 PM Chair Cannon
3:21:34 PM Fast
3:21:46 PM HB 3090 - Work Session
3:22:02 PM Christy Splitt, Legislative aide to Rep. Ben Cannon
3:24:01 PM Chair Cannon
3:24:25 PM Splitt
3:24:39 PM Chair Cannon
3:24:58 PM Splitt
3:25:02 PM Chair Cannon
3:26:38 PM Vice-Chair Gilliam
3:26:40 PM MOTION: Vice-Chair Gilliam moves -5 amendments
3:26:55 PM VOTE: 7-0-1 Jenson
3:26:56 PM Ayes: Bailey, Barnhart, Boone, Smith J., Gilliam, Cannon
3:26:58 PM Chair Cannon
3:27:20 PM HB 3367 - Work Session

3:27:26 PM Chair Cannon
3:27:46 PM Rep. Mitch Greenlick, House District 33
3:29:15 PM Chair Cannon
3:29:30 PM MOTION: Vice-Chair Smith J. moves the -2 amendments
3:29:41 PM VOTE: 8-0-0
3:29:42 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
3:29:45 PM Chair Cannon
3:29:48 PM MOTION: Rep. Smith J. moves HB 3367 DO PASS as AMENDED
3:29:58 PM Chair Cannon
3:30:07 PM Vote: 8-0-0
3:30:23 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
3:30:26 PM CARRIER: REP. MITCH GREENLICK will lead the discussion on the floor
3:30:37 PM HB 3463 - Work Session
3:30:38 PM Chair Cannon
3:31:17 PM Rep. Bailey
3:31:59 PM MOTION: Rep. Bailey moves HB 3463 DO PASS as AMENDED
3:32:10 PM Chair Cannon
3:32:14 PM Rep. Bentz
3:32:44 PM VOTE: 7-1-0
3:33:01 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Cannon; Nay: Gilliam
3:33:02 PM Chair Cannon
3:33:09 PM CARRIER: REP. BOB JENSON will lead the discussion on the floor.
3:33:39 PM HB 2186 - Work Session
3:33:43 PM Chair Cannon
3:33:58 PM Andy Ginsburg, Air Quality Administrator, Department of Environmental Quality
3:36:42 PM Chair Cannon
3:36:49 PM Vice-Chair Smith J.
3:37:22 PM Ginsburg
3:38:09 PM Vice-Chair Gilliam
3:38:31 PM Chair Cannon
3:38:36 PM Vice-Chair Gilliam
3:38:42 PM Ginsburg
3:39:26 PM Rep. Boone
3:40:56 PM Ginsburg
3:42:57 PM Chair Cannon
3:43:09 PM Ginsburg
3:44:05 PM Rep. Boone
3:44:37 PM Ginsberg
3:45:40 PM Rep. Boone
3:45:48 PM Ginsberg

3:46:33 PM Rep. Bentz
3:47:46 PM Ginsberg
3:50:14 PM Rep. Bentz
3:50:53 PM Ginsberg
3:52:32 PM Chair Cannon
3:52:41 PM Rep. Boone
3:52:42 PM {Exhibit} 2: Boone
3:58:36 PM MOTION: Rep. Boone moves -5 amendments
3:58:43 PM Chair Cannon
3:59:02 PM Vice-Chair Smith J.
3:59:33 PM Chair Cannon
3:59:38 PM Ginsberg
3:59:50 PM Vice-Chair Smith J.
3:59:52 PM Ginsberg
3:59:55 PM Vice-Chair Smith J.
4:02:02 PM Chair Cannon
4:03:32 PM Rep. Boone
4:05:54 PM Rep. Bentz
4:07:25 PM Vice-Chair Smith J.
4:08:53 PM Chair Cannon
4:08:54 PM Ayes:
4:08:55 PM Chair Cannon
4:10:05 PM VOTE: 4-4-0
4:10:56 PM Ayes: Bentz, Boone, Jenson, Gilliam: Nays: Bailey, Barnhart, Smith J., Cannon
4:10:57 PM MOTION: Vice-Chair Smith J. moves -6 amendments
4:11:05 PM Chair Cannon
4:11:45 PM Rep. Barnhart
4:12:08 PM Rep. Boone
4:12:43 PM Chair Cannon
4:13:34 PM VOTE: 6-2-0
4:13:36 PM Ayes: Bailey, Barnhart, Bentz, Boone, Smith J., Cannon; Nays: Jenson, Gilliam
4:13:38 PM Chair Cannon
4:14:04 PM HB 2155 - Work Session
4:14:05 PM Chair Cannon
4:14:19 PM Kevin Moynahan, Assistant Director, Department of State Lands
4:16:52 PM Rep. Boone
4:17:05 PM Moynahan
4:17:41 PM Katie Fast, Oregon Farm Bureau
4:18:41 PM MOTION: Vice-Chair Smith J. moves to SUSPEND HEW COMMITTEE RULE #18
4:19:04 PM Chair Cannon
4:19:09 PM VOTE: 8-0-0
4:19:22 PM Chair Cannon
4:19:37 PM MOTION: Vice-Chair Smith J. moves -2 amendments

4:19:40 PM Chair Cannon
4:19:48 PM VOTE: 8-0-0
4:19:49 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
4:19:56 PM MOTION: Vice-Chair Smith J. moves HB 2155 DO PASS as AMENDED and RESCIND the referral to the Joint Committee on Ways and Means
4:20:23 PM Rep. Bailey
4:20:59 PM Beth Patrino, Committee Administrator
4:21:01 PM Rep. Barnhart
4:22:02 PM Chair Cannon
4:22:22 PM Rep. Barnhart
4:22:31 PM Rep. Bailey
4:22:40 PM Vice-Chair Gilliam
4:22:46 PM Patrino
4:23:36 PM Rep. Jenson
4:23:51 PM Patrino
4:24:07 PM Rep. Jenson
4:25:26 PM Chair Cannon
4:25:37 PM Rep. Jenson
4:25:59 PM Chair Cannon
4:26:05 PM MOTION: Vice-Chair Smith J. moves to WITHDRAW the motion to moves HB 2155 DO PASS as AMENDED and RESCIND the referral to the Joint Committee on Ways and Means
4:26:36 PM MOTION: Vice-Chair Smith J. moves HB 2155 DO PASS as AMENDED and placed on the CONSENT CALENDAR and RESCIND the referral to the Joint Committee on Ways and Means
4:26:46 PM Chair Cannon
4:26:55 PM Vice-Chair Gilliam
4:27:33 PM VOTE: 8-0-0
4:27:38 PM Chair Cannon
4:27:45 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
4:27:48 PM HB 2156 - Work Session
4:27:49 PM Chair Cannon
4:27:56 PM Kevin Moynahan, Deputy Director, Department of State Lands
4:31:12 PM Rep. Barnhart
4:31:34 PM Moynahan
4:31:58 PM Rep. Barnhart
4:32:10 PM Chair Cannon
4:32:17 PM Rep. Barnhart
4:32:57 PM Moynahan
4:32:59 PM Vice-Chair Gilliam
4:33:56 PM Moynahan
4:34:33 PM Vice-Chair Gilliam
4:35:23 PM MOTION: Vice-Chair Gilliam moves to SUSPEND HEW

COMMITTEE RULE #18

- 4:35:39 PM** Chair Cannon
- 4:35:57 PM** Rep. Bentz
- 4:36:05 PM** VOTE: 8-0-0
- 4:36:08 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
- 4:36:11 PM** Chair Cannon
- 4:36:14 PM** MOTION: Vice-Chair Gilliam moves -2 amendments
- 4:36:21 PM** Chair Cannon
- 4:36:33 PM** VOTE: 8-0-0
- 4:36:34 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
- 4:36:39 PM** MOTION: Vice-Chair Gilliam moves HB 2156 DO PASS as AMENDED and placed on the CONSENT CALENDAR and RESCIND the referral to the Joint Committee on Ways and Means
- 4:37:04 PM** Chair Cannon
- 4:37:26 PM** VOTE: 8-0-0
- 4:37:27 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
- 4:37:44 PM** Chair Cannon
- 4:37:47 PM** HB 3123 - Work Session
- 4:37:51 PM** Chair Cannon
- 4:37:58 PM** Rep. Bailey
- 4:39:08 PM** MOTION: Rep. Bailey moves -2 amendments
- 4:39:21 PM** Chair Cannon
- 4:39:27 PM** Vice-Chair Gilliam
- 4:39:46 PM** Rep. Barnhart
- 4:40:25 PM** Rep. Bailey
- 4:40:44 PM** Rep. Barnhart
- 4:40:58 PM** Rep. Bailey
- 4:42:01 PM** Rep. Barnhart
- 4:42:16 PM** Rep. Boone
- 4:43:36 PM** Vice-Chair Gilliam
- 4:43:53 PM** Rep. Bailey
- 4:44:06 PM** Vice-Chair Gilliam
- 4:44:29 PM** Rep. Bailey
- 4:44:39 PM** Chair Cannon
- 4:44:42 PM** VOTE: 8-0-0
- 4:44:44 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
- 4:44:50 PM** MOTION: Rep. Bailey moves HB 3123 DO PASS as AMENDED
- 4:45:12 PM** VOTE: 8-0-0
- 4:45:30 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
- 4:45:33 PM** CARRIER: REP. JULES BAILEY will lead the discussion on the floor

4:45:38 PM Chair Cannon
4:45:50 PM Rep. Boone
4:46:01 PM Chair Cannon
4:46:38 PM Rep. Barnhart
4:46:48 PM Chair Cannon
4:47:17 PM Meeting Recessed
4:51:47 PM Meeting Reconvened
4:51:47 PM Chair Cannon
4:51:58 PM HB 3106 - Work Session
4:52:18 PM Rep. Deborah Boone, House District 32
4:53:58 PM Rep. Arne Roblan, House District 9
4:58:28 PM Vice-Chair Gilliam
4:58:34 PM Rep. Roblan
4:58:40 PM Vice-Chair Gilliam
4:58:41 PM Rep. Roblan
4:59:51 PM Vice-Chair Gilliam
4:59:55 PM Rep. Roblan
4:59:57 PM Vice-Chair Gilliam
4:59:59 PM Rep. Roblan
5:00:01 PM Vice-Chair Gilliam
5:00:05 PM Rep. Roblan
5:00:06 PM Vice-Chair Gilliam
5:00:32 PM Rep. Roblan
5:01:56 PM Chair Cannon
5:02:57 PM Rep. Roblan
5:03:39 PM Rep. Boone
5:05:32 PM Chair Cannon
5:05:55 PM Vice-Chair Smith J.
5:06:35 PM Chair Cannon
5:06:46 PM MOTION: Vice-Chair Smith J. moves the -4 amendments
5:06:47 PM Chair Cannon
5:06:51 PM VOTE: 8-0-0
5:06:52 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
5:07:05 PM MOTION: Vice-Chair Smith J. moves to SUSPEND HEW COMMITTEE RULE #18
5:07:41 PM Chair Cannon
5:07:55 PM VOTE: 8-0-0
5:07:57 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
5:08:03 PM MOTION: Rep. Boone moves HB 3106 DO PASS as AMENDED and REFER to Joint Committee on Ways and Means by prior reference
5:08:30 PM Chair Cannon
5:08:34 PM Rep. Bailey
5:08:58 PM VOTE: 8-0-0

5:09:14 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
5:09:20 PM Chair Cannon
5:09:30 PM HB 3013 - Work Session
5:09:35 PM Chair Cannon
5:09:47 PM Rep. Arnie Roblan, House District 9
5:11:34 PM Chair Cannon
5:11:43 PM Rep. Roblan
5:12:36 PM Chair Cannon
5:13:00 PM MOTION: Vice-Chair Gilliam moves to SUSPEND HEW COMMITTEE RULE #18
5:13:10 PM Chair Cannon
5:13:20 PM Rep. Barnhart
5:13:27 PM Chair Cannon
5:13:27 PM Rep. Barnhart
5:13:37 PM Chair Cannon
5:13:42 PM Rep. Barnhart
5:13:43 PM VOTE:8-0-0
5:13:43 PM Chair Cannon
5:13:44 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
5:13:58 PM MOTION: Vice-Chair Smith J. moves HB 3013 WITHOUT RECOMMENDATION and REFER to the Committee on Rules
5:14:02 PM Chair Cannon
5:14:08 PM Rep. Bailey
5:14:32 PM Vice-Chair Gilliam
5:14:46 PM VOTE: 8-0-0
5:14:57 PM Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon
5:14:59 PM Chair Cannon
5:15:08 PM Meeting Adjourned

HEW

4/23/2009 3:07:44 PM

3:20:15 PM {Exhibit} 1: HB 3178, written testimony of Joe S. Whitworth, David Pliz, 1 p

3:52:42 PM {Exhibit} 2: HB 2186, -5 amendments, staff, 2 pp
