

## **HOUSE COMMITTEE ON ENVIRONMENT AND WATER**

**April 28, 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 HEARD:**        **HB 3454 – Work Session**  
                                     **HB 3369 – Work Session**  
                                     **HB 2184 – Work Session**  
                                     **HB 3177 – Work Session**  
                                     **HB 2186 – Work Session**  
                                     **HB 3090 – Work Session**  
                                     **HJR 21 – Public Hearing**  
                                     **HJR 21 – Work Session**  
                                     **HB 3249 – Work SEssion**

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

**HEW**

**4/28/2009 3:05:16 PM**

**3:05:35 PM** Meeting Called to Order  
**3:05:43 PM** Chair Cannon  
**3:05:56 PM** HB 3454 - Work Session  
**3:05:59 PM** Chair Cannon  
**3:06:14 PM** Mike Carrier, Natural Resource Policy Advisor, Governor's Office  
**3:09:50 PM** Chair Cannon  
**3:10:47 PM** Carrrier  
**3:11:18 PM** Chair Cannon  
**3:11:44 PM** Carrier  
**3:11:48 PM** Rep. Boone  
**3:12:02 PM** Carrier  
**3:12:13 PM** Rep. Boone  
**3:12:14 PM** Chair Cannon  
**3:12:55 PM** Carrier  
**3:13:07 PM** Rep. Boone  
**3:13:15 PM** Rep. Barnhart  
**3:13:34 PM** Chair Cannon  
**3:14:39 PM** Rep. Bentz  
**3:15:18 PM** Carrier  
**3:16:44 PM** Rep. Bentz  
**3:17:39 PM** Carrier  
**3:18:58 PM** Rep. Bentz  
**3:19:49 PM** Carrier  
**3:20:09 PM** MOTION: Rep. Smith J. moves -2 amendments  
**3:20:15 PM** Chair Cannon  
**3:20:23 PM** Vice-Chair Gilliam  
**3:20:59 PM** Chair Cannon  
**3:21:41 PM** Richard Kosesan, Water for Life  
**3:23:14 PM** Chair Cannon  
**3:24:07 PM** Rep. Jenson  
**3:25:27 PM** VOTE: 8-0-0  
**3:25:28 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon  
**3:25:39 PM** MOTION: Vice-Chair Smith J. moves to SUSPEND HEW COMMITTEE RULE #18  
**3:25:48 PM** Chair Cannon  
**3:26:45 PM** VOTE: 6-2-0  
**3:26:46 PM** Ayes: Bailey, Barnhart, Boone, Jenson, Smith J., Cannon; Nays: Bentz, Gilliam

**3:26:49 PM** MOTION: Vice-Chair Smith J. moves HB 3454 DO PASSS as AMENDED and REFER to the Joint Committee on Ways and Means by prior reference

**3:27:01 PM** Vice-Chair Gilliam

**3:27:19 PM** Rep. Bentz

**3:27:58 PM** Chair Cannon

**3:28:53 PM** Rep. Bentz

**3:29:32 PM** Chair Cannon

**3:30:04 PM** Rep. Jenson

**3:31:58 PM** Chair Cannon

**3:33:07 PM** VOTE: 6-2-0

**3:33:08 PM** Ayes: Bailey, Barnhart, Boone, Jenson, Smith J., Cannon; Nays: Bentz, Gilliam

**3:33:15 PM** HB 3369 - Work Session

**3:33:18 PM** Chair Cannon

**3:34:49 PM** Rep. Jenson

**3:39:38 PM** Vice-Chair Smith J.

**3:41:54 PM** Rep. Bailey

**3:42:04 PM** Vice-Chair Smith J.

**3:42:05 PM** {Exhibit} 1: Smith

**3:42:06 PM** {Exhibit} 2: Smith

**3:49:17 PM** Chair Cannon

**3:49:24 PM** Rep. Jenson

**3:56:25 PM** Chair Cannon

**3:58:03 PM** Rep. Barnhart

**4:00:04 PM** Vice-Chair Smith J.

**4:02:06 PM** Rep. Barnhart

**4:02:22 PM** Vice-Chair Smith J.

**4:02:50 PM** Chair Cannon

**4:03:23 PM** Rep. Boone

**4:05:45 PM** Michael Selvaggio, Policy Director, Office of the State Treasurer

**4:06:33 PM** Dennis Doherty, Commissioner, Umatilla County

**4:08:48 PM** {Exhibit} 3: Doherty

**4:10:55 PM** Chair Cannon

**4:11:28 PM** Chair Cannon

**4:11:32 PM** Rep. Bentz

**4:11:50 PM** Doherty

**4:13:28 PM** Vice-Chair Smith J.

**4:14:35 PM** Rep. Bentz

**4:15:35 PM** Chair Cannon

**4:15:47 PM** Rep. Jenson

**4:16:34 PM** Rep. Barnhart

**4:16:51 PM** Chair Cannon

**4:17:02 PM** Rep. Jenson

**4:18:05 PM** Chair Cannon

**4:18:07 PM** MOTION: Rep. Jenson moves -1 amendments

**4:18:22 PM** Chair Cannon  
**4:18:30 PM** VOTE: 8-0-0  
**4:18:33 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon  
**4:18:46 PM** MOTION: Vice-Chair Smith J. moves to SUSPEND HEW COMMITTEE RULE #18  
**4:18:57 PM** Chair Cannon  
**4:19:01 PM** VOTE: 8-0-0  
**4:19:03 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon  
**4:19:20 PM** MOTION: Rep. Jenson moves HB 3369 DO PASS as AMENDED and RESCIND the referral to Revenue and REFER to Joint Committee on Ways and Means  
**4:19:43 PM** Chair Cannon  
**4:19:48 PM** Rep. Barnhart  
**4:20:33 PM** Rep. Bentz  
**4:20:50 PM** VOTE: 8-0-0  
**4:21:00 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon  
**4:21:12 PM** Chair Cannon  
**4:21:42 PM** HB 2184 - Work Session  
**4:21:44 PM** Chair Cannon  
**4:23:50 PM** MOTION: Vice-Chair Smith J. moves -A17 amendments  
**4:24:04 PM** Chair Cannon  
**4:24:10 PM** Rep. Barnhart  
**4:24:55 PM** Chair Cannon  
**4:25:16 PM** Tom Erwin, Government Affairs Director, Oregon Liquor Control Commission  
**4:25:26 PM** Rep. Barnhart  
**4:25:35 PM** Erwin  
**4:25:53 PM** Chair Cannon  
**4:25:56 PM** Erwin  
**4:26:24 PM** Rep. Boone  
**4:26:59 PM** Rep. Bailey  
**4:28:21 PM** Rep. Barnhart  
**4:28:33 PM** Vice-Chair Smith J.  
**4:29:06 PM** Chair Cannon  
**4:31:50 PM** Vice-Chair Gilliam  
**4:33:03 PM** Rep. Boone  
**4:33:35 PM** Chair Cannon  
**4:33:45 PM** Rep. Bentz  
**4:33:58 PM** Rep. Jenson  
**4:35:02 PM** Vice-Chair Smith J.  
**4:35:18 PM** Chair Cannon  
**4:35:36 PM** VOTE: 5-3-0  
**4:35:39 PM** Ayes: Bailey, Barnhart, Boone, Smith J., Cannon; Nays: Bentz,

Jenson, Gilliam  
**4:35:42 PM** MOTION: Vice-Chair Smith J. moves HB 2184 DO PASS as AMENDED and RESCIND the referral to Joint Committee on Ways and Means  
**4:35:58 PM** Chair Cannon  
**4:36:23 PM** VOTE: 5-3-0  
**4:36:26 PM** Ayes: Bailey, Barnhart, Boone, Smith J., Cannon; Nays: Bentz, Jenson, Gilliam  
**4:36:34 PM** CARRIER: REP. CANNON will lead the discussion on the floor  
**4:37:00 PM** Chair Cannon  
**4:37:04 PM** HB 3177 - Work Session  
**4:37:08 PM** Chair Cannon  
**4:37:35 PM** MOTION: Vice-Chair Gilliam moves -1 amendments  
**4:37:40 PM** Chair Cannon  
**4:38:16 PM** Vice-Chair Gilliam  
**4:38:34 PM** Chair Cannon  
**4:38:37 PM** {Exhibit} 4: Cannon  
**4:39:14 PM** {Exhibit} 5: Cannon  
**4:40:10 PM** Rep. Bailey  
**4:40:57 PM** Vice-Chair Smith J.  
**4:41:33 PM** Chair Cannon  
**4:41:46 PM** VOTE: 8-0-0  
**4:41:47 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon  
**4:41:57 PM** MOTION: Rep Gilliam moves HB 3177 DO PASS as AMENDED  
**4:42:17 PM** VOTE: 8-0-0  
**4:42:25 PM** Ayes: Bailey, Barnhart, Bentz, Boone, Jenson, Smith J., Gilliam, Cannon  
**4:42:36 PM** CARRIER: REP. FREEMAN will lead the discussion on the floor  
**4:42:47 PM** Chair Cannon  
**4:42:54 PM** HB 2186 - Work Session  
**4:43:04 PM** Chair Cannon  
**4:43:57 PM** Andy Ginsburg, Air Quality Administrator, Department of Environmental Quality  
**4:46:50 PM** Chair Cannon  
**4:47:11 PM** MOTION: Vice-Chair Smith J. moves HB 2186 DO PASS as AMENDED  
**4:47:17 PM** Chair Cannon  
**4:47:21 PM** Rep. Bailey  
**4:48:28 PM** Rep. Boone  
**4:49:17 PM** Rep. Bentz  
**4:50:59 PM** Rep. Barnhart  
**4:52:45 PM** Rep. Jenson  
**4:52:58 PM** Conflict of Interest - Rep. Jenson  
**4:54:29 PM** Chair Cannon  
**4:54:34 PM** Vice-Chair Gilliam

**4:55:50 PM** Chair Cannon  
**4:58:06 PM** VOTE:5-3-0  
**4:58:28 PM** Ayes: Bailey, Barnhart, Boone, Smith J., Cannon; Nays: Bentz, Jenson, Gilliam  
**4:58:33 PM** CARRIER: REP. CANNON will lead the discussion on the floor  
**4:58:42 PM** Chair Cannon  
**4:59:05 PM** Meeting recessed  
**4:59:14 PM** Meeting reconvened  
**4:59:18 PM** Chair Cannon  
**5:00:01 PM** HB 3090 - Work Session  
**5:00:03 PM** Chair Cannon  
**5:00:57 PM** MOTION: Rep. Barnhart moves -5 amendment  
**5:01:09 PM** Rep. Barnhart  
**5:01:44 PM** Rep. Bentz  
**5:02:06 PM** Chair Cannon  
**5:02:10 PM** Beth Patrino, Committee Administrator  
**5:02:21 PM** Rep. Bentz  
**5:03:47 PM** Rep. Barnhart  
**5:06:48 PM** Chair Cannon  
**5:07:40 PM** Rep. Barnhart  
**5:08:05 PM** Chair Cannon  
**5:08:06 PM** MOTION: Rep. Barnhart moves to WITHDRAW motion to ADOPT -5 amendments  
**5:08:23 PM** Rep. Bentz  
**5:09:00 PM** Chair Cannon  
**5:09:33 PM** MOTION: Rep. Barnhart moves HB 3090 DO PASS as AMENDED  
**5:09:38 PM** Chair Cannon  
**5:10:19 PM** Vice-Chair Gilliam  
**5:11:18 PM** Rep. Bailey  
**5:11:34 PM** VOTE: 5-3-0  
**5:11:57 PM** Ayes: Bailey, Barnhart, Boone, Smith J., Cannon; Nays: Bentz, Jenson, Gilliam  
**5:11:59 PM** Chair Cannon  
**5:12:08 PM** CARRIER: REP. BARNHART will lead the discussion on the floor  
**5:12:19 PM** Chair Cannon  
**5:12:24 PM** Rep. Barnhart  
**5:12:39 PM** HJR 21 - Public Hearing  
**5:12:43 PM** Chair Cannon  
**5:12:57 PM** Rep. Mitch Greenlick, House District 33  
**5:14:29 PM** {Exhibit} 6: Rep. Greenlick  
**5:14:32 PM** {Exhibit} 7: Rep. Greenlick  
**5:15:09 PM** Scott Burns, Professor, Portland State University  
**5:18:44 PM** Rep. Greenlick  
**5:19:00 PM** Burns  
**5:19:26 PM** Rep. Jenson  
**5:19:36 PM** Burns

**5:19:58 PM** Rep. Barnhart  
**5:20:07 PM** Burns  
**5:20:19 PM** Chair Cannon  
**5:20:21 PM** Rep. Boone  
**5:21:06 PM** Vice-Chair Gilliam  
**5:21:32 PM** Rep. Greenlick  
**5:21:56 PM** HJR 21 - Work Session  
**5:22:00 PM** Chair Cannon  
**5:22:09 PM** MOTION: Vice-Chair Smith J. moves HJR 21 BE ADOPTED  
**5:22:14 PM** Chair Cannon  
**5:22:22 PM** VOTE: 8-0-0  
**5:22:37 PM** Ayes: Bailey, Barnhart, Boone, Smith J., Cannon; Nays: Bentz, Jenson, Gilliam  
**5:22:48 PM** CARRIER: REP. GREENLICK will lead the discussion on the floor  
**5:22:56 PM** Meeting Recessed  
**5:24:49 PM** Meeting Reconvened  
**5:24:54 PM** HB 3249 - Work Session  
**5:25:00 PM** Chair Cannon  
**5:25:58 PM** Rep. Boone  
**5:27:41 PM** Chair Cannon  
**5:28:26 PM** MOTION: Vice-Chair Smith moves HB 3249 WITHOUT RECOMMENDATION to the Joint Committee on Ways and Means  
**5:28:39 PM** Vice-Chair Gilliam  
**5:28:50 PM** Rep. Jenson  
**5:30:10 PM** Rep. Bentz  
**5:31:17 PM** Chair Cannon  
**5:31:25 PM** Beth Patrino, Committee Administrator  
**5:31:37 PM** Chair Cannon  
**5:31:38 PM** Patrino  
**5:32:06 PM** Rep. Jenson  
**5:33:57 PM** Rep. Boone  
**5:34:13 PM** Chair Cannon  
**5:35:48 PM** Vice-Chair Smith J.  
**5:36:48 PM** Chair Cannon  
**5:36:56 PM** VOTE: 6-2-0  
**5:37:02 PM** Ayes: Bailey, Barnhart, Boone, Jenson, Smith J., Cannon; Nays: Bentz, Gilliam  
**5:37:19 PM** Chair Cannon  
**5:37:24 PM** Rep. Jenson  
**5:37:57 PM** Meeting Adjourned

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**HEW**

**4/28/2009 3:05:16 PM**

- 3:42:05 PM** {Exhibit} 1: HB 3369, 2009 Water Investment Package, Rep. Jefferson Smith, 2pp
- 3:42:06 PM** {Exhibit} 2: HB 3369, Oregonian Newspaper Article "Oregon's Water Issues Run Deep" Rep. Jefferson Smith, 9 pp
- 4:08:48 PM** {Exhibit} 3: HB 3369, written testimony, Dennis Doherty, 2 pp
- 4:38:37 PM** {Exhibit} 4: HB 3177, letter from Rick Wyckoff, Administrator, Oregon Department of Agriculture, staff, 1 p
- 4:39:14 PM** {Exhibit} 5: HB 3177, email from Paul Donheffner, Director, State Marine Board, staff, 1 p
- 5:14:29 PM** {Exhibit} 6: HJR 21, Picture of Jory Soil, Rep. Mitch Greenlick, 1 p
- 5:14:32 PM** {Exhibit} 7: HJR 21, Jory Oregon State Soil, Rep. Mitch Greenlick, 1 p
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