

SENATE COMMITTEE ON
ENVIRONMENT AND NATURAL RESOURCES

March 19, 2009
3:00 P.M.

Hearing Room C

MEMBERS PRESENT: **Sen. Jackie Dingfelder, Chair**
 Sen. Jason Atkinson, Vice-Chair
 Sen. Floyd Prozanski
 Sen. Mark Hass
 Sen. Brian Boquist

STAFF PRESENT: **Beth Herzog, Committee Administrator**
 Natalie Worley, Committee Assistant

MEASURES/ISSUES HEARD: **SB 768 – Work Session**
 SB 108 – Work Session
 SB 629 – Work Session
 SB 631 – Work Session
 SB 105 – Public Hearing
 SB 622 – Public Hearing
 SB 629 – Work Session
 SB 482 – Public Hearing

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

SENR

3/19/2009 3:05:39 PM

3:05:39 PM Meeting Called to Order
3:05:40 PM Chair Dingfelder
3:06:33 PM SB 768 - Work Session
3:06:34 PM Chair Dingfelder
3:06:41 PM MOTION: Sen. Atkinson moves SB 768 WITHOUT RECOMMENDATION & REFER to committee on Finance & Revenue
3:06:49 PM Chair Dingfelder
3:07:07 PM Sen. Prozanski
3:07:18 PM Chair Dingfelder
3:07:42 PM VOTE: 4-1-0
3:07:43 PM Ayes: Dingfelder, Prozanski, Hass, Atkinson; Nays: Boquist
3:07:58 PM Chair Dingfelder
3:08:07 PM SB 108 - Work Session
3:08:09 PM Chair Dingfelder
3:08:13 PM Beth Herzog, Committee Administrator
3:08:25 PM {Exhibit} 1: Herzog
3:08:50 PM Sen. Boquist
3:09:11 PM Chair Dingfelder
3:09:27 PM MOTION: Sen. Boquist moves -2 amendments
3:09:33 PM Chair Dingfelder
3:09:53 PM VOTE: 5-0-0
3:09:54 PM Ayes: Dingfelder, Hass, Prozanski, Atkinson, Boquist
3:09:59 PM MOTION: Sen. Atkinson moves SB 108 DO PASS as AMENDED
3:10:01 PM Chair Dingfelder
3:10:22 PM VOTE: 5-0-0
3:10:23 PM Ayes: Boquist, Prozanski, Hass, Atkinson, Dingfelder
3:10:31 PM CARRIER: SEN. BOQUIST will lead discussion on the floor
3:10:35 PM Chair Dingfelder
3:10:46 PM SB 629 - Work Session
3:10:47 PM Chair Dingfelder
3:10:50 PM Beth Herzog, Committee Administrator
3:11:03 PM {Exhibit} 2: Herzog
3:11:28 PM Chair Dingfelder
3:11:33 PM Sen. Boquist
3:11:50 PM MOTION: Sen. Boquist moves -1 amendments
3:11:55 PM Chair Dingfelder
3:12:10 PM VOTE: 5-0-0
3:12:11 PM Ayes: Dingfelder, Atkinson, Hass, Boquist, Prozanski

3:12:14 PM MOTION: Sen. Atkinson moves SB 629 DO PASS as AMENDED & REFER to committee on Ways & Means by prior reference

3:12:17 PM Chair Dingfelder

3:12:55 PM VOTE: 5-0-0

3:12:56 PM Ayes: Boquist, Prozanski, Hass, Atkinson, Dingfelder

3:13:07 PM Chair Dingfelder

3:13:22 PM SB 631 - Work Session

3:13:26 PM Chair Dingfelder

3:13:27 PM Beth Herzog, Committee Administrator

3:13:42 PM {Exhibit} 3: Herzog

3:14:10 PM Chair Dingfelder

3:14:35 PM MOTION: Sen. Prozanski moves -1 amendments

3:14:39 PM Chair Dingfelder

3:14:48 PM VOTE: 5-0-0

3:14:49 PM Ayes: Boquist, Hass, Prozanski, Atkinson, Dingfelder

3:14:50 PM MOTION: Sen. Prozanski moves SB 631 DO PASS as AMENDED

3:14:57 PM Chair Dingfelder

3:15:15 PM VOTE: 5-0-0

3:15:16 PM Ayes: Boquist, Prozanski, Dingfelder, Hass, Atkinson

3:15:26 PM CARRIER: SEN. DINGFELDER will lead discussion on the floor

3:15:35 PM Chair Dingfelder

3:15:40 PM SB 105 - Public Hearing

3:15:41 PM Chair Dingfelder

3:15:48 PM Beth Herzog, Committee Administrator

3:15:56 PM {Exhibit} 4: Herzog

3:16:05 PM Greg Aldrich, Manager of Watershed Management Section, Department of Environmental Quality

3:16:29 PM Les Carlough, Senior Policy Advisor, Department of Environmental Quality

3:16:30 PM {Exhibit} 5: Carlough

3:21:53 PM Chair Dingfelder

3:21:56 PM Sen. Boquist

3:22:29 PM Carlough

3:24:25 PM Sen. Hass

3:24:42 PM Carlough

3:26:15 PM Vice-Chair Atkinson

3:26:38 PM Carlough

3:27:15 PM Vice-Chair Atkinson

3:27:27 PM Carlough

3:29:10 PM Chair Dingfelder

3:30:04 PM John Ledger, representing Associated Oregon Industries

3:32:26 PM Chair Dingfelder

3:32:30 PM Ledger

3:33:41 PM Sen. Prozanski

3:34:18 PM Ledger

3:35:20 PM Chair Dingfelder

3:35:23 PM Sen. Prozanski
3:36:08 PM Ledger
3:36:47 PM Sen. Prozanski
3:37:16 PM Ledger
3:37:54 PM Chair Dingfelder
3:38:25 PM Brian Wegener, Watershed Watch Coordinator, Tualatin Riverkeepers
3:38:43 PM {Exhibit} 6: Wegener
3:46:35 PM Chair Dingfelder
3:46:42 PM Vice-Chair Atkinson
3:47:02 PM Wegener
3:47:25 PM Vice-Chair Atkinson
3:47:29 PM Wegener
3:47:34 PM Vice-Chair Atkinson
3:47:57 PM Carlough
3:48:28 PM Sen. Prozanski
3:48:39 PM Ledger
3:49:26 PM Vice-Chair Atkinson
3:49:53 PM Carlough
3:50:36 PM Chair Dingfelder
3:50:53 PM Carlough
3:51:18 PM Chair Dingfelder
3:51:20 PM The following written testimony was submitted for the record without public testimony:
3:51:21 PM {Exhibit} 7: Trevor Steele, Legislative Analyst, City of Eugene
3:51:22 PM {Exhibit} 8: John Kroger, Attorney General, Department of Justice
3:51:42 PM SB 622 - Public Hearing
3:51:43 PM Chair Dingfelder
3:51:46 PM Beth Herzog, Committee Administrator
3:52:02 PM {Exhibit} 9: Herzog
3:52:15 PM Chair Dingfelder
3:52:24 PM Sen. Betsy Johnson, Senate District 16
3:52:44 PM Chair Dingfelder
3:53:00 PM Marie Gadotti, citizen, Columbia County
3:53:03 PM Ron Dobbins, citizen, Hillsboro, Oregon
3:53:08 PM Sen. Johnson
3:55:43 PM Gadotti
3:55:44 PM {Exhibit} 10: Gadotti
3:58:08 PM Dobbins
3:58:09 PM {Exhibit} 11: Dobbins
4:02:54 PM Chair Dingfelder
4:03:15 PM Sen. Johnson
4:04:06 PM Chair Dingfelder
4:04:11 PM Vice-Chair Atkinson
4:04:55 PM Gadotti
4:05:37 PM Chair Dingfelder

4:05:46 PM Sen. Hass
4:06:39 PM Sen. Johnson
4:07:41 PM Chair Dingfelder
4:07:45 PM Gadotti
4:08:33 PM Sen. Johnson
4:09:00 PM Chair Dingfelder
4:09:34 PM Don Anderson, farmer, Portland, Oregon
4:09:35 PM {Exhibit} 12: Anderson
4:10:47 PM Chair Dingfelder
4:11:05 PM Curt Melcher, Deputy Director, Oregon Department of Fish and Wildlife
4:11:06 PM {Exhibit} 13: Melcher
4:15:07 PM Chair Dingfelder
4:15:13 PM Melcher
4:16:20 PM Chair Dingfelder
4:16:24 PM Sen. Boquist
4:16:47 PM Melcher
4:16:56 PM Chair Dingfelder
4:17:05 PM Vice-Chair Atkinson
4:17:48 PM Melcher
4:18:44 PM Chair Dingfelder
4:19:07 PM Roger Beyer, representing Oregon Seed Council, Oregon Dairy Farmers
4:20:34 PM John McCulley, Administrator, Oregon Clover Commission
4:21:40 PM Trevor Steele, Legislative Analyst, City of Eugene
4:21:41 PM {Exhibit} 14: Steele
4:22:28 PM Chair Dingfelder
4:22:45 PM Kathryn Van Natta, citizen, Columbia County
4:24:08 PM Chair Dingfelder
4:24:29 PM Brian Wegener, Watershed Watch Coordinator, Tualatin Riverkeepers
4:25:23 PM Chair Dingfelder
4:25:25 PM The following written testimony was submitted for the record without public testimony:
4:25:26 PM {Exhibit} 15: Dale Buck, citizen, Cloverdale, Oregon
4:25:40 PM SB 629 - Work Session
4:25:41 PM Chair Dingfelder
4:25:43 PM Beth Herzog, Committee Administrator
4:26:24 PM Chair Dingfelder
4:26:40 PM MOTION: Sen. Boquist moves that the RULES BE SUPENDED for the purpose of reconsidering the vote on SB 629
4:26:46 PM Chair Dingfelder
4:27:14 PM VOTE: 5-0-0
4:27:15 PM Ayes: Atkinson, Boquist, Hass, Dingfelder, Prozanski
4:27:18 PM MOTION: Sen. Boquist moves to reconsider vote due to incorrect fiscal on SB 629

4:27:27 PM Chair Dingfelder
4:27:47 PM VOTE: 5-0-0
4:27:48 PM Ayes: Atkinson, Boquist, Dingfelder, Hass, Prozanski
4:27:56 PM Herzog
4:28:07 PM Sen. Prozanski
4:28:13 PM Chair Dingfelder
4:28:22 PM MOTION: Sen. Boquist moves SB 629 DO PASS as AMENDED & REFER to committee on Ways & Means
4:28:27 PM Chair Dingfelder
4:28:46 PM VOTE: 5-0-0
4:28:47 PM Ayes: Boquist, Atkinson, Dingfelder, Prozanski, Hass
4:28:55 PM Chair Dingfelder
4:29:13 PM SB 482 - Public Hearing
4:29:14 PM Chair Dingfelder
4:29:22 PM Beth Herzog, Committee Administrator
4:29:37 PM {Exhibit} 16: Herzog
4:29:50 PM Chair Dingfelder
4:30:00 PM Sen. Prozanski
4:31:20 PM Karl Morgenstern, Drinking Water Source Protection Coordinator, Eugene Water & Electric Board
4:31:39 PM {Exhibit} 17: Morgenstern
4:39:29 PM John Brown, citizen, Eugene, Oregon
4:42:24 PM Chair Dingfelder
4:42:47 PM Morgenstern
4:43:59 PM Chair Dingfelder
4:44:03 PM Sen. Prozanski
4:45:06 PM Chair Dingfelder
4:45:33 PM Christine Svetkovich, Water Quality, Department of Environmental Quality
4:45:35 PM Greg Aldrich, Manager of Watershed Management Section, Oregon Department of Environmental Quality
4:45:42 PM Svetkovich
4:46:46 PM Chair Dingfelder
4:47:17 PM Svetkovich
4:48:00 PM Chair Dingfelder
4:48:16 PM Svetkovich
4:48:19 PM Chair Dingfelder
4:48:25 PM Vice-Chair Atkinson
4:49:02 PM Svetkovich
4:49:16 PM Vice-Chair Atkinson
4:49:48 PM Chair Dingfelder
4:50:00 PM Svetkovich
4:50:04 PM Vice-Chair Atkinson
4:50:29 PM Chair Dingfelder
4:50:33 PM Sen. Boquist
4:50:47 PM Chair Dingfelder

4:50:59 PM Sen. Boquist
4:51:07 PM Chair Dingfelder
4:52:01 PM Sen. Boquist
4:52:10 PM Chair Dingfelder
4:53:25 PM Dan Bradley, General Manager, North Clackamas County Water Commission
4:53:26 PM {Exhibit} 18: Bradley
4:55:27 PM Chair Dingfelder
4:55:51 PM Justin Gericke, Oregon Association of Nurseries
4:55:52 PM {Exhibit} 19: Gericke
4:58:45 PM Dan Eisenbeis, League of Oregon Cities
5:02:26 PM Chair Dingfelder
5:02:47 PM Shaun Jillions, Oregon Association Realtors
5:04:11 PM Chair Dingfelder
5:04:16 PM Kathryn VanNatta, Northwest Pulp & Paper Association
5:07:23 PM Chair Dingfelder
5:07:32 PM Brenda Bateman, Senior Policy Coordinator, Water Resources Department
5:09:41 PM Art Schlack, Association of Oregon Counties
5:11:02 PM Chair Dingfelder
5:11:05 PM The following written testimony was submitted for the record without public testimony:
5:11:06 PM {Exhibit} 20: Judy Williams, Lane County Legislative Assistant, Lane County Intergovernmental Relations Manager
5:11:07 PM {Exhibit} 21: Jim Paul, Private Forests Division Chief, Department of Forestry
5:11:08 PM {Exhibit} 22: Rebecca Geisen, Water Resources Program Manager, Portland Water Bureau
5:11:32 PM Meeting Adjourned

SENR

3/19/2009 3:05:39 PM

- 3:08:25 PM** {Exhibit} 1: SB 108, -2 amendments, staff, 3 pp
 - 3:11:03 PM** {Exhibit} 2: SB 629, -1 amendments, staff, 1 p
 - 3:13:42 PM** {Exhibit} 3: SB 631, -1 amendments, staff, 2 pp
 - 3:15:56 PM** {Exhibit} 4: SB 105, -1 amendments, staff, 2 pp
 - 3:16:30 PM** {Exhibit} 5: SB 105, written testimony, Les Carlough, 5 pp
 - 3:38:43 PM** {Exhibit} 6: SB 105, written testimony, Brian Wegener, 11 pp
 - 3:51:21 PM** {Exhibit} 7: SB 105, written testimony, Trevor Steele, 1 p
 - 3:51:22 PM** {Exhibit} 8: SB 105, written testimony, John Kroger, 1 p
 - 3:52:02 PM** {Exhibit} 9: SB 622, -2 amendments, staff, 1 p
 - 3:55:44 PM** {Exhibit} 10: SB 622, written testimony, Marie Gadotti, 11 pp
 - 3:58:09 PM** {Exhibit} 11: SB 622, written testimony, Rob Dobbins, 3 pp
 - 4:09:35 PM** {Exhibit} 12: SB 622, written testimony, Don Anderson, 1 p
 - 4:11:06 PM** {Exhibit} 13: SB 622, written testimony, Curt Melcher, 3 pp
 - 4:21:41 PM** {Exhibit} 14: SB 622, written testimony, Trevor Steele, 1 p
 - 4:25:26 PM** {Exhibit} 15: SB 622, written testimony, Dale Buck, 4 pp
 - 4:29:37 PM** {Exhibit} 16: SB 482, suggested amendment language, staff, 5 pp
 - 4:31:39 PM** {Exhibit} 17: SB 482, written testimony, Karl Morgenstern, 2 pp
 - 4:53:26 PM** {Exhibit} 18: SB 482, written testimony, Dan Bradley, 2 pp
 - 4:55:52 PM** {Exhibit} 19: SB 482, written testimony, Justin Gericke, 2 pp
 - 5:11:06 PM** {Exhibit} 20: SB 482, written testimony, Judy Williams, 1 p
 - 5:11:07 PM** {Exhibit} 21: SB 482, written testimony, Jim Paul, 2 pp
 - 5:11:08 PM** {Exhibit} 22: SB 482, written testimony, Rebecca Geisen, 2 pp
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