

**SENATE COMMITTEE ON**  
**ENVIRONMENT AND NATURAL RESOURCES**

May 28, 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:**   **HB 3463A – Work Session**  
                                  **HB 3367A – Work Session**  
                                  **HB 2229A – Work Session**  
                                  **HB 2228A – Work Session**  
                                  **HB 2186A – Work Session**  
                                  **HB 3298A – Work Session**

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

**SENR**

**5/28/2009 3:07:15 PM**

- 3:07:15 PM** Meeting Called to Order
- 3:07:19 PM** Chair Dingfelder
- 3:07:33 PM** HB 3463A - Work Session
- 3:07:39 PM** Beth Herzog, Committee Administrator
- 3:07:50 PM** {Exhibit} 1: Herzog
- 3:08:02 PM** {Exhibit} 2: Herzog
- 3:08:43 PM** Rep. Jules Kopel-Bailey, House District 42
- 3:10:47 PM** Chair Dingfelder
- 3:11:09 PM** Rep. Kopel-Bailey
- 3:11:39 PM** Chair Dingfelder
- 3:12:45 PM** Rep. Kopel-Bailey
- 3:12:55 PM** Chair Dingfelder
- 3:13:02 PM** MOTION: Sen. Prozanski moves -A8 amendments
- 3:13:10 PM** Chair Dingfelder
- 3:13:20 PM** VOTE: 3-1-1
- 3:13:21 PM** Ayes: Hass, Prozanski, Dingfelder; Nays: Boquist; Excused: Atkinson
- 3:13:30 PM** Chair Dingfelder
- 3:13:38 PM** MOTION: Sen. Prozanski moves -A12 amendments
- 3:13:44 PM** Chair Dingfelder
- 3:13:53 PM** Sen. Boquist
- 3:14:16 PM** Chair Dingfelder
- 3:14:20 PM** VOTE: 3-1-1
- 3:14:21 PM** Ayes: Hass, Prozanski, Dingfelder; Nays: Boquist; Excused: Atkinson
- 3:14:27 PM** Chair Dingfelder
- 3:14:32 PM** MOTION: Sen. Prozanski moves HB 3463A DO PASS as AMENDED
- 3:14:48 PM** Chair Dingfelder
- 3:15:04 PM** Sen. Boquist
- 3:15:26 PM** VOTE: 3-1-1
- 3:15:32 PM** Ayes: Hass, Prozanski, Dingfelder; Nays: Boquist; Excused: Atkinson
- 3:15:35 PM** Chair Dingfelder
- 3:15:38 PM** CARRIER: SEN. DINGFELDER will lead discussion on the floor
- 3:15:42 PM** Chair Dingfelder
- 3:15:44 PM** The following written testimony was submitted for the record without public testimony:
- 3:15:45 PM** {Exhibit} 3: Brian Doherty, Attorney, Miller Nash

**3:16:02 PM** HB 3367A - Work Session  
**3:16:06 PM** Beth Herzog, Committee Administrator  
**3:16:26 PM** Chair Dingfelder  
**3:16:33 PM** MOTION: Sen. Prozanski moves HB 3367A DO PASS  
**3:16:35 PM** Chair Dingfelder  
**3:16:41 PM** VOTE: 3-2-0  
**3:16:48 PM** Ayes: Hass, Prozanski, Dingfelder; Nays: Atkinson, Boquist  
**3:17:10 PM** CARRIER: SEN. HASS will lead discussion on the floor  
**3:17:14 PM** Chair Dingfelder  
**3:18:18 PM** HB 2229A - Work Session  
**3:18:22 PM** Beth Herzog, Committee Administrator  
**3:18:25 PM** {Exhibit} 4: Herzog  
**3:18:30 PM** {Exhibit} 5: Herzog  
**3:18:51 PM** Chair Dingfelder  
**3:19:01 PM** Richard Whitman, Director, Oregon Department of Land Conservation and Development  
**3:20:58 PM** Chair Dingfelder  
**3:21:07 PM** MOTION: Sen. Prozanski moves -A15 amendments  
**3:21:12 PM** Chair Dingfelder  
**3:21:21 PM** VOTE: 4-1-0  
**3:21:22 PM** Ayes: Boquist, Hass, Prozanski, Dingfelder; Nays: Atkinson  
**3:21:29 PM** MOTION: Sen. Prozanski moves HB 2229A DO PASS as AMENDED  
**3:21:33 PM** Chair Dingfelder  
**3:21:45 PM** Sen. Boquist  
**3:22:05 PM** VOTE: 4-1-0  
**3:22:06 PM** Ayes: Boquist, Hass, Prozanski, Dingfelder; Nays: Atkinson  
**3:22:13 PM** CARRIER: SEN. DINGFELDER will lead discussion on the floor  
**3:22:15 PM** Chair Dingfelder  
**3:22:51 PM** HB 2228A - Work Session  
**3:22:55 PM** Beth Herzog, Committee Administrator  
**3:23:21 PM** {Exhibit} 6: Herzog  
**3:23:29 PM** {Exhibit} 7: Herzog  
**3:23:58 PM** Chair Dingfelder  
**3:24:09 PM** Rep. Brian Clem, House District 21  
**3:28:19 PM** Chair Dingfelder  
**3:28:25 PM** Rep. Clem  
**3:28:41 PM** Vice-Chair Atkinson  
**3:29:02 PM** Rep. Clem  
**3:29:08 PM** Vice-Chair Atkinson  
**3:29:32 PM** Rep. Clem  
**3:30:45 PM** Chair Dingfelder  
**3:31:01 PM** MOTION: Sen. Atkinson moves -A8 amendments  
**3:31:05 PM** Chair Dingfelder  
**3:31:12 PM** Sen. Boquist  
**3:31:38 PM** Chair Dingfelder

**3:31:50 PM** VOTE: 5-0-0  
**3:31:51 PM** Ayes: Atkinson, Boquist, Hass, Prozanski, Dingfelder  
**3:32:02 PM** MOTION: Sen. Atkinson moves HB 2228A DO PASS as AMENDED & REFER to the Rules committee  
**3:32:20 PM** Chair Dingfelder  
**3:32:23 PM** Sen. Boquist  
**3:32:39 PM** VOTE: 4-1-0  
**3:32:40 PM** Ayes: Atkinson, Hass, Prozanski, Dingfelder; Nays: Atkinson  
**3:32:57 PM** Chair Dingfelder  
**3:33:11 PM** HB 2186A - Work Session  
**3:33:21 PM** Beth Herzog, Committee Administrator  
**3:33:23 PM** {Exhibit} 8: Herzog  
**3:33:25 PM** {Exhibit} 9: Herzog  
**3:33:27 PM** {Exhibit} 10: Herzog  
**3:33:47 PM** Andy Ginsburg, Air Quality Administrator, Oregon Department of Environmental Quality  
**3:35:23 PM** Chair Dingfelder  
**3:35:35 PM** Ginsburg  
**3:36:01 PM** Chair Dingfelder  
**3:36:10 PM** MOTION: Sen. Prozanski moves -A11 amendments  
**3:36:15 PM** Chair Dingfelder  
**3:36:23 PM** VOTE: 4-1-0  
**3:36:24 PM** Ayes: Boquist, Hass, Prozanski, Dingfelder; Nays: Atkinson  
**3:36:32 PM** MOTION: Sen. Prozanski moves HB 2186A DO PASS as AMENDED & REFER to the Rules committee  
**3:36:51 PM** Chair Dingfelder  
**3:37:07 PM** Sen. Boquist  
**3:37:24 PM** Vice-Chair Atkinson  
**3:38:04 PM** Sen. Hass  
**3:38:33 PM** Chair Dingfelder  
**3:38:58 PM** VOTE: 3-2-0  
**3:38:59 PM** Ayes: Hass, Prozanski, Dingfelder; Nays: Atkinson, Boquist  
**3:39:03 PM** Chair Dingfelder  
**3:39:10 PM** The following written testimony was submitted for the record without public testimony:  
**3:39:11 PM** {Exhibit} 11: Marge Easley, President, League of Women Voters  
**3:39:30 PM** HB 3298A - Work Session  
**3:39:35 PM** Beth Herzog, Committee Administrator  
**3:40:00 PM** MOTION: Sen. Atkinson moves HB 3298A DO PASS & REFER to the Rules committee  
**3:40:13 PM** Chair Dingfelder  
**3:40:27 PM** Sen. Boquist  
**3:40:40 PM** Chair Dingfelder  
**3:40:46 PM** VOTE: 5-0-0  
**3:40:47 PM** Ayes: Atkinson, Boquist, Hass, Prozanski, Dingfelder  
**3:40:50 PM** Chair Dingfelder

**3:41:25 PM** Meeting Adjourned

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**SENR**

**5/28/2009 3:07:15 PM**

- 3:07:50 PM** {Exhibit} 1: HB 3463A, -A8 amendments, staff, 2 pp
  - 3:08:02 PM** {Exhibit} 2: HB 3463A, -A12 amendments, staff, 2 pp
  - 3:15:45 PM** {Exhibit} 3: HB 3463A, written testimony, Brian Doherty, 6 pp
  - 3:18:25 PM** {Exhibit} 4: HB 2229A, -A15 amendments, staff, 2 pp
  - 3:18:30 PM** {Exhibit} 5: HB 2229A, written testimony, Henry Pir, 4 pp
  - 3:23:21 PM** {Exhibit} 6: HB 2228A, -A8 amendments, staff, 12 pp
  - 3:23:29 PM** {Exhibit} 7: HB 2228A, -A9 amendments, staff, 12 pp
  - 3:33:23 PM** {Exhibit} 8: HB 2186A, -A11 amendments, staff, 9 pp
  - 3:33:25 PM** {Exhibit} 9: HB 2186A, -A12 amendments, staff, 9 pp
  - 3:33:27 PM** {Exhibit} 10: HB 2186A, -A13 amendments, staff, 2 pp
  - 3:39:11 PM** {Exhibit} 11: HB 2186A, written testimony, Marge Easley, 1 p
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