

# HOUSE COMMITTEE ON ENERGY, ENVIRONMENT AND WATER

February 14, 2012  
3:00 PM

Hearing Room A

**MEMBERS PRESENT:** Rep. Jules Bailey, Co-Chair  
Rep. Vic Gilliam, Co-Chair  
Rep. Deborah Boone, Co-Vice Chair  
Rep. Wayne Krieger, Co-Vice Chair  
Rep. Cliff Bentz  
Rep. Alissa Keny-Guyer  
Rep. Jim Thompson  
Rep. Brad Witt

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

**MEASURES/ISSUES HEARD:** Informational Meeting  
SCR 208  
HB 4166 - Public Hearing and Work Session  
HB 4078 - Public Hearing  
HB 4101 - Public Hearing and Work Session  
HB 4038 – Work Session

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## Recording Log

**3:11:12 PM** Meeting Called to Order by Co-Chair Bailey  
**3:11:13 PM** Co-Chair Bailey  
  
**3:11:31 PM** **SCR 208 - Informational Meeting**  
**3:12:32 PM** {Exhibit} 1 - 2: Randy Tucker, Metro  
**3:13:08 PM** Jim Desmond, Director, Sustainability Center, Metro  
**3:16:50 PM** {Exhibit} 3: Peter Spendelow, Solid Waste Policy Analyst, Department of Environmental Quality  
**3:21:59 PM** Co-Chair Bailey  
**3:22:11 PM** Tucker  
**3:22:23 PM** Meg Lynch, Waste Reduction Manager, Metro  
**3:25:39 PM** Co-Chair Bailey  
**3:26:32 PM** Co-Chair Gilliam  
**3:26:32 PM** The following written testimony was submitted for the record without public testimony:  
**3:26:33 PM** {Exhibit} 4: Tom Watson, King County Recycling and Environmental Services Section, Solid Waste Division, King County, Washington

- 3:26:34 PM** {Exhibit} 5: Dale Alekel, King County Recycling and Environmental Services Section, Solid Waste Division, King County, Washington
- 3:26:35 PM** {Exhibit} 6: Jeffery Morris, Ph.D., Sound Resources Management Group
- 3:26:36 PM** {Exhibit} 7: David Allaway, Portland, Oregon
- 3:26:37 PM** {Exhibit} 8: Tom Badrick, Oregon
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- 3:27:08 PM** **HB 4166 - Public Hearing**
- 3:27:11 PM** Co-Chair Gilliam
- 3:27:40 PM** Linc Cannon, Forest Industries Council
- 3:28:21 PM** Co-Chair Gilliam
- 3:28:27 PM** Beth Patrino, Committee Administrator
- 3:28:58 PM** Co-Chair Gilliam
- 3:29:07 PM** {Exhibit} 9: Dennis Creel, Timberland Manager, Hampton Affiliates
- 3:31:54 PM** Bill Kluting, Carpenters Industrials Council
- 3:33:04 PM** Co-Chair Gilliam
- 3:33:34 PM** {Exhibit} 10 - 13: Rep. Mark Johnson, House District 52
- 3:41:39 PM** Co-Chair Gilliam
- 3:41:56 PM** Rep. Johnson
- 3:42:01 PM** Co-Vice Chair Krieger
- 3:42:04 PM** Rep. Johnson
- 3:42:29 PM** Co-Vice Chair Krieger
- 3:44:05 PM** Rep. Johnson
- 3:44:42 PM** Co-Vice Chair Krieger
- 3:45:18 PM** Co-Chair Bailey
- 3:46:22 PM** Rich Angstrom, President, Oregon Concrete and Aggregate Association
- 3:52:50 PM** Co-Chair Gilliam
- 3:52:51 PM** Rep. Johnson
- 3:53:39 PM** Co-Chair Bailey
- 3:53:48 PM** Rep. Johnson
- 3:53:49 PM** Co-Chair Bailey
- 3:53:58 PM** Co-Chair Gilliam
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- 3:54:34 PM** **HB 4078 - Public Hearing**
- 3:54:36 PM** Co-Chair Gilliam
- 3:55:21 PM** {Exhibit} 14: Michael Grenier, Managing Director, Smart Energy Capital, LLC
- 3:56:41 PM** Co-Chair Gilliam
- 3:56:52 PM** Grenier
- 3:57:42 PM** {Exhibit} 15: Alan Higgenbottom, General Manager, Energy Services Group at Christenson Electric
- 4:00:15 PM** {Exhibit} 16: Glenn Montgomery, Executive Director, Oregon Solar Energy Industries Institute
- 4:01:53 PM** Co-Chair Gilliam
- 4:02:17 PM** {Exhibit} 17 - 18: Beth Patrino, Committee Administrator
- 4:02:43 PM** Co-Chair Gilliam
- 4:02:58 PM** Tim Frew, Business Manager, International Brotherhood of Electrical

Workers, Local 280, Salem, Oregon

- 4:04:13 PM Joe Esmonde, International Brotherhood of Electrical Workers Local 48
- 4:07:18 PM Kent Madison, Madison Farms
- 4:09:21 PM {Exhibit} 19: John Mohlis, Oregon State Building and Construction Trades Council
- 4:10:59 PM Brian Kreig, Oregon State Association of Electrical Workers
- 4:12:40 PM Marion Haynes, Portland General Electric
- 4:14:11 PM Co-Vice Chair Boone
- 4:15:08 PM Rep. Witt
- 4:16:06 PM Alec Mesdog, Project Manager, Oregon Electric Group
- 4:17:07 PM Co-Chair Gilliam
- 4:17:09 PM Co-Vice Chair Boone
- 4:17:33 PM The following written testimony was submitted for the record without public testimony:
- 4:17:34 PM {Exhibit} 20: Matt Little, Conservation Director, Oregon Natural Desert Association
- 4:17:35 PM {Exhibit} 21: Steve McCoy, 1000 friends of Oregon
- 4:17:36 PM {Exhibit} 22: Jon Skidmore, Oregon
- 4:17:37 PM {Exhibit} 23: Sam Dinsdale, Dinsdale Farm and Equipment, LLC
- 4:17:38 PM {Exhibit} 24: Laurie Hutchinson, Portland, Oregon
- 4:17:39 PM {Exhibit} 25: Eric Nill, Principal, Advanced Energy Systems
- 4:17:40 PM {Exhibit} 26: James K. Walls, Executive Director, Lake County Resources Initiative

4:17:49 PM **HB 4101 - Public Hearing**

- 4:17:50 PM Co-Chair Gilliam
- 4:18:07 PM {Exhibit} 27: Beth Patrino, Committee Administrator
- 4:18:55 PM Co-Chair Gilliam
- 4:19:19 PM Rep. Mike McLane, House District 55
- 4:26:13 PM Co-Chair Gilliam
- 4:26:26 PM Co-Chair Bailey
- 4:27:52 PM Rep. Witt
- 4:28:10 PM Rep. McLane
- 4:29:03 PM Co-Chair Gilliam
- 4:29:23 PM {Exhibit} 28: Tyson Raymond, Oregon Wheat Farmers
- 4:31:57 PM Kent Madison, Madison Farms
- 4:35:46 PM {Exhibit} 29 - 31: John DeVoe, WaterWatch of Oregon
- 4:38:06 PM {Exhibit} 32: Peggy Lynch, Natural Resource Coordinator, League of Women Voters
- 4:39:47 PM {Exhibit} 33: Steve Shropshire, Oregon Associations of Nurseries
- 4:41:59 PM Co-Chair Gilliam
- 4:42:29 PM Tom Wolf, Oregon Chapter of Trout Unlimited
- 4:43:14 PM Co-Chair Gilliam
- 4:43:23 PM {Exhibit} 34: Theresa Huntsinger, Director, Clean and Healthy Rivers Program, Oregon Environmental Council
- 4:44:27 PM Co-Chair Gilliam

4:44:35 PM Huntsinger  
4:46:24 PM Co-Chair Gilliam  
4:46:30 PM Katie Fast, Oregon Farm Bureau Federation and Oregon Committee  
4:48:16 PM Co-Chair Gilliam  
4:48:19 PM Co-Vice Chair Krieger  
4:48:30 PM Wolf  
4:48:37 PM Co-Vice Chair Krieger  
4:49:16 PM Wolf  
4:49:32 PM Co-Chair Gilliam  
4:49:59 PM John Mohlis, Oregon State Building and Construction Trades Council  
4:51:12 PM Co-Chair Gilliam  
4:52:04 PM {Exhibit} 35: Jan Meekcoms, Oregon State Director, National Federation of Independent Business  
4:53:28 PM Co-Chair Gilliam  
4:53:35 PM {Exhibit} 36: Bill Kluting, Carpenters Industrial Council  
4:55:28 PM Co-Chair Gilliam  
4:55:53 PM Meeting Recessed  
5:00:49 PM Meeting Reconvened  
5:01:06 PM Co-Chair Gilliam  
5:00:53 PM The following written testimony was submitted for the record without public testimony:  
5:00:54 PM {Exhibit} 37: Sue Marshall, American Fisheries Society  
5:00:55 PM {Exhibit} 38: David Britts, Pacific Coast Federation of Fishermen's Association  
5:00:56 PM {Exhibit} 39: Pete Meendernick, Dairyman Boardman, Oregon  
5:00:57 PM {Exhibit} 40: Lauren Goldberg, Staff Attorney, Columbia Riverkeepers  
5:00:58 PM {Exhibit} 41: Brett Swift, Northwest Regional Director, American Rivers  
  
5:01:08 PM **HB 4101 - Work Session**  
5:01:26 PM Co-Vice Chair Krieger  
5:01:35 PM Co-Chair Gilliam  
5:01:44 PM Rep. Witt  
5:02:38 PM Co-Chair Gilliam  
5:02:48 PM Rep. Keny-Guyer  
5:02:59 PM Co-Chair Gilliam  
5:03:10 PM MOTION: CO-CHAIR BAILEY MOVES TO ADOPT THE -1 AMENDMENTS  
5:03:20 PM Co-Chair Gilliam  
5:03:27 PM VOTE: 8-0-0  
5:03:31 PM AYES: BENTZ, KENY-GUYER, THOMPSON, WITT, BOONE, KRIEGER, BAILEY, GILLIAM  
5:03:38 PM Co-Chair Bailey  
5:04:40 PM MOTION: CO-CHAIR BAILEY MOVES HB 4101 AS AMENDED AND THE SUBSEQUENT REFERRAL TO THE JOINT COMMITTEE ON WAYS AND MEANS BE RESCINDED AND REFER, WITHOUT RECOMMENDATION, TO THE HOUSE COMMITTEE ON RULES

5:05:16 PM Co-Chair Gilliam  
5:05:17 PM Rep. Witt  
5:06:18 PM Co-Chair Gilliam  
5:06:31 PM Co-Vice Chair Boone  
5:07:26 PM Co-Chair Gilliam  
5:07:38 PM Rep. Keny-Guyer  
5:08:55 PM Co-Chair Gilliam  
5:09:08 PM Rep. Bentz  
5:10:44 PM Co-Chair Gilliam  
5:10:52 PM VOTE: 6-2-0  
5:11:28 PM AYES: BENTZ, THOMPSON, WITT, BOONE, KRIEGER, GILLIAM  
5:11:29 PM NAYS: KENY-GUYER, BAILEY

5:11:37 PM **HB 4166 - Work Session**  
5:11:53 PM Co-Chair Gilliam  
5:12:00 PM MOTION: CO-CHAIR BAILEY MOVES HB 4166 DO PASS AND REFER  
TO THE HOUSE COMMITTEE ON REVENUE BY PRIOR REFERENCE  
5:12:26 PM Co-Chair Gilliam  
5:12:28 PM Co-Chair Bailey  
5:13:36 PM Co-Chair Gilliam  
5:13:48 PM VOTE: 8-0-0  
5:14:09 PM AYES: BENTZ, KENY-GUYER, THOMPSON, WITT, BOONE, KRIEGER,  
BAILEY, GILLIAM  
5:14:15 PM Co-Chair Gilliam

5:14:19 PM **HB 4038 - Work Session**  
5:14:37 PM Co-Chair Gilliam  
5:14:39 PM MOTION: CO-CHAIR BAILEY MOVES TO ADOPT THE -1  
AMENDMENTS  
5:14:52 PM Co-Chair Gilliam  
5:14:58 PM Co-Chair Bailey  
5:16:15 PM Rep. Bentz  
5:16:53 PM Co-Chair Gilliam  
5:17:01 PM VOTE: 8-0-0  
5:17:05 PM AYES: BENTZ, KENY-GUYER, THOMPSON, WITT, BOONE, KRIEGER,  
BAILEY, GILLIAM  
5:17:10 PM MOTION: CO-CHAIR BAILEY MOVES TO ADOPT THE -2  
AMENDMENTS  
5:17:24 PM Co-Chair Gilliam  
5:17:34 PM VOTE: 8-0-0  
5:17:40 PM AYES: BENTZ, KENY-GUYER, THOMPSON, WITT, BOONE, KRIEGER,  
BAILEY, GILLIAM  
5:17:44 PM MOTION: CO-CHAIR BAILEY MOVES HB 4166 DO PASS AS AMENDED  
AND REFER TO THE HOUSE COMMITTEE ON REVENUE BY PRIOR  
REFERENCE  
5:18:26 PM VOTE: 8-0-0

**5:18:27 PM** AYES: BENTZ, KENY-GUYER, THOMPSON, WITT, BOONE, KRIEGER,  
BAILEY, GILLIAM

**5:18:42 PM** Co-Chair Gilliam

**5:18:59 PM** **HB 4078 - Public Hearing**

**5:19:16 PM** Co-Chair Gilliam

**5:20:45 PM** Co-Chair Bailey

**5:22:02 PM** Co-Chair Gilliam

**5:22:18 PM** Co-Vice Chair Boone

**5:22:22 PM** Co-Chair Gilliam

**5:22:25 PM** Rep. Keny-Guyer

**5:23:02 PM** Meeting Adjourned by Co-Chair Gilliam

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**Exhibit Summary**

**3:12:32 PM** {Exhibit} 1: SCR 208, written testimony of Metro Council, Randy Tucker,  
2 pp

**3:12:32 PM** {Exhibit} 2: SCR 208, obituaries and articles, Randy Tucker, 19 pp

**3:16:50 PM** {Exhibit} 3: SCR 208, written testimony, Peter Spendelow, 2 pp

**3:26:33 PM** {Exhibit} 4: SCR 208, written testimony, Tom Watson, 1 p

**3:26:34 PM** {Exhibit} 5: SCR 208, written testimony, Dale Alekel, 1 p

**3:26:35 PM** {Exhibit} 6: SCR 208, written testimony, Jeffery Morris, 1 p

**3:26:36 PM** {Exhibit} 7: SCR 208, written testimony, David Allaway, 1 p

**3:26:37 PM** {Exhibit} 8: SCR 208, written testimony, Tom Badrick, 1 p

**3:29:07 PM** {Exhibit} 9: HB 4166, written testimony, Dennis Creel, 1 p

**3:33:34 PM** {Exhibit} 10: HB 4166, Sustainable Building Program, Rep. Mark Johnson,  
2 pp

**3:33:34 PM** {Exhibit} 11: HB 4166, An Order Regarding the Use of Green Building  
Standards in State Buildings, Rep. Mark Johnson, 2 pp

**3:33:34 PM** {Exhibit} 12: HB 4166, Forest Stewardship Council, Rep. Mark Johnson, 6  
pp

**3:33:34 PM** {Exhibit} 13: HB 4166, -4 amendments, staff, 2 pp

**3:55:21 PM** {Exhibit} 14: HB 4078, written testimony, Michael Grenier, 1 p

**3:57:42 PM** {Exhibit} 15: HB 4078, written testimony, Alan Higgenbottom, 1 p

**4:00:15 PM** {Exhibit} 16: HB 4078, written testimony and photos, Glenn Montgomery, 5  
pp

**4:02:17 PM** {Exhibit} 17: HB 4078, -1 amendments, staff, 27 pp

**4:02:17 PM** {Exhibit} 18: HB 4078, -2 amendments, staff, 27 pp

**4:09:21 PM** {Exhibit} 19: HB 4078, written testimony, John Mohlis, 2 pp

**4:17:34 PM** {Exhibit} 20: HB 4078, written testimony, Matt Little, 2 pp

**4:17:35 PM** {Exhibit} 21: HB 4078, written testimony, Steve McCoy, 1 p

**4:17:36 PM** {Exhibit} 22: HB 4078, written testimony, Jon Skidmore, 1 p

**4:17:37 PM** {Exhibit} 23: HB 4078, written testimony, Sam Dinsdale, 1 p

**4:17:38 PM** {Exhibit} 24: HB 4078, written testimony, Laurie Hutchinson, 1 p

- 4:17:39 PM** {Exhibit} 25: HB 4078, written testimony, Eric Nill, 1 p  
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**4:18:07 PM** {Exhibit} 27: HB 4101, -1 amendments, staff, 3 pp  
**4:29:23 PM** {Exhibit} 28: HB 4101, written testimony, Tyson Raymond, 1 p  
**4:35:46 PM** {Exhibit} 29: HB 4101, written testimony, John DeVoe, 3 pp  
**4:35:46 PM** {Exhibit} 30: HB 4101, written testimony of WaterWatch, John DeVoe, 2 pp  
**4:35:46 PM** {Exhibit} 31: HB 4101, "Oasis" Project Report Fact Sheet and letters, John DeVoe, 10 pp  
**4:38:06 PM** {Exhibit} 32: HB 4101, written testimony, Peggy Lynch, 3 pp  
**4:39:47 PM** {Exhibit} 33: HB 4101, written testimony, Steve Shropshire, 3 pp  
**4:43:23 PM** {Exhibit} 34: HB 4101, written testimony, Theresa Huntsinger, 3 pp  
**4:52:04 PM** {Exhibit} 35: HB 4101, written testimony, Jan Meekcoms, 1 p  
**4:53:35 PM** {Exhibit} 36: HB 4101, written testimony, Bill Kluting, 1 p  
**5:00:54 PM** {Exhibit} 37: HB 4101, written testimony, Sue Marshall, 6 pp  
**5:00:55 PM** {Exhibit} 38: HB 4101, written testimony, David Britts, 4 pp  
**5:00:56 PM** {Exhibit} 39: HB 4101, written testimony, Pete Meendernick, 1 p  
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**5:00:58 PM** {Exhibit} 41: HB 4101, written testimony, Brett Swift, 2 pp
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