

**SENATE COMMITTEE ON BUSINESS, TRANSPORTATION &  
ECONOMIC DEVELOPMENT**

May 19, 2011  
3:00 pm

Hearing Room B

**MEMBERS PRESENT:**           **Sen. Lee Beyer, Chair**  
   **Sen. Jason Atkinson, Vice-Chair**  
   **Sen. Chris Edwards**  
   **Sen. Ginny Burdick**  
   **Sen. Bruce Starr**  
   **Sen. Fred Girod**

**STAFF PRESENT:**               **Richard Berger, Committee Administrator**  
   **Carolyn Stoffregen, Committee Assistant**

**MEASURES/ISSUES HEARD:** **HB 3461 A – Public Hearing and Work Session**  
   **HB 2137 A – Work Session**  
   **HB 2091 A – Work Session**  
   **HB 2633 A – Work Session**  
   **HB 2081 A – Public Hearing and Work Session**  
   **HB 3325 A – Public Hearing and Work Session**  
   **HB 3466 A – Public Hearing and Work Session**

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**Recording Log**

**3:09:45 PM** Meeting Called to Order by Chair Beyer

**3:09:55 PM** Chair Beyer

**3:10:00 PM** **HB 3461 A - Public Hearing**

**3:10:24 PM** {Exhibit} 1: Rep. Gene Whisnant, House District 53

**3:13:14 PM** Chair Beyer

**3:13:17 PM** Sen. Doug Whitsett, Senate District 28

**3:14:21 PM** Chair Beyer

**3:14:23 PM** Rep. Whisnant

**3:14:36 PM** Chair Beyer

**3:15:10 PM** Marc Hellman, Public Utility Commission

**3:16:10 PM** Scott Bolton, PacifiCorp

**3:17:53 PM** Mark Nelson, Industrial Customers of Northwest Utilities

**3:18:20 PM** Chair Beyer

**3:18:24 PM** Sen. Girod

**3:18:36 PM** Bolton

**3:19:49 PM** Chair Beyer

**3:20:07 PM** **HB 3461 A - Work Session**

**3:20:10 PM** MOTION: Vice-Chair Atkinson moves HB 3461 A with Do Pass recommendation

- 3:20:14 PM Chair Beyer  
3:20:26 PM VOTE: 6-0-0  
3:20:27 PM AYES: Burdick, Edwards, Girod, Starr, Atkinson, Beyer  
3:20:32 PM Richard Berger, Committee Administrator  
3:20:37 PM CARRIER: SEN. WHITSETT will lead discussion on the floor  
3:20:42 PM Chair Beyer  
3:20:43 PM The following written testimony was submitted for the record without public testimony:  
3:20:44 PM {Exhibit} 2: Daniel Meek, Progressive Party of Oregon
- 3:20:55 PM **HB 2137 A - Work Session**  
3:21:02 PM {Exhibit} 3-4: Richard Berger, Committee Administrator  
3:21:45 PM Chair Beyer  
3:21:48 PM Berger  
3:21:58 PM MOTION: Vice-Chair Atkinson moves to adopt the -A3 amendments  
3:22:01 PM Chair Beyer  
3:22:12 PM VOTE: 6-0-0  
3:22:13 PM AYES: Burdick, Edwards, Girod, Starr, Atkinson, Beyer  
3:22:15 PM MOTION: Vice-Chair Atkinson moves HB 2137 A as amended with Do Pass recommendation  
3:22:17 PM Chair Beyer  
3:22:31 PM VOTE: 6-0-0  
3:22:32 PM AYES: Burdick, Edwards, Girod, Starr, Atkinson, Beyer  
3:22:41 PM Chair Beyer  
3:22:43 PM Vice-Chair Atkinson  
3:22:45 PM CARRIER: SEN. BEYER will lead discussion on the floor
- 3:22:56 PM **HB 2091 A - Work Session**  
3:23:01 PM {Exhibit} 5: Richard Berger, Committee Administrator  
3:23:44 PM Chair Beyer  
3:23:47 PM Berger  
3:23:52 PM Vice-Chair Atkinson  
3:23:55 PM Chair Beyer  
3:24:02 PM MOTION: Vice-Chair Atkinson moves HB 2091 A with Do Pass recommendation  
3:24:07 PM Chair Beyer  
3:24:23 PM VOTE: 6-0-0  
3:24:24 PM AYES: Burdick, Edwards, Girod, Starr, Atkinson, Beyer  
3:24:30 PM Chair Beyer  
3:24:34 PM Sen. Girod  
3:24:38 PM Chair Beyer  
3:24:40 PM CARRIER: SEN. BURDICK will lead discussion on the floor  
3:24:46 PM Vice-Chair Atkinson
- 3:24:50 PM **HB 2633 A - Work Session**  
3:25:00 PM {Exhibit} 6: Richard Berger, Committee Administrator

3:25:42 PM Chair Beyer  
3:25:44 PM Sen. Girod  
3:25:54 PM Berger  
3:25:57 PM Chair Beyer  
3:26:05 PM Sen. Girod  
3:26:06 PM Sen. Burdick  
3:26:07 PM Berger  
3:26:09 PM Sen. Girod  
3:26:11 PM Sen. Burdick  
3:26:13 PM Chair Beyer  
3:26:16 PM Berger  
3:26:17 PM Chair Beyer  
3:26:20 PM MOTION: Vice-Chair Atkinson moves 2633 A with Do Pass recommendation  
3:26:25 PM Chair Beyer  
3:26:40 PM VOTE: 6-0-0  
3:26:41 PM AYES: Burdick, Edwards, Girod, Starr, Atkinson, Beyer  
3:26:48 PM CARRIER: SEN. EDWARDS will lead discussion on the floor  
3:26:50 PM Sen. Girod  
3:26:53 PM Chair Beyer

3:27:05 PM **HB 2081 A - Public Hearing**  
3:27:11 PM {Exhibit} 7-9: Richard Berger, Committee Administrator  
3:27:58 PM The following written testimony was submitted for the record without public testimony:  
3:27:59 PM {Exhibit} 10: Shawn Donnille, Vice President, Mountain Rose Herbs; Healthy Air Oregon Campaign  
3:28:06 PM {Exhibit} 11: Merlyn Hough, Director, Lane Regional Air Protection Agency  
3:28:25 PM Chair Beyer  
3:28:42 PM {Exhibit} 12: Chris Hagerbaumer, Deputy Director, Oregon Environmental Council  
3:31:40 PM Chair Beyer  
3:31:42 PM Sen. Edwards  
3:33:17 PM Chair Beyer  
3:33:20 PM Greg Aldrich, Department of Environmental Quality  
3:33:57 PM Chair Beyer  
3:34:00 PM Aldrich  
3:34:10 PM Chair Beyer  
3:34:12 PM Aldrich  
3:34:16 PM Chair Beyer  
3:34:43 PM Berger  
3:35:04 PM Chair Beyer

3:35:13 PM **HB 2081 A - Work Session**  
3:35:17 PM MOTION: Sen. Burdick moves to adopt the -A9 amendments  
3:35:25 PM Chair Beyer

3:36:46 PM Sen. Burdick  
3:36:59 PM Chair Beyer  
3:37:20 PM VOTE: 1-4-1  
3:37:21 PM AYES: Burdick; NAYS: Girod, Starr, Atkinson, Beyer; EXCUSED: Edwards  
3:37:23 PM MOTION: Vice-Chair Atkinson moves to adopt the -A8 amendments  
3:37:27 PM Chair Beyer  
3:37:39 PM VOTE: 5-0-1  
3:37:40 PM AYES: Burdick, Girod, Starr, Atkinson, Beyer; EXCUSED: Edwards  
3:37:43 PM MOTION: Vice-Chair Atkinson moves to adopt the -A11 amendments for  
HB 2081 A  
3:37:47 PM Chair Beyer  
3:37:59 PM VOTE: 5-0-1  
3:38:00 PM AYES: Burdick, Girod, Starr, Atkinson, Beyer; EXCUSED: Edwards  
3:38:02 PM MOTION: Vice-Chair Atkinson moves HB 2081 A as amended with Do  
Pass recommendation  
3:38:05 PM Chair Beyer  
3:38:14 PM Sen. Burdick  
3:38:26 PM Chair Beyer  
3:38:34 PM VOTE: 5-0-1  
3:38:35 PM AYES: Burdick, Girod, Starr, Atkinson, Beyer; EXCUSED: Edwards  
3:38:44 PM CARRIER: SEN. STARR will lead discussion on the floor  
3:38:46 PM Chair Beyer  
  
3:38:52 PM **HB 3325 A - Public Hearing**  
3:39:06 PM Rep. Lew Frederick, House District 43  
3:42:19 PM Chair Beyer  
3:42:21 PM Rep. Frederick  
3:42:26 PM Chair Beyer  
3:42:32 PM Rep. Frederick  
3:42:41 PM Chair Beyer  
3:43:18 PM Palmer Mason, Department of Environmental Quality  
3:45:51 PM Charlie Landman, Department of Environmental Quality  
3:47:08 PM Chair Beyer  
3:47:09 PM Sen. Girod  
3:47:26 PM Landman  
3:48:19 PM Sen. Girod  
3:49:23 PM Landman  
3:50:44 PM Chair Beyer  
3:51:09 PM Mason  
3:51:24 PM Chair Beyer  
3:51:29 PM Landman  
3:51:50 PM Chair Beyer  
3:52:08 PM {Exhibit} 13: Ann Hanus, Association of Oregon Counties  
3:52:45 PM David Ashton, Assistant General Counsel, Port of Portland  
3:55:30 PM Nanci Klinger, Deputy Attorney, City of Portland  
3:57:27 PM Chair Beyer

3:57:44 PM Richard Berger, Committee Administrator  
3:57:45 PM The following testimony was submitted for the record without public testimony:  
3:57:46 PM {Exhibit} 14: John Ledger, Vice President, Associated Oregon Industries  
3:57:55 PM Chair Beyer

3:58:00 PM **HB 3325 A - Work Session**

3:58:07 PM MOTION: Vice-Chair Atkinson moves HB 3325 A with Do Pass recommendation  
3:58:16 PM Chair Beyer  
3:58:32 PM VOTE: 5-0-1  
3:58:33 PM AYES: Burdick, Girod, Starr, Atkinson, Beyer; EXCUSED: Edwards  
3:58:41 PM Chair Beyer  
3:58:43 PM CARRIER: SEN. GIROD will lead discussion on the floor

3:58:47 PM **HB 3466 A - Public Hearing**

3:58:53 PM Richard Berger, Committee Administrator  
3:59:21 PM Chair Beyer  
3:59:29 PM {Exhibit} 15: Kristina McNitt, Oregon Forest Industries Council  
3:59:37 PM Chair Beyer  
3:59:43 PM McNitt  
3:59:44 PM Chair Beyer  
3:59:47 PM McNitt  
4:02:55 PM Chair Beyer  
4:02:58 PM Mike Dykzeul, Oregon Forest Industries Council  
4:03:00 PM Chair Beyer  
4:03:09 PM {Exhibit} 16: Paul Bell, Associate State Forester; Chief, Fire Protection Division, Department of Forestry  
4:05:56 PM Chair Beyer  
4:06:04 PM Sen. Girod  
4:06:47 PM Chair Beyer

4:07:10 PM **HB 3466 A - Work Session**

4:07:14 PM MOTION: Vice-Chair Atkinson moves HB 3466 A with Do Pass recommendation  
4:07:18 PM Chair Beyer  
4:07:30 PM Sen. Girod  
4:07:31 PM Chair Beyer  
4:07:34 PM VOTE: 5-0-1  
4:07:35 PM AYES: Burdick, Girod, Starr, Atkinson, Beyer; EXCUSED: Edwards  
4:07:41 PM CARRIER: SEN. GIROD will lead discussion on the floor  
4:07:44 PM Chair Beyer

4:07:48 PM Meeting Adjourned by Chair Beyer

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**Exhibit Summary**

**3:10:24 PM** {Exhibit} 1: HB 3461 A, written testimony, Rep. Gene Whisnant, 1p  
**3:20:44 PM** {Exhibit} 2: HB 3461 A, written testimony, Daniel Meek, 1p  
**3:21:02 PM** {Exhibit} 3: HB 2137 A, -A2 amendments, staff, 2pp  
**3:21:02 PM** {Exhibit} 4: HB 2137 A, -A3 amendments, staff, 2pp  
**3:23:01 PM** {Exhibit} 5: HB 2091 A, -A2 amendments, staff, 1p  
**3:25:00 PM** {Exhibit} 6: HB 2633 A, -A4 amendments, staff, 6pp  
**3:27:11 PM** {Exhibit} 7: HB 2081 A, -A8 amendments, staff, 1p  
**3:27:11 PM** {Exhibit} 8: HB 2081 A, -A9 amendments, staff, 1p  
**3:27:11 PM** {Exhibit} 9: HB 2081 A, -A11 amendments, staff, 1p  
**3:27:59 PM** {Exhibit} 10: HB 2081 A, written testimony, Shawn Donnille, 1p  
**3:28:06 PM** {Exhibit} 11: HB 2081 A, written testimony, Merlyn Hough, 1p  
**3:28:42 PM** {Exhibit} 12: HB 2081 A, written testimony, Chris Hagerbaumer, 1p  
**3:52:08 PM** {Exhibit} 13: HB 3325 A, written testimony, Ann Hanus, 1p  
**3:57:46 PM** {Exhibit} 14: HB 3325 A, written testimony of John Ledger, staff, 1p  
**3:59:29 PM** {Exhibit} 15: HB 3466 A, written testimony, Kristina McNitt, 1p  
**4:03:09 PM** {Exhibit} 16: HB 3466 A, written testimony, Paul Bell, 2pp

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