

# 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: John DeVoe, WaterWatch of Oregon  
4:38:06 PM {Exhibit} 30 :Peggy Lynch, Natural Resource Coordinator, League of Women Voters  
4:39:47 PM {Exhibit} 31: 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} 32: 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} 33: Jan Meekcoms, Oregon State Director, National Federation of Independent Business  
4:53:28 PM Co-Chair Gilliam  
4:53:35 PM {Exhibit} 34: 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 SUBSEQUENT REFERRAL TO 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, Ph.D., 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  
**4:17:40 PM** {Exhibit} 26: HB 4078, written testimony, James K. Walls, 1 p  
**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  
**5:00:57 PM** {Exhibit} 40: HB 4101, written testimony, Lauren Goldberg, 1 p  
**5:00:58 PM** {Exhibit} 41: HB 4101, written testimony, Brett Swift, 2 pp
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