

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

April 01, 2013
3:00 PM

Hearing Room C

MEMBERS PRESENT: Sen. Jackie Dingfelder, Chair
Sen. Alan Olsen, Vice-Chair
Sen. Alan Bates
Sen. Bill Hansell
Sen. Mark Hass

STAFF PRESENT: Beth Reiley, Committee Administrator
Jennifer Lutman, Committee Assistant

MEASURES/ISSUES HEARD: SB 800 – Public Hearing
SB 179 – Public Hearing
Introduction of Committee Measures – Work Session

Recording Log

3:06:09 PM Meeting Called to Order by Chair Dingfelder

3:07:03 PM **SB 800-Public Hearing**

3:07:10 PM {Exhibit} 1: Beth Reiley, Committee Administrator

3:07:28 PM Chair Dingfelder

3:07:36 PM Rep. Paul Holvey, House District 8

3:08:18 PM Chair Dingfelder

3:08:22 PM Rep. Holvey

3:08:27 PM Sen. Hansell

3:08:32 PM Rep. Holvey

3:08:33 PM Sen. Hansell

3:08:34 PM Rep. Holvey

3:08:53 PM Chair Dingfelder

3:09:00 PM Rep. Holvey

3:12:19 PM Chair Dingfelder

3:12:21 PM Sen. Floyd Prozanski, Senate District 4

3:12:54 PM Chair Dingfelder

3:12:56 PM Sen. Prozanski

3:14:25 PM Chair Dingfelder

3:14:31 PM Vice-Chair Olsen

3:14:47 PM Sen. Prozanski

3:15:01 PM Vice-Chair Olsen

3:15:08 PM Sen. Prozanski

3:15:21 PM Rep. Holvey

3:15:42 PM Vice-Chair Olsen
3:15:47 PM Sen. Prozanski
3:15:48 PM Rep. Holvey
3:15:53 PM Vice-Chair Olsen
3:16:14 PM Rep. Holvey
3:16:46 PM Sen. Prozanski
3:17:23 PM Vice-Chair Olsen
3:17:30 PM Rep. Holvey
3:17:46 PM Vice-Chair Olsen
3:18:00 PM Chair Dingfelder
3:18:01 PM Vice-Chair Olsen
3:18:06 PM Rep. Holvey
3:18:25 PM Chair Dingfelder
3:18:26 PM Sen. Bates
3:18:40 PM Rep. Holvey
3:19:12 PM Sen. Bates
3:19:34 PM Rep. Holvey
3:19:45 PM Sen. Bates
3:20:08 PM Rep. Holvey
3:20:12 PM Sen. Bates
3:20:26 PM Rep. Holvey
3:20:56 PM Chair Dingfelder
3:21:18 PM Sen. Prozanski
3:22:53 PM Chair Dingfelder
3:22:58 PM Rep. Holvey
3:23:19 PM Vice-Chair Olsen
3:23:25 PM Chair Dingfelder
3:23:40 PM Sen. Hansell
3:23:55 PM Rep. Holvey
3:24:14 PM Sen. Hansell
3:24:25 PM Rep. Holvey
3:25:15 PM Sen. Hansell
3:26:15 PM Sen. Prozanski
3:26:55 PM Sen. Hansell
3:27:01 PM Sen. Prozanski
3:27:09 PM Chair Dingfelder
3:27:10 PM Vice-Chair Olsen
3:27:22 PM Rep. Holvey
3:27:40 PM Vice-Chair Olsen
3:28:51 PM Rep. Holvey
3:29:37 PM Chair Dingfelder
3:29:43 PM Vice-Chair Olsen
3:29:59 PM Rep. Holvey
3:30:31 PM Vice-Chair Olsen
3:30:35 PM Chair Dingfelder
3:30:42 PM Vice-Chair Olsen

3:30:45 PM Chair Dingfelder
3:30:54 PM Sen. Prozanski
3:32:07 PM Vice-Chair Olsen
3:32:15 PM Sen. Prozanski
3:33:04 PM Chair Dingfelder
3:33:11 PM Rep. Holvey
3:33:13 PM Chair Dingfelder

3:33:20 PM SB 179-Public Hearing

3:33:31 PM {Exhibit} 2: Sen. Floyd Prozanski, Senate District 4
3:36:11 PM Chair Dingfelder
3:36:29 PM {Exhibit} 3: Chris Corich, Vice-Chair, State Aviation Board
3:37:39 PM Chair Dingfelder
3:37:41 PM {Exhibit} 4: Scott Brewen, Director, State Marine Board
3:40:30 PM Chair Dingfelder
3:40:36 PM Vice-Chair Olsen
3:40:45 PM Brewen
3:40:53 PM Chair Dingfelder
3:40:56 PM Brewen
3:40:58 PM Chair Dingfelder
3:40:59 PM Vice-Chair Olsen
3:41:20 PM Brewen
3:41:52 PM Vice-Chair Olsen
3:42:08 PM Sen. Prozanski
3:43:19 PM Vice-Chair Olsen
3:43:23 PM Chair Dingfelder
3:43:23 PM Sen. Prozanski
3:43:26 PM Sen. Bates
3:44:00 PM Chair Dingfelder
3:44:28 PM Vice-Chair Olsen
3:44:40 PM Chair Dingfelder
3:44:46 PM Corich
3:45:21 PM Chair Dingfelder
3:45:53 PM {Exhibit} 5: witness registration
3:45:54 PM The following written testimony is submitted for the record without public testimony:
3:45:55 PM {Exhibit} 6: Peggy Lynch, Oregon resident

3:46:16 PM Introduction of Committee Measures-Work Session

3:46:17 PM {Exhibit} 7-9: Chair Dingfelder
3:46:42 PM MOTION: VICE-CHAIR OLSEN MOVES LC 3896 BE INTRODUCED AS A COMMITTEE BILL
3:46:52 PM Chair Dingfelder
3:47:00 PM VOTE: 5-0-0
3:47:01 PM AYES: BATES, HANSELL, HASS, OLSEN, DINGFELDER
3:47:20 PM MOTION: SEN. HASS MOVES LC 3772 BE INTRODUCED AS A

COMMITTEE BILL

3:47:28 PM Chair Dingfelder
3:47:38 PM Vice-Chair Olsen
3:47:56 PM Chair Dingfelder
3:48:20 PM Vice-Chair Olsen
3:48:26 PM Beth Reiley, Committee Administrator
3:48:45 PM Chair Dingfelder
3:48:55 PM VOTE: 4-1-0
3:48:56 PM AYES: BATES, HANSELL, HASS, DINGFELDER
3:48:57 PM NAY: OLSEN
3:49:11 PM MOTION: SEN. HASS MOVES LC 3890 BE INTRODUCED AS A
COMMITTEE BILL
3:49:17 PM Chair Dingfelder
3:49:26 PM Reiley
3:49:51 PM Chair Dingfelder
3:49:53 PM Vice-Chair Olsen
3:50:05 PM Chair Dingfelder
3:50:27 PM Sen. Hass
3:50:39 PM Chair Dingfelder
3:50:40 PM Sen. Hansell
3:50:48 PM Chair Dingfelder
3:50:57 PM Sen. Bates
3:51:24 PM Chair Dingfelder
3:51:38 PM VOTE: 4-1-0
3:51:39 PM AYES: BATES, HANSELL, HASS, DINGFELDER
3:51:40 PM NAY: OLSEN

3:51:51 PM **SB 800-Public Hearing**

3:52:33 PM {Exhibit} 10: Lisa Arkin, Executive Director, Beyond Toxics
3:57:01 PM Chair Dingfelder
3:57:37 PM Arkin
3:58:25 PM Chair Dingfelder
3:58:28 PM Arkin
3:58:29 PM Chair Dingfelder
3:58:34 PM Arkin
3:58:45 PM Chair Dingfelder
3:58:50 PM {Exhibit} 11: Bobbi Lindberg, retired, Department of Environmental Quality;
board member, Beyond Toxics
4:03:33 PM Chair Dingfelder
4:03:45 PM Sen. Hansell
4:04:21 PM Arkin
4:05:16 PM Sen. Hansell
4:05:19 PM Arkin
4:05:23 PM Sen. Hansell
4:05:30 PM Arkin
4:05:52 PM Chair Dingfelder

4:05:56 PM Vice-Chair Olsen
4:06:15 PM Arkin
4:07:23 PM Chair Dingfelder
4:07:41 PM Arkin
4:08:30 PM Vice-Chair Olsen
4:08:33 PM Arkin
4:08:39 PM Vice-Chair Olsen
4:08:40 PM Arkin
4:08:44 PM Chair Dingfelder
4:08:47 PM Arkin
4:09:12 PM Chair Dingfelder
4:09:27 PM Vice-Chair Olsen
4:09:34 PM Arkin
4:09:57 PM Chair Dingfelder
4:10:33 PM {Exhibit} 12: Darrin Lane, Director, Linn County Road Department; City Councilor, Millersburg; Oregon Association of County Engineers and Surveyors; Association of Oregon Counties
4:15:54 PM Chair Dingfelder
4:15:58 PM Lane
4:17:20 PM Chair Dingfelder
4:17:33 PM Russ Glover, Vegetation Management Supervisor, Linn County Road Department
4:18:26 PM Lane
4:18:27 PM Glover
4:18:30 PM Lane
4:18:33 PM Glover
4:18:54 PM Chair Dingfelder
4:18:58 PM Paul Washburn, Washburn Contract Services
4:21:15 PM Chair Dingfelder
4:21:25 PM Lane
4:21:28 PM Chair Dingfelder
4:22:01 PM Lane
4:23:03 PM Chair Dingfelder
4:23:04 PM Lane
4:23:13 PM Chair Dingfelder
4:23:21 PM Lane
4:24:12 PM Chair Dingfelder
4:24:15 PM Vice-Chair Olsen
4:24:21 PM Lane
4:24:23 PM Vice-Chair Olsen
4:24:32 PM Lane
4:25:12 PM Vice-Chair Olsen
4:25:24 PM Lane
4:25:55 PM Vice-Chair Olsen
4:26:08 PM Washburn
4:26:09 PM Vice-Chair Olsen

4:26:14 PM Washburn
4:26:44 PM Chair Dingfelder
4:27:30 PM Sen. Chuck Thomsen, Senate District 26
4:30:36 PM Chair Dingfelder
4:30:38 PM Sen. Thomsen
4:30:40 PM Chair Dingfelder
4:30:49 PM Vice-Chair Olsen
4:30:56 PM Sen. Thomsen
4:30:57 PM Vice-Chair Olsen
4:30:59 PM Sen. Thomsen
4:31:00 PM Vice-Chair Olsen
4:31:14 PM Sen. Thomsen
4:31:21 PM Vice-Chair Olsen
4:31:23 PM Sen. Thomsen
4:31:25 PM Chair Dingfelder
4:31:49 PM Beth Reiley, Committee Administrator
4:31:59 PM Chair Dingfelder
4:32:30 PM Mark Yeager, Oregon Association of Clean Water Agencies; Utilities
Services Manager, City of Albany
4:39:00 PM Chair Dingfelder
4:39:13 PM {Exhibit} 13: Scott Dahlman, Executive Director, Oregonians for Food and
Shelter
4:42:42 PM Chair Dingfelder
4:42:48 PM Dahlman
4:43:16 PM Chair Dingfelder
4:43:18 PM Katie Fast, Oregon Farm Bureau
4:45:59 PM Chair Dingfelder
4:46:10 PM Sen. Hansell
4:46:36 PM Dahlman
4:47:17 PM Sen. Hansell
4:47:38 PM Dahlman
4:48:04 PM Chair Dingfelder
4:48:37 PM Roger Beyer, Oregon Seed Council; Oregon Small Woodlands
Association
4:50:53 PM Chair Dingfelder
4:50:55 PM Chris Jarmer, Oregon Forest Industries Council
4:53:20 PM Chair Dingfelder
4:53:25 PM Sen. Bates
4:54:16 PM Beyer
4:55:05 PM Chair Dingfelder
4:55:08 PM Vice-Chair Olsen
4:55:18 PM Beyer
4:56:39 PM Sen. Hansell
4:57:00 PM Jarmer
4:57:56 PM Chair Dingfelder
4:58:07 PM {Exhibit} 14: witness registration

- 4:58:12 PM** Reiley
- 4:58:13 PM** The following written testimony is submitted for the record without public testimony:
- 4:58:14 PM** {Exhibit} 15: Graham Anderson, Surface Nursery
- 4:58:15 PM** {Exhibit} 16: Linda Barrett, Oregon resident
- 4:58:16 PM** {Exhibit} 17: Peggy Browne, Browne Consulting
- 4:58:17 PM** {Exhibit} 18: Debbie Crocker, C & L Farms
- 4:58:18 PM** {Exhibit} 19: Mark Dickman, Oregon farmer
- 4:58:19 PM** {Exhibit} 20: Brett Dunn, Area Manager, Pacific Area, Wilbur-Ellis Company
- 4:58:20 PM** {Exhibit} 21: Greg Ego, owner, Rasmussen Spray Service
- 4:58:21 PM** {Exhibit} 22: Barb and Fritz Foulke, Freddy Guys Hazelnuts
- 4:58:22 PM** {Exhibit} 23: Jim Gray, Executive Director, Industry Task Force II on 2,4-D Research Data
- 4:58:23 PM** {Exhibit} 24: Bob Grover, President, Pacific Landscape Management
- 4:58:24 PM** {Exhibit} 25: Kathy Hadley, Freeborn Farms
- 4:58:25 PM** {Exhibit} 26: Doug Hoffman, President and CEO, Wilco
- 4:58:25 PM** {Exhibit} 27: Eron King, Oregon resident
- 4:58:25 PM** {Exhibit} 28: Ann Kneeland, Eugene resident
- 4:58:25 PM** {Exhibit} 29: James Lunders, Manager and Biologist, Jackson County Vector Control District; North Pacific Director, American Mosquito Control Association
- 4:58:25 PM** {Exhibit} 30: Nancy Macbeth, Longs Pest Control
- 4:58:25 PM** {Exhibit} 31: Margo Secru, Wilbur-Ellis Company
- 4:58:25 PM** {Exhibit} 32: Bill Marshall, Director Silverculture, Cascade Timber Consulting
- 4:58:25 PM** {Exhibit} 33: Kristi Miller, Albany resident
- 4:58:25 PM** {Exhibit} 34: Phyllis Morris, Certified Nuts
- 4:58:25 PM** {Exhibit} 35: Patrick Nibler, Operations Manager, Prograss
- 4:58:25 PM** {Exhibit} 36: Day Owen, Triangle Lake Pesticide Poisoning Victims United
- 4:58:25 PM** {Exhibit} 37: David Phipps, Northwest Field Staff Representative, Golf Course Superintendents Association of America
- 4:58:25 PM** {Exhibit} 38: Don Schellenberg, Dallas resident
- 4:58:25 PM** {Exhibit} 39: Mike Seely, Oregon resident
- 4:58:25 PM** {Exhibit} 40: John Sundquist, Oregon farmer
- 4:58:25 PM** {Exhibit} 41: Rob Taylor, Bandon resident
- 4:58:25 PM** {Exhibit} 42: Granella and Jess Thompson, Thompson Farm
- 4:58:25 PM** {Exhibit} 43: 3 Oregon residents
- 4:58:26 PM** Meeting Adjourned by Chair Dingfelder

Exhibit Summary

- 3:07:10 PM** {Exhibit} 1: SB 800, -1 amendments, staff, 4 pp
- 3:33:31 PM** {Exhibit} 2: SB 179, -1 amendments, Sen. Floyd Prozanski, 5 pp
- 3:36:29 PM** {Exhibit} 3: SB 179, written testimony of Mark Gardiner, Chris Corich, 1 p
- 3:37:41 PM** {Exhibit} 4: SB 179, written testimony, Scott Brewen, 1 p

- 3:45:53 PM** {Exhibit} 5: SB 179, witness registration, staff, 1 p
3:45:55 PM {Exhibit} 6: SB 179, written testimony, Peggy Lynch, 1 p
3:46:17 PM {Exhibit} 7: Introduction of Committee Measures, LC 3896, staff, 3 pp
3:46:17 PM {Exhibit} 8: Introduction of Committee Measures, LC 3772, staff, 4 pp
3:46:17 PM {Exhibit} 9: Introduction of Committee Measures, LC 3890, staff, 14 pp
3:52:33 PM {Exhibit} 10: SB 800, written testimony and written information, Lisa Arkin, 9 pp
3:58:50 PM {Exhibit} 11: SB 800, written testimony, Bobbi Lindberg, 2 pp
4:10:33 PM {Exhibit} 12: SB 800, written testimony, Darrin Lane, 2 pp
4:39:13 PM {Exhibit} 13: SB 800, written testimony, Scott Dahlman, 2 pp
4:58:07 PM {Exhibit} 14: SB 800, witness registration, staff, 2 pp
4:58:14 PM {Exhibit} 15: SB 800, written testimony, Graham Anderson, 1 p
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4:58:25 PM {Exhibit} 29: SB 800, written testimony, James Lunders, 1 p
4:58:25 PM {Exhibit} 30: SB 800, written testimony, Nancy Macbeth, 1 p
4:58:25 PM {Exhibit} 31: SB 800, written testimony of Kenneth Manning, Margo Sercu, 2 pp
4:58:25 PM {Exhibit} 32: SB 800, written testimony, Bill Marshall, 1 p
4:58:25 PM {Exhibit} 33: SB 800, written testimony, Kristi Miller, 1 p
4:58:25 PM {Exhibit} 34: SB 800, written testimony, Phyllis Morris, 2 pp
4:58:25 PM {Exhibit} 35: SB 800, written testimony, Patrick Nibler, 1 p
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4:58:25 PM {Exhibit} 42: SB 800, written testimony, Granella and Jess Thompson, 1 p
4:58:25 PM {Exhibit} 43: SB 800, email testimony, 3 Oregon residents, 2 pp