

## HOUSE COMMITTEE ON ENERGY AND ENVIRONMENT

March 22, 2017  
3:00 PM

Hearing Room D

**MEMBERS PRESENT:** Rep. Ken Helm, Chair  
Rep. Mark Johnson, Vice-Chair  
Rep. Karin Power, Vice-Chair  
Rep. Phil Barnhart  
Rep. Cliff Bentz  
Rep. Deborah Boone  
Rep. Paul Holvey  
Rep. E. Werner Reschke  
Rep. David Brock Smith

**STAFF PRESENT:** Beth Reiley, LPRO Analyst  
Holly Smith, Committee Assistant

**EXHIBITS:** Exhibits from this meeting are available [here](#)

**MEASURES/ISSUES:** HB 2134 – Work Session  
HB 3055 – Work Session  
HB 2510 – Work Session  
HB 2511 – Work Session  
HB 2514 – Work Session  
HB 2705 – Public Hearing  
HB 2706 – Public Hearing  
HB 2707 – Public Hearing  
HB 2704 – Work Session

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**00:00:00** Meeting Called to Order  
**00:00:00** Chair Helm

**00:00:40** **HB 2134 - Work Session**  
**00:00:40** Chair Helm  
**00:00:50** EXHIBIT 1: Beth Reiley, LPRO Analyst  
**00:01:20** MOTION: VICE-CHAIR POWER MOVES TO ADOPT THE -3  
AMENDMENTS  
**00:01:40** VOTE: 8-0-1  
AYES: BARNHART, BENTZ, HOLVEY, RESCHKE, BROCK SMITH,  
JOHNSON, POWER, HELM  
EXCUSED: BOONE  
**00:01:51** MOTION: VICE-CHAIR POWER MOVES HB 2134 DO PASS  
AS AMENDED

**00:02:05** VOTE: 9-0-0 (see time stamp 01:40:15)  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, RESCHKE, BROCK  
SMITH, JOHNSON, POWER, HELM  
CARRIER: REP. BENTZ WILL LEAD DISCUSSION ON THE FLOOR

**00:02:32** The following is submitted for the record without public testimony:  
EXHIBIT 2: Annette Price, Director of Government Affairs, Pacific Power  
and Varner Seaman, Government Affairs, Portland General Electric

**00:02:33** **HB 3055 - Work Session**

**00:02:33** Chair Helm

**00:02:46** Beth Reiley, LPRO Analyst

**00:03:06** MOTION: VICE-CHAIR POWER MOVES HB 3055 DO PASS

**00:03:25** VOTE: 9-0-0 (see time stamp 01:40:15)  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, RESCHKE, BROCK  
SMITH, JOHNSON, POWER, HELM  
CARRIER: REP. VIAL WILL LEAD DISCUSSION ON THE FLOOR

**00:04:15** **HB 2510 - Work Session**

**00:04:15** EXHIBIT 3: Chair Helm

**00:04:33** MOTION: VICE-CHAIR POWER MOVES TO ADOPT THE -1  
AMENDMENTS

**00:04:45** Rep. Barnhart

**00:05:05** VOTE: 8-0-1  
AYES: BARNHART, BENTZ, HOLVEY, RESCHKE, BROCK SMITH,  
JOHNSON, POWER, HELM  
EXCUSED: BOONE

**00:05:10** MOTION: VICE-CHAIR POWER MOVES HB 2510 DO PASS AS  
AMENDED

**00:05:23** Vice-Chair Johnson

**00:05:45** VOTE: 7-2-0 (see time stamp 01:40:15)  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, BROCK SMITH,  
POWER, HELM  
NAYS: RESCHKE, JOHNSON  
CARRIER REP. BARNHART WILL LEAD DISCUSSION ON THE FLOOR

**00:06:11** The following is submitted for the record without public testimony:  
EXHIBIT 4: Kelly Ross, Executive Director, Commercial Real Estate  
Development Association  
EXHIBIT 5: Nellie deVries, Building Owners and Managers Association

**00:06:12** **HB 2511 - Work Session**

**00:06:12** EXHIBIT 6: Chair Helm

**00:06:31** MOTION: VICE-CHAIR POWER MOVES TO ADOPT THE -3  
AMENDMENTS

**00:06:50** Rep. Barnhart

**00:07:30** VOTE: 9-0-0  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, RESCHKE, BROCK  
SMITH, JOHNSON, POWER, HELM

**00:07:33** MOTION: VICE-CHAIR POWER MOVES HB 2511 DO PASS AS  
AMENDED

**00:07:46** Vice-Chair Johnson

**00:07:55** VOTE: 7-2-0  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, BROCK SMITH,  
POWER, HELM  
NAYS: RESCHKE, JOHNSON  
CARRIER: REP. BARNHART WILL LEAD DISCUSSION ON THE FLOOR

**00:08:23** **HB 2514 - Work Session**

**00:08:23** EXHIBIT 7: Chair Helm

**00:08:27** MOTION: VICE-CHAIR POWER MOVES TO ADOPT THE -1  
AMENDMENTS

**00:08:46** Rep. Barnhart

**00:09:45** VOTE: 9-0-0  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, RESCHKE, BROCK  
SMITH, JOHNSON, POWER, HELM

**00:09:53** MOTION: VICE-CHAIR POWER MOVES HB 2514 DO PASS AS  
AMENDED AND BE REFERRED TO THE JOINT COMMITTEE ON  
WAYS AND MEANS BY PRIOR REFERENCE

**00:10:12** Vice-Chair Johnson

**00:10:35** VOTE: 6-3-0  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, POWER, HELM  
NAYS: RESCHKE, BROCK SMITH, JOHNSON

**00:11:44** **HB 2705, HB 2706 and HB 2707 - Public Hearing**

**00:11:44** Chair Helm

**00:12:05** EXHIBIT 8: Beth Reiley, LPRO Analyst

**00:20:40** EXHIBIT 9: Jeff Stone, Executive Director, Oregon Association of  
Nurseries

**00:22:33** EXHIBITS 10, 11, 153, 160-162: Kimberley Priestley, WaterWatch of  
Oregon

**00:26:41** EXHIBIT 163: Joe Furia, General Counsel and Policy Advisor, The  
Freshwater Trust

**00:28:47** Rep. Boone

**00:33:30** Rep. Reschke

**00:35:32** Rep. Bentz

**00:42:45** EXHIBIT 136: Sen. Linthicum, Senate District 28

**00:50:22** EXHIBIT 12: Curtis Martin, Chair, Oregon Cattlemen's Water Resources  
Committee; rancher, Eastern Oregon; board member, Water for Life;  
Policy Advisor, Oregon Water Resources Department

**00:55:42** EXHIBIT 13: John O'Keefe, President, Oregon Cattlemen's Association

- 00:59:23** EXHIBIT 14: Rand Campbell, part owner, Silvies Valley Ranch; student, Willamette University College of Law
- 01:03:10** EXHIBIT 15: Woodrow Star, member, Board of Trustees, Confederated Tribes of the Umatilla Indian Reservation
- 01:06:20** EXHIBIT 16: Dave Jensen, board member, Klamath Water Users Association
- 01:10:13** Tracey Liskey, fourth generation farmer
- 01:14:56** Ronnie Daniels, beekeeper
- 01:20:40** **HB 2704 - Work Session**
- 01:20:40** EXHIBIT 17: Chair Helm
- 01:20:53** MOTION: VICE-CHAIR POWER MOVES TO ADOPT THE -1 AMENDMENTS
- 01:21:08** VOTE: 9-0-0  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, RESCHKE, BROCK SMITH, JOHNSON, POWER, HELM
- 01:21:10** MOTION: VICE-CHAIR POWER MOVES HB 2704 DO PASS AS AMENDED AND BE REFERRED TO THE HOUSE COMMITTEE ON REVENUE
- 01:21:30** Vice-Chair Johnson
- 01:21:40** Beth Reiley, LPRO Analyst
- 01:22:40** Rep. Holvey
- 01:22:45** Meeting Recessed
- 01:22:50** Meeting Reconvened
- 01:23:38** VOTE: 5-4-0  
AYES: BARNHART, BOONE, HOLVEY, POWER, HELM  
NAYS: BENTZ, BROCK SMITH, JOHNSON, RESCHKE
- 01:24:25** **HB 2705, HB 2706 and HB 2707 - Public Hearing**
- 01:24:25** Chair Helm
- 01:25:15** EXHIBITS 18-19: Irene Gilbert, resident, La Grande
- 01:30:44** Tom Mallams, farmer and rancher, Klamath County
- 01:35:53** EXHIBIT 20: Jean Edwards, blueberry farmer, Washington County; board member, WaterWatch of Oregon
- 01:40:00** **HB 2134, HB 2510, and HB 3055 - Work Session**
- 01:40:00** Chair Helm
- 01:40:15** MOTION: REP. BOONE MOVES THAT THE RULES BE SUSPENDED TO ALLOW REP. BOONE TO VOTE: AYE ON HB 2134, HB 2510 and HB 3055
- 01:41:30** VOTE: 9-0-0  
AYES: BARNHART, BENTZ, BOONE, HOLVEY, RESCHKE, BROCK SMITH, JOHNSON, POWER, HELM
- 01:42:00** **HB 2705, HB 2706 and HB 2707 - Public Hearing**
- 01:42:00** Chair Helm

**01:42:26** Chandra Fereri, Trout Unlimited  
**01:44:45** EXHIBIT 21: Lori Grant, Water Program Director, Oregon Environmental Council  
**01:48:05** EXHIBIT 22: Bob Olsen, Association of Northwest Steelheaders  
**01:50:45** EXHIBIT 23: Timothy Winn, farmer, Corvallis  
**01:55:48** Jared Henderson, farmer, Lane County  
**01:58:43** Peter Kenagi, farmer, Benton County  
**02:01:40** Greg Bennett, third generation farmer  
**02:04:20** EXHIBITS 24-25: Mary Anne Nash, Oregon Farm Bureau  
**02:05:45** EXHIBIT 26: Jerry Schmidt, Oregon Ground Water Association  
**02:08:45** EXHIBIT 158: Peggy Lynch, League of Women Voters of Oregon  
**02:12:30** EXHIBITS 27-29: Jody Wiser, Tax Fairness Oregon  
**02:14:27** EXHIBIT 30: Bob Van Dyk, Wild Salmon Center  
**02:17:38** EXHIBIT 31: HB 2705, HB 2706 and HB 2707 witness registration  
**02:17:39** The following is submitted for the record without public testimony:  
EXHIBIT 32: Ann SeCoy, resident, Beatty  
EXHIBIT 33: Ann Vileisis, Kalmiopsis Audubon Society  
EXHIBIT 34: Bob and Sharon Beck, Grand Ronde Angus Ranch  
EXHIBIT 35: Brenda and Steve Chilson, Chilex, Inc.  
EXHIBIT 36: Bob and June Sanders, residents, Chiloquin  
EXHIBIT 37: Barbara Arnold, water right owner, Drewsey  
EXHIBIT 38: Basey Klopp, resident, Bend  
EXHIBIT 39: Ben McCanna, resident, Burns  
EXHIBIT 40: Bill Meyer, affiliation unknown  
EXHIBIT 41: Bill Mosser, native Oregonian  
EXHIBIT 42: Blake Rowe, Oregon Wheat Growers League  
EXHIBIT 43: Bob Hunter, vineyard owner, Eagle Point  
EXHIBIT 44: Brandon Topham, Flying T. Ranch  
EXHIBIT 45: Britte Gogal, resident, Terrebonne  
EXHIBIT 46: Bruce, Virginia, Brandan and Susan Topham, Flying T. Ranch  
EXHIBIT 47: Bryan Mullaney, angler and boater  
EXHIBIT 48: Carolyn and Wayne Stewart, residents, Portland  
EXHIBIT 49: Carol Macbeth, resident, Bend  
EXHIBIT 50: Carol McReynolds, well owner, Terrebonne  
EXHIBIT 51: Carolyn Decker, rural homeowner, Sprague River  
EXHIBIT 52: Chrysten Lambert, Trout Unlimited  
EXHIBIT 53: Chuck Gasaway, resident, Klamath Falls  
EXHIBIT 54: Clyde Warren, resident, Murphy  
EXHIBIT 55: Craig Nightingale, affiliation unknown  
EXHIBIT 56: Dan Drayton, affiliation unknown  
EXHIBIT 57: Daniel Meek, Oregon Progressive Party  
EXHIBIT 58: David Hohler, fish biologist, Corvallis  
EXHIBIT 59: David Palmer, Crooked River Ranch Club and Maintenance Association  
EXHIBIT 60: David Paulsmeyer, resident, Bend

EXHIBIT 61: Dean Runyan, Dean Runyan Associates, Inc.  
EXHIBIT 62: Dennis Joy, Crooked River Ranch Club and Maintenance Association  
EXHIBIT 63: Donald Gentry, The Klamath Tribes  
EXHIBIT 64: Ed Gallagher, water rights owner, Wren  
EXHIBIT 65: Erika Norris, farmer, Beatty  
EXHIBIT 66: Frank Conte, High Lakes Aquatic Alliance Foundation  
EXHIBIT 67: Gary and Mary Betts, residents, Foster  
EXHIBIT 68: Gerritt Rosenthal, Tax Fairness Oregon  
EXHIBIT 69: Gordon Jones, business and property owner, Oregon  
EXHIBIT 70: Greg Hodecker, resident, Redmond  
EXHIBIT 71: Helen Scott, resident, Grants Pass  
EXHIBIT 72: Jim Hamsher, County Commissioner, Grant County and Boyd Britton, County Commissioner, Grant County  
EXHIBIT 73: J.H.F., native Oregonian, angler, scientist and engineer  
EXHIBIT 74: Jane Iwahashi, affiliation unknown  
EXHIBIT 75: Jane Jones, farmer, Oregon  
EXHIBIT 76: Jason Flowers, fourth generation farmer, Klamath County  
EXHIBIT 77: Jeanne Roy, resident, Portland  
EXHIBIT 78: Jed Hassinger, farmer, Grand Ronde  
EXHIBIT 79: Jeff Cruze, angler, Oregon  
EXHIBIT 80: Jeff DeVore, well owner, Pleasant Hill  
EXHIBIT 81: Jill Zarnowitz, affiliation unknown  
EXHIBIT 82: Jim Ludwick, well owner, McMinnville  
EXHIBIT 83: John Hamburg, resident, Eugene  
EXHIBIT 84: John O'Connor, resident, Eugene  
EXHIBIT 85: Kate Adams and Mike Folkestad, residents, Crooked River  
EXHIBIT 86: Karl Lee, scientist, Portland  
EXHIBIT 87: Karl Skou, affiliation unknown  
EXHIBIT 88: Katy McDowell, Silvies Valley Ranch  
EXHIBIT 89: Ken Alexander, resident, Unity  
EXHIBIT 90: Ken Bailey, Orchard View Farms  
EXHIBIT 91: Ken Brinich, affiliation unknown  
EXHIBIT 92: Ken Holliday, Holliday Land and Livestock, Inc.  
EXHIBIT 93: Kimry Jelen, affiliation unknown  
EXHIBIT 94: Kris Nelson, Phonix Finance  
EXHIBIT 95: Lark Brandt, affiliation unknown  
EXHIBIT 96: Laurie O'Connor, land owner, small livestock operator, Harney County  
EXHIBIT 97: Lee Ann Ross, Central Oregon Flyfishers  
EXHIBIT 98: Les Henderson, resident, La Grande  
EXHIBIT 99: Lucien Gunderman, third generation farmer, Crown Hill Farm Enterprises  
EXHIBIT 100: Lyndon Kerns, E. G. Kerns Ranches, LLC  
EXHIBIT 101: Lynn Palensky, resident, Multnomah County  
EXHIBIT 102: Lynn Shumway, Chairman, Burnt River Irrigation District

EXHIBIT 103: Marie Brain, Lodge at Summer Lake  
EXHIBIT 104: Mark Knudsen, affiliation unknown  
EXHIBIT 105: Mary Wahl, owner, ranch, Oregon  
EXHIBIT 106: Matt Deniston, Sitka Technology Group  
EXHIBIT 107: Matt Schuster, property owner, Gervais  
EXHIBIT 108: Melodi Molt, resident, Harney County  
EXHIBIT 109: Michael Campana, Professor, Hydrogeology and Water Resources Management, Oregon State University  
EXHIBIT 110: Michael Drais, native Oregonian; attorney; fisherman  
EXHIBIT 111: Michael Samples, resident, Crook County  
EXHIBIT 112: Myron Redford, farmer, water rights holder, Amity  
EXHIBIT 113: Nancy Rorick, resident, Baker City  
EXHIBIT 114: P.J. Carter, resident, Corvallis  
EXHIBIT 115: Pat Ormsbee, resident, Eugene  
EXHIBIT 116: Pat Sullivan, rancher, Hereford  
EXHIBIT 117: Patricia Larson, resident, La Grande  
EXHIBIT 118: Paul Dewey, Central Oregon LandWatch  
EXHIBIT 119: Paul Lipscomb, resident, Sisters  
EXHIBIT 120: Roger and Meredith Ediger, Box T Ranch  
EXHIBIT 121: Racquel Rancier, Senior Policy Coordinator, Oregon Water Resources Department  
EXHIBIT 122: Rob Miller, Mt. Jefferson Farms, Inc.  
EXHIBIT 123: Robert Blake, resident, Klamath County  
EXHIBIT 124: Robert Chouinard, cow/calf operation, John Day Valley  
EXHIBIT 125: Roberta Jortner, resident, Portland  
EXHIBIT 126: Rolando Rodriguez, resident, Port Orford  
EXHIBIT 127: Romir Chatterjee, resident, bend  
EXHIBIT 128: Ron (last name unknown), affiliation unknown  
EXHIBIT 129: Ronald Glynn, retired officer, Parole and Probation, Multnomah County  
EXHIBIT 130: Ryan Sauvageau, Black Storm, Inc.  
EXHIBIT 131: Sharon and George Berrum, residents, Brooked River Ranch  
EXHIBIT 132: Stuart Liebowitz, Polly Stirling, Dick Dolgonas, Ruth Kaser, Amy Nathanson, Melanie MacKinnon, Arthur Chaput, and Neal Hadley, The Board of the Douglas County Global Warming Coalition  
EXHIBIT 133: Sabolch Horvat, resident, Portland  
EXHIBIT 134: Sam Sweeney, farmer, Dayton  
EXHIBIT 135: Sandy Thompson, resident, Bend  
EXHIBIT 137: Sue Van Loon, affiliation unknown  
EXHIBIT 138: Susan Klof, affiliation unknown  
EXHIBIT 139: Thomas Bishop, resident, Bend  
EXHIBIT 140: Thurston Inglis, TI Ranch; President, Harney County Farm Bureau  
EXHIBIT 141: Tim Smith, rancher, Harney County  
EXHIBIT 142: Travis Williams, Dash W bar Ranch

EXHIBIT 143: Tygh Redfield, irrigator, Sisters and Cloverdale  
EXHIBIT 144: Victoria Lowe, affiliation unknown  
EXHIBIT 145: W. G. Percy, farmer, Philomath  
EXHIBIT 146: Walt Johnson, Johnson Vegetable Farms  
EXHIBIT 147: Walt Madsen, resident, Prineville  
EXHIBIT 148: Ward Barker, resident, Cottage Grove  
EXHIBIT 149: Wendy Hoffman, resident, Portland  
EXHIBIT 150: Wendy Holzman, resident, Bend  
EXHIBIT 151: William Kennedy, natural resource producer, Klamath  
County, OR and Glenn County, CA  
EXHIBIT 152: Zechariah Heck, affiliation unknown  
EXHIBIT 154: April Snell, Oregon Water Resources Congress  
EXHIBIT 155: Bob Simerly, resident, Nyssa  
EXHIBIT 156: Leslie Seeberger, Muddy Muler Ranch  
EXHIBIT 157: Mel Ace, affiliation unknown  
EXHIBIT 159: Teresa Kilmer, Walla Walla River Irrigation District

**02:17:40**

Meeting Adjourned