

**SENATE COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES**

TAPE LOG

March 27, 2007
3:00 P.M.

Hearing Room B
Tapes 37 - 38

MEMBERS PRESENT: Sen. Brad Avakian, Chair
Sen. Jason Atkinson, Vice-Chair
Sen. Alan Bates
Sen. Roger Beyer
Sen. Floyd Prozanski

STAFF PRESENT: Sue Marshall, Committee Administrator
Matthew Davis, Committee Assistant

Measures or Issues Heard: SB 838 - Work Session

This tape log is in compliance with Senate and House Rules. For complete contents, please refer to the cassette tapes.

TAPE # AND SIDE	COUNTER NUMBER	BRIEF DESCRIPTION OF SUBJECT MATTER OR CHANGE IN SPEAKER
37A	004	Chair Avakian calls the meeting to order at 3:10 p.m.
<u>SB 838 - WORK SESSION</u>		
	022	Senator Vicki Walker, Senate District 7
	054	Senator Rick Metsger, Senate District 26
	068	Chair Avakian
	071	Lee Sparling, Director of the Utility Program for Public Utility Commission
	088	Chair Avakian
	090	Sen. Walker
	092	Chair Avakian
	094	Sen. Beyer (EXHIBIT A)
	104	MOTION: Sen. Beyer moves to ADOPT SB 838-3 amendments dated 3/20/07.
	107	Chair Avakian
	108	Sen. Beyer
	116	Chair Avakian
	119	VOTE: 2-3-0 AYE: 2 - Atkinson, Beyer NAY: 3 - Bates, Prozanski, Avakian Chair Avakian declares that the motion FAILS.
	122	Chair Avakian

37A 127 **MOTION: Sen. Beyer moves to ADOPT SB 838-1 amendments dated 3/9/07. (EXHIBIT B)**

128 Chair Avakian

130 Senator Ted Ferrioli, Senate District 30

149 Chair Avakian

150 **VOTE: 2-3-0**
AYE: 2 - Atkinson, Beyer
NAY: 3 - Bates, Prozanski, Avakian
Chair Avakian declares that the motion FAILS.

156 Chair Avakian

157 **MOTION: Sen. Beyer moves to ADOPT SB 838-5 amendments dated 3/20/07. (EXHIBIT C)**

160 Chair Avakian

163 Sen. Beyer

176 Chair Avakian

178 Mike Grainey, Department of Energy

184 Sen. Beyer

197 Chair Avakian

199 Sen. Beyer

200 Sen. Atkinson

212 Chair Avakian

213 Sen. Bates

218 Chair Avakian

219 Sen. Prozanski

226 **VOTE: 2-3-0**
AYE: 2 - Atkinson, Beyer
NAY: 3 - Bates, Prozanski, Avakian
Chair Avakian declares that the motion FAILS.

230 Chair Avakian

233 **MOTION: Sen. Beyer moves to ADOPT SB 838-6 amendments dated 3/20/07. (EXHIBIT D)**

240 Sen. Beyer

241 Chair Avakian

242 Sen. Beyer

271 Sen. Atkinson

283 Chair Avakian

285 **VOTE: 2-3-0**
AYE: 2 - Atkinson, Beyer
NAY: 3 - Bates, Prozanski, Avakian
Chair Avakian declares that the motion FAILS.

287 **MOTION: Sen. Beyer moves to ADOPT SB 838-7 amendments dated 3/20/07. (EXHIBIT E)**

37A 292 Chair Avakian
 293 Sen. Beyer
 313 Chair Avakian
 331 Sen. Beyer
 345 Chair Avakian
 350 **VOTE: 2-3-0**
AYE: 2 - Atkinson, Beyer
NAY: 3 - Bates, Prozanski, Avakian
Chair Avakian declares that the motion FAILS.
 354 **MOTION: Sen. Beyer moves to ADOPT SB 838-9 amendments**
dated 3/19/07. (EXHIBIT F)
 358 Chair Avakian
 360 Sen. Beyer
 382 Chair Avakian
 383 Sen. Atkinson
 396 Chair Avakian
 397 Sen. Bates
 417 Chair Avakian
 425 Sen. Prozanski
 442 Chair Avakian
 443 Sen. Beyer
 38A 001 Sen. Beyer (continued)
 006 **VOTE: 2-3-0**
AYE: 2 - Atkinson, Beyer
NAY: 3 - Bates, Prozanski, Avakian
Chair Avakian declares that the motion FAILS.
 014 **MOTION: Sen. Beyer moves to ADOPT SB 838-11 amendments**
dated 3/20/07. (EXHIBIT G)
 016 Chair Avakian
 017 Sen. Beyer
 033 Sen. Prozanski
 037 Dave Heynderickx, Legislative Council
 060 Chair Avakian
 062 **VOTE: 2-3-0**
AYE: 2 - Atkinson, Beyer
NAY: 3 - Bates, Prozanski, Avakian
Chair Avakian declares that the motion FAILS.
 066 **MOTION: Sen. Beyer moves to ADOPT SB 838-13 amendments**
dated 3/27/07. (EXHIBIT H)
 082 Mark Nelson, Industrial Customers of Northwest Utilities
 108 Greg Miller, Weyerhaeuser Public Affairs
 135 Chair Avakian

38A

137 **VOTE: 2-3-0**
AYE: 2 - Atkinson, Beyer
NAY: 3 - Bates, Prozanski, Avakian
Chair Avakian declares that the motion FAILS.

141 Chair Avakian

144 **MOTION: Sen. Prozanski moves to ADOPT SB 838-10 amendments dated 3/19/07. (EXHIBIT I)**

147 Mike Grainey, Department of Energy

157 Chair Avakian

158 Grainey

159 Chair Avakian

160 Sen. Atkinson

161 Sen. Beyer

167 Chair Avakian

173 Grainey

175 Chair Avakian

178 **VOTE: 5-0-0**
Chair Avakian hearing no objection, declares the motion CARRIED.

182 **MOTION: Sen. Prozanski moves to ADOPT SB 838-14 amendments dated 3/27/07. (EXHIBIT J)**

184 Chair Avakian

212 Sen. Atkinson

222 Chair Avakian

225 Grainey

245 Chair Avakian

248 **VOTE: 5-0-0**
Chair Avakian hearing no objection, declares the motion CARRIED.

250 **MOTION: Sen. Prozanski moves SB 838 to the floor with a DO PASS AS AMENDED recommendation.**

257 Sen. Beyer

265 Chair Avakian

269 **MOTION: Sen. Prozanski moves to SUSPEND the rules for the purpose of removing the -2 amendments from SB 838.**

275 Sen. Beyer

279 Chair Avakian

282 **MOTION: Sen. Atkinson moves to RECONSIDER the vote by which " Sen. Atkinson moves to ADOPT SB 838-2 amendments dated 03/15/07."**
VOTE: 5-0-0
Chair Avakian hearing no objection, declares the motion CARRIED.

38A 285 **MOTION: Sen. Prozanski moves to RECONSIDER the vote by which " Sen. Atkinson moves to ADOPT SB 838-2 amendments dated 03/15/07."**

 286 Chair Avakian

 295 **VOTE: 5-0-0**
Chair Avakian hearing no objection, declares the motion CARRIED.

 299 Sen. Beyer

 300 Chair Avakian

 302 Sen. Beyer

 307 **MOTION: Sen. Prozanski moves SB 838 to the floor with a DO PASS AS AMENDED recommendation.**

 313 Sen. Beyer

 325 Chair Avakian

 337 **VOTE: 4-1-0**
AYE: 4 - Atkinson, Bates, Prozanski, Avakian
NAY: 1 - Beyer
Chair Avakian declares that the motion CARRIES.
SEN. AVAKIAN AND SEN. ATKINSON will lead discussion on the floor.

 339 Sen. Prozanski

 347 Chair Avakian

The following prepared testimony is submitted for the record without public testimony.

Jeff Hammarlund, Adjunct Associate Professor, Mark O. Hatfield School of Government, Portland State University (**EXHIBIT K**)

349 Chair Avakian adjourns the meeting at 4:05 pm

EXHIBIT SUMMARY

- A. SB 838, proposed amendments, Sen. Roger Beyer, 37 pp**
- B. SB 838, proposed amendments, Sen. Roger Beyer, 1 p**
- C. SB 838, proposed amendments, Sen. Roger Beyer, 36 pp**
- D. SB 838, proposed amendments, Sen. Roger Beyer, 37 pp**
- E. SB 838, proposed amendments, Sen. Roger Beyer, 36 pp**
- F. SB 838, proposed amendments, Sen. Roger Beyer, 37 pp**
- G. SB 838, proposed amendments, Sen. Roger Beyer, 5 pp**
- H. SB 838, proposed amendments, Sen. Roger Beyer, 17 pp**
- I. SB 838, proposed amendments, Sen. Floyd Prozanski, 8 pp**
- J. SB 838, proposed amendments, Sen. Floyd Prozanski, 52 pp**
- K. SB 838, written testimony, Jeff Hammarlund, 4 pp**