



Oregon

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MEMORANDUM

To: House Committee on Rules

From: Todd Cornett, Assistant Director for Siting

Date: February 16, 2021

Re: HB 2064

Intro:

Chair Smith Warner, Vice Chairs Drazan and Holvey, Members of the Committee, for the record, my name is Todd Cornett and I am the Assistant Director for Siting at the Oregon Department of Energy and the Secretary to the Energy Facility Siting Council or as it is typically referred to, EFSC.

I am before you today to provide an overview of HB 2064 which relates to the number of EFSC members required to constitute a quorum.

EFSC

EFSC is a Governor-appointed, Senate-confirmed, seven-member board made up of volunteers from different geographic areas of the state and with different backgrounds and expertise.

EFSC's primary role is to review applications and amendments for large scale energy projects and to determine whether or not they have met all of the applicable standards.

EFSC typically meets about ten times per year, with meetings conducted over a day and a half, primarily in areas of the state that are closer to the energy facility locations and outside of the Willamette Valley.

Oregon Revised Statute 469.460 currently requires 5 Council members be present to constitute a quorum. The bill proposes to change that to a “majority” of the Council members which means a quorum would be reduced to four.

Purpose of Bill

The purpose of changing the number of Council members needed to constitute a quorum is to ensure that EFSC can meet as frequently as needed to review and make decisions on large scale energy projects.

With the typical number of meetings per year there are frequent occurrences when less than seven members are available to participate either in person or by phone or webinar. This is due to job responsibilities, illness or other unanticipated circumstances that arise which prevent a member from participating.

That, combined with periods of time where there are one or two vacancies on EFSC, means the absence of any one member can jeopardize the ability to hold a meeting. In the recent past there have been several periods of time with less than seven members, based on vacancies. In fact, we have had a vacant position since October of 2019.

In addition to ensuring timely review of and decisions on large-scale energy projects, the change to “majority” as it relates to a quorum of EFSC members would be consistent with other boards and commissions in state government. We conducted a review of 11 boards and commissions from primarily the natural resource state agencies. Of those 11, 9 have a statutory definition for quorum based on the term “majority.” The other 2 boards or commissions have no statutory definition for quorum.

Conclusion

That concludes my testimony and I would be happy to answer any questions.