

HOUSE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

January 23, 2003 Hearing Room D
1:00 PM Tapes 7 - 8

MEMBERS PRESENT: Rep. Jeff Kropf, Chair
 Rep. George Gilman, Vice-Chair
 Rep. Elizabeth Terry Beyer
 Rep. Dave Hunt
 Rep. Donna Nelson
 Rep. Patti Smith

MEMBER EXCUSED: Rep. Kelley Wirth, Vice-Chair

STAFF PRESENT: Ray Kelly, Committee Administrator
 David Peffley, Committee Assistant

MEASURES HEARD: **HB 2200 – Public Hearing and Work Session**
 HB 2195 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 7, A		
005	Chair Kropf	Calls meeting to order at 1:11 PM and opens a public hearing on HB 2200.
HB 2200 – PUBLIC HEARING		
028	Charlie Stone	Assistant State Forester Protection Division. Submits (EXHIBIT A) and provides testimony in support of HB 2200, as it would reform liability for fire fighters.
071	Chair Kropf	Asks if there have been previous problems which are related to this legislation.
073	Stone	States that this is more an issue of prevention and protection.
087	Chair Kropf	Recaps that this legislation would bring wildland fire fighters and private non-profit protection agencies under the umbrella of the tort liability act.
092	Stone	Confirms that it would.
097	Chair Kropf	Asks what statute this falls under.
099	Stone	Responds that tort claims liability is ORS number 30.270.
100	Rep. Smith	Asks whether we presently have protection for fire fighters.
101	Stone	Replies that they are, but that it doesn't extend to the association fire fighters.
108	Chair Kropf	Recaps that willful neglect or disobedience would not exempt the fire fighting associations from liability.
113	Stone	Affirms that Chair Kropf is correct.

121 Ray Wilkinson Oregon Forest Industries Council (OFIC). Testifies in support of HB 2200, which would eliminate unnecessary obstacles to fire fighting.

155 Chair Kropf Comments that this bill would not impact the federal Endangered Species Act (ESA). Asks whether the Oregon ESA would be impacted.

174 Wilkinson Replies that he doesn't believe that this would be a problem, but the issue hasn't been discussed.

196 Chair Kropf Closes the public hearing on HB 2200, and opens a work session on HB 2200.

HB 2200 – WORK SESSION

198 Rep. Smith **MOTION: Moves HB 2200 to the floor with a DO PASS recommendation.**

241 **VOTE: 6-0**

Chair Kropf **EXCUSED: 1 - Wirth**

Chair Kropf **Hearing no objection, declares the motion CARRIED.**

Chair Kropf **REP. NELSON will lead discussion on the floor.**

246 Chair Kropf Closes the work session on HB 2200 and opens a public hearing on HB 2195.

HB 2195 – PUBLIC HEARING

272 Ray Kelly Summarizes HB 2195.

283 Clark Seely Oregon Department of Forestry (ODF). Testifies and submits **(EXHIBIT B)** in support of HB 2195 as it provides revenue for ODF and the Oregon State University (OSU) College of Forestry forest research lab.

372 Rep. Nelson Asks the witness to walk us through the financial formula.

374 Seely Responds as to how ODF arrives at their financial figures.

404 Rep. Nelson Asks what the ending balance was for the past biennium.

406 Seely States that they had \$400,000 in harvest tax revenue which was carried forward to the present biennium.

TAPE 8, A

114 Rep. Nelson Asks if this money is used entirely by ODF.

120 Seely Responds that it is used by ODF and OSU

126 Rep. Nelson Asks if the difference during this biennium will be greater or lesser.

131 Seely Offers that economists estimate a slight increase in harvest volume. States expectations for the upcoming biennium.

166 Chair Kropf Asks if ODF anticipates the projections to stay the same even if the federal government implements the Clinton management plan.

171 Seely Refers to **(EXHIBIT B)** in explaining that the projections have taken the federal government's action into account.

192 Rep. Nelson Asks if there's any hope that we'll effectively deal with old growth timber.

200 Seely Replies that the old growth issues generally fall under federal jurisdiction. Also addresses bureaucratic difficulties in the system.

230 Rep. Hunt Asks for confirmation regarding the \$400,000 figure.

234 Seely Replies that the figure is from the previous biennium. Reiterates that ODF expects that number to stay fairly static.

244 Rep. Hunt Asks if ODF has a specific target while budgeting and how they arrive

at their goals.

247 Seely Responds to Rep. Hunt's budgetary concerns.

265 Rep. Hunt Asks if the value has fluctuated over the years or remained static.

269 Seely Responds that it has not fluctuated greatly.

279 Rep. Nelson Asks what the volume of timber was that we lost in the fires last year.

289 Seely Responds that he really doesn't really know, but will respond back to the committee with some broad figures.

295 Chair Kropf Asks how much money we lost in the last biennium regarding to the amount of timber lost.

324 Seely States that he will find those figures, although they will be fairly rough.

333 Rep. Nelson Asks what kind of budgetary increase we will need to effectively fight fires for the upcoming biennium.

342 Seely States belief that we're at a level of protection less than they have had in past years with present reductions and will ask for a general fund increase of perhaps \$2,000,000.

372 Rep. Nelson Asks again what the total required will be.

374 Seely Replies that they will be asking for \$16,000,000 for the fire protection program.

384 Chair Kropf States that the extensive loses in recent fires is a good argument for keeping the level of funding high.

TAPE 7, B

008 Rep. Nelson Asks if we have any uncollectables from land owners.

010 Seely States that the forest patrol assessments are collected along with their property taxes.

023 Ray Wilkinson Testifies in support of HB 2195-a perennial bill which comes up every biennium.

059 Rep. Nelson Asks if this figure is high relative to the past.

062 Wilkinson Responds that it is a little high, but that it's been high in the past. Gives recent overview.

071 Chair Kropf Closes the public hearing and adjourns meeting.

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EXHIBIT SUMMARY

A – HB 2200, written testimony, Charlie Stone, 2 pp.

B – HB 2195, written testimony, Clark Seely, 4 pp.