

# HOUSE COMMITTEE ON AGRICULTURE & FORESTRY

April 05, 2001  
3:30 PM

Hearing Room 50  
Tapes 61 - 64

**MEMBERS PRESENT:** Rep. Jeff Kropf, Chair  
Rep. Donna Nelson, Vice-Chair  
Rep. Robert Ackerman  
Rep. Dan Doyle  
Rep. Elaine Hopson  
Rep. Wayne Krieger  
Rep. Mary Nolan  
Rep. Tootie Smith

**MEMBER EXCUSED:** Rep. Al King, Vice-Chair

**STAFF PRESENT:** Ray Kelly, Committee Administrator  
Michael Reiley, Committee Assistant

**MEASURE/ISSUES HEARD:** HJM 15 – Public Hearing and Work Session  
HB 3003 – Public Hearing  
HB 3487 – Public Hearing  
HB 3814 – Public Hearing

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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.

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 61, A</b>		
003	Chair Kropf	Calls meeting to order at 3:45 p.m. Opens public hearing on HJM 15.
<b><u>HJM 15 – PUBLIC HEARING</u></b>		
013	Ray Kelly	Committee Administrator. Explains HJM 15.
042	Rep. Tim Knopp	House District 54. Testifies in support of HJM 15. Speaks against paying fees for use of public land.
096	Rep. Nelson	Concurs with Rep. Knopp.
102	Rep. Knopp	Expresses importance of HJM 33 to make a statement to the federal government.
110	Rep. Krieger	Asks if multiple land use including timber harvest would have made the program unnecessary.
115	Rep. Knopp	Answers that he is a proponent of multiple use. States that the fees are not necessary.
135	Chair Kropf	Asks what the drop in visitors has been since the fees were imposed.
137	Rep. Knopp	Answers that he does not know specific statistics. Speaks against the principle of fees on public lands. Notes broad coalition who has sided together on the issue.
158	Rep. Hopson	Asks what percentage of federal land in Oregon is under the fee structure.

165 Rep. Knopp Answers that there are programs in approximately 14 forests in the Northwest.

180 Rep. Hopson Asks if the program has expanded.

185 Rep. Knopp Answers that it has been expanding in Oregon.

192 Rep. Hopson Asks for clarification of the 14 national forests in Northwest.

194 Rep. Knopp Answers that there are 14 national forests in the Northwest that are under the program.

205 Chair Kropf Reads a press release from Forest Service clarifying numbers of sites requiring a pass. Reads *Oregonian* article relating to fees.

249 Bob Moore Free Our Forests. Testifies in support of HJM 15. Raises issue of hardship for those who are low income. Questions fee collection and whether it is accomplishing its goals.

394 Marian Lee Oregon Equestrian Trails. Submits and reads prepared testimony in support of HJM 15 (**EXHIBIT A**).

**TAPE 62, A**

048 Rep. Hopson Asks for information about private entertainment groups' activities in the national forests.

050 Lee Explains private groups' actions in national forests.

071 Robin Hartmann Legislative Chair, Oregon Shores Conservation Coalition. Submits and reads prepared testimony in support of HJM 15 (**EXHIBIT B**).

113 Chair Kropf Closes public hearing on HJM 15. Opens work session on HJM 15.

**HJM 15 – WORK SESSION**

117 Rep. Krieger **MOTION: Moves HJM 15 be sent to the floor with a BE ADOPTED recommendation.**

120 Rep. Hopson Speaks against HJM 15. Expresses concern about the condition of state and federal lands without funding to maintain them.

**VOTE: 6-1**  
**AYE: 6 – Ackerman, Krieger, Nelson, Nolan, Smith T, Kropf**  
**NAY: 1 – Hopson**  
**EXCUSED: 2 - Doyle, King**

141 Chair Kropf **The motion CARRIES.**

144 Chair Kropf **REP. KNOPP will lead discussion on the floor.**  
 Closes work session on HJM 15. Opens public hearing on HB 3003.

**HB 3003 – PUBLIC HEARING**

147 Kelly Explains HB 3003 and –1, –2, and –3 amendments.

172 Ted Lorenson Forest Practices Program Director, Oregon Department of Forestry (ODF). Submits and summarizes prepared information regarding HB 3003 (**EXHIBIT C**).

235 Chair Kropf Explains map he produced to clarify affected land (**EXHIBIT D**).

245 Rep. T. Smith Asks if Lot 800 on the map is owned by the elderly woman previously discussed.

247 Lorenson Answers yes.

249 Rep. T. Smith Asks if Lot 803 on the map has already been logged.

250 Lorenson Answers yes. States that it has been changed into a private recreational land use.

257 Rep. T. Smith Asks if the designation would prevent the landowner from using his campground.

261 Lorenson Explains that the provisions that would affect landowners.

283 Rep. T. Smith Asks if there is a way to exempt the elderly woman from

		provisions of HB 3003.
284	Lorenson	Answers that it is at the discretion of the legislature.
294	Rep. T. Smith	Asks if there are other landowners affected by HB 3003.
296	Lorenson	Answers that it is his best understanding that there are not.
303	Rep. T. Smith	Speaks on behalf of landowners potentially affected by HB 3003.
315	Rep. Krieger	Asks if there is a value on the affected timber.
316	Lorenson	Answers that the value is not known. Offers assessment of timber and its potential value.
331	Rep. Krieger	Asks for clarification about land affected by HB 3003.
335	Lorenson	Explains the land affected by HB 3003.
352	Ray Wilkeson	Oregon Forest Industries Council (OFIC). Submits and summarizes written information in support of HB 3003 <b>(EXHIBIT E)</b> . Explains why HB 3003 is important. Explains – 1, –2, and –3 amendments.
412	Rep. Krieger	Asks if the legislature will be “doing a Measure 7 on one piece of land so the governor will sign the bill.”
428	Wilkeson	Answers that it is not a permanent taking of land.
<b>TAPE 61, B</b>		
032	Chair Kropf	Asks if it would be appropriate to add the McKenzie River Highway to HB 3003 acknowledging specific parcels of land.
046	Wilkeson	Answers that it is at the discretion of the legislature, but it may cause problems.
055	Chair Kropf	Discusses Measure 7 and its relation to HB 3003 and taking of land.
069	Kristina McNitt	Oregon Small Woodlands Association (OSWA). Explains –3 amendments.
102	Chair Kropf	Asks if removing rural residential and urban growth boundaries is carving out exemptions.
105	McNitt	Explains landowners’ investment in land and Measure 7 issues.
132	Chair Kropf	Closes public hearing on HB 3003. Opens public hearing on HB 3487.

**HB 3487 – PUBLIC HEARING**

142	Kelly	Explains HB 3487.
157	Rep. Krieger	Explains intentions for HB 3487.
175	Rep. T. Smith	Asks if Rep. Krieger still supports HB 3487.
176	Rep. Krieger	Answers yes.
178	Andrea Fogue	League of Oregon Cities. Testifies in support of HB 3487.
196	JoAnne Surtherland	City Manager, Redmond. Testifies in support of HB 3487. Explains her experience with the benefits of tree planting programs.
265	Rep. T. Smith	Asks about vehicle registration fees as a source of funding.
270	Rep. Krieger	Answers that there is concern that it will not work.
286	Tom Lulay	Oregon Department of Transportation (ODOT). Explains funding.
298	Rep. T. Smith	Asks if there are funds for it.
300	Lulay	Answers that the budget does not contain money for it.
304	Rep. T. Smith	Asks if all the trees affected by HB 3487 are within the state right of way.
309	Lulay	Answers that the HB 3487 proposes planting trees inside state rights of way.
310	Rep. T. Smith	Asks if ODOT will take care of trees that are already there and if ODOT already maintains the area.
314	Lulay	Answers yes.

315 Rep. T. Smith Asks if the cost would be significantly greater maintaining more trees.

318 Lulay Explains that the fiscal impact would remove funding from ODOT and give it to the Department of Forestry.

334 Rep. T. Smith Suggests obtaining privately donated trees to keep costs down.

358 Lulay Submits and summarizes prepared testimony in regard to HB 3487 **(EXHIBIT F)**.

400 Paul Ries Oregon Community Trees. Submits and reads prepared testimony **(EXHIBIT G)**.

**TAPE 62, B**

042 Rep. Krieger Asks what funding mechanisms would be available to implement the program.

045 Ries Explains that there are other funding options, but he does not have a specific mechanism in mind.

059 Scott Ashcom Oregon Association of Nurserymen (OAN). Submits and reads prepared testimony in support of HB 3487 **(EXHIBIT H)**.

137 Rep. Nolan Asks if OAN would support the bill if the funding mechanism were an increase of 25 cents per registration to fund the account.

141 Ashcom States that OAN has a policy of supporting “reasonable fee increases if they are commensurate with the cost of the agency providing the service.”

147 Rep. T. Smith Asks if OAN would be interested in donating trees to the project.

148 Ashcom Answers yes.

163 Jane Foreman Executive Director, Friends of Trees. Submits and summarizes prepared testimony in support of HB 3487 **(EXHIBIT I)**.

254 Rep. T. Smith Asks Ms. Foreman for ideas on how to fund and implement the program that are set forth in HB 3487.

258 Foreman Answers that there are other community tree planting organizations that could help along with fundraising and other investments.

296 Charlotte Lehan Mayor, Wilsonville. Submits and reads prepared testimony **(EXHIBIT J)**.

402 Rep. Nolan Asks if there are matching funds from local governments.

413 Ries Answers that there is not a provision for it in HB 3487, but it could be written into administrative rules.

418 Lehan Points out that grant programs almost always involve some level of match from the local level.

424 Rep. Nolan States support but feels provisions should be in the bill.

452 Scott Plamondon Manager of Urban and Community Forestry Assistance Program, ODF. Submits and summarizes prepared testimony **(EXHIBIT K)**.

**TAPE 63, A**

026 Rep. Nelson Asks if the way HB 3487 is currently set up is the best way to implement the program.

031 Craig Answers that ODF is the right department to administer the program. Suggests methods of how to obtain funding.

056 Chair Kropf Closes public hearing on HB 3487. Closes public hearing on HB 3003. Opens public hearing on HB 3814.

Written testimony submitted by Rep. Al King, House District 44 in support of HB 3487 **(EXHIBIT L)**.

Written testimony submitted by Rena Hoover, President, Monmouth Legacy Forest in support of HB 3487 **(EXHIBIT M)**.

**HB 3814 – PUBLIC HEARING**

059 Kelly Explains HB 3814.

070 Don Schellenberg Associate Director of Governmental Affairs, Oregon Farm

		Bureau. Submits and reads prepared testimony ( <b>EXHIBIT N</b> ). Expresses support for –1 amendments.
173	Jim Fairchild	Mayor, Dallas. Testifies in support of HB 3814.
201	Chair Kropf	Asks why Mr. Fairchild why he opposes the facility siting process.
203	Fairchild	Answers that he cannot specifically answer.
219	Dave Jewett	Metropolitan Wastewater Management Commission. Testifies against HB 3814. Explains wastewater treatment process and how it relates to the criteria in HB 3814.
353	Chair Kropf	Asks how HB 3814 would prevent a new facility to be sited to treat wastewater.
368	Jewett	Discusses and clarifies amendments to answer.
463	Chair Kropf	Asks if the current wastewater facility would be in jeopardy of operating as it currently is.
468	Jewett	Explains facilities’ impact on wastewater treatment.
<b>TAPE 64, A</b>		
107	Chair Kropf	Clarifies that utility siting process makes it impossible to site one like Mr. Jewett currently operates.
110	Jewett	Answers yes.
114	Chair Kropf	Closes public hearing on HB 3814. Adjourns meeting at 6:09 p.m.

Written testimony submitted by Oregon Department of Agriculture, Environmental Quality and Land Conservation and Development in support of HB 3814 (**EXHIBIT O**).

Written testimony submitted by Phillip Fell, Legislative Director, City of Eugene against HB 3814 (**EXHIBIT P**).

Written testimony submitted by Association of Oregon Counties regarding HB 3814 (**EXHIBIT Q**).

Submitted By,

Reviewed By,

Michael Reiley,  
Committee Assistant

Ray Kelly,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – HJM 15, written testimony, Marian Lee, 2 pp.**
- B – HJM 15, written testimony, Robin Hartmann, 1 p.**
- C – HB 3003, written information, Ted Lorensen, 3 pp.**
- D – HB 3003, written information, Rep. Jeff Kropf, 1 p.**
- E – HB 3003, written information, Ray Wilkeson, 1 p.**
- F – HB 3487, written testimony, Tom Lulay, 1 p.**
- G – HB 3487, written testimony, Paul Ries, 2 pp.**
- H – HB 3487, written testimony, Scott Ashcom, 1 p.**
- I – HB 3487, written testimony, Jane Foreman, 21 pp.**
- J – HB 3487, written testimony, Charlotte Lehan, 1 p.**
- K – HB 3487, written testimony, Scott Plamondon, 2 pp.**
- L – HB 3487, written testimony, Rep. Al King, 1 p.**
- M – HB 3487, written testimony, Rena Hoover, 2 pp.**
- N – HB 3814, written testimony, Don Schellenberg, 2 pp.**
- O – HB 3814, written testimony, Oregon Department of Agriculture, 1 p.**

**P – HB 3814, written testimony, Phillip Fell, 1 p.**

**Q – HB 3814, written testimony, Association of Oregon Counties, 1 p.**