

HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY

April 6, 1999 Hearing Room D

8:30 a.m. Tapes 39 - 40

MEMBERS PRESENT: Rep. Larry Wells, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Jeff Kropf, Vice-Chair

Rep. Roger Beyer

Rep. Ryan Deckert

Rep. Jim Hill

Rep. Elaine Hopson

Rep. Jerry Krummel

Rep. Judy Uherbelau

MEMBER EXCUSED:

STAFF PRESENT: B. Harrison Conley, Administrator

Samantha Demchak, Administrative Support

MEASURE/ISSUES HEARD: HB 3505 Public Hearing and Work Session

HB 3506 Public Hearing and Work Session

HB 3461 Public Hearing and Work Session

SB 626 Work Session

TAPE/#	Speaker	Comments
TAPE 39, A		
004	Chair Wells	Opens hearing on HB 3505 and 3506 at 8:40 a.m.
<u>HB 3505 and HB 3506 PUBLIC HEARING</u>		
020	Harrison Conley	Committee Administrator. Discusses provisions of HB 3505 and 3506.
030	Rep. Tom Butler	District 60. Testifies in support of HB 3505 and HB 3506. Notes Malheur County, the second largest county in Oregon, produces a major portion of the onion crop in the United States. Notes both HB 3505 and HB 3506 refer only to field-loaded farm trucks.
069	Rep. Butler	Continues HB 3505 deals with field loaded agricultural trucks and agricultural produce throughout Oregon. Adds HB 3506 deals with crossing back and forth between fields in Idaho and Oregon. Notes this issue does not concern interstate freeways. Notes field-loaded farm trucks generally do not use interstate highways.
119	Rep. Butler	Indicates roads that have posted lower weight limits would not be included because of safety factors.
170	Rep. Thompson	Asks what is the longest haul these trucks make.
172	Rep. Butler	Responds 18-20 miles on both Oregon and Idaho roads.
179	Rep. Thompson	Ask how close the farmers come in loading the weight limit.
185	Rep. Butler	Answers the dust of potatoes and sugar beets can weigh 900 pounds so it can be difficult to estimate.
195	Rep. Hill	Asks if HB 3505 and HB 3506 give exemption from responsibility to all posted weight limits.
207	Rep. Butler	Responds those issues need to be addressed at this time.
220	Rep. Uherbelau	Asks if the penalties in HB 3505 are throughout Oregon.
254	Rep. Butler	Answers yes. Notes HB 3505 provides that there would be an increase in the weight limits available for certain kinds of tandem trucks so crops could be taken from the field to the destination.

288	Don Shellenberg	Oregon Farm Bureau (OFB). Indicates HB 3505 would bring the fines down to be in line with the damage done to the roads. Notes both HB 3505 and HB 3506 need changes.
325	Rep. Thompson	Ask what is the value of the field-loaded crop.
339	Shellenberg	Responds there is no specific answer because there are different types of crops being field-loaded.
353	Paul Skeen	Malheur County Onion Growers Association. Testifies in support of HB 3505 and HB 3506. States there are processing plants on both sides of the Snake River. Adds there are storage sheds for potatoes ° mile into Idaho.
398	Rep. Kropf	Asks about road conditions in Malheur County.
419	Skeen	Notes Malheur County is very dry. Adds that field loading occurs before winter when moisture in the ground would increase damage to the roads. Indicates the limits would be increased to equal Idaho.
<u>TAPE 40, A</u>		
018	Rep. Kropf	Ask what type of trucks will be doing the hauling.
023	Skeen	Answers the same trucks that have been uses for years with the exception of the truck using diesel and air brakes.
039	Bruce Corn	Ontario, row crop farmer. Testifies in support of HB 3506 and HB 3505. Indicates 150 pounds of produce can be loaded every second. Notes the operator would not have much time to guess the weight of the crops loaded in the vehicle. Notes that the fines are costing the operators a great deal of money. Adds sometimes the fines are more than the value of the crop.
086	Rep. Thompson	Asks about removing all the weight limits.
091	Skeen	Responds that is not the point of the bill. Adds the limits are being increased to mirror those of Idaho.
106	Ron Pressley	Vale, Oregon Potato Growers Association. Notes most harvest truck average under 2,000 miles a year.
113	Chair Wells	Asks how much weight can be hauled in Pressley's trucks.
117	Pressley	Answers 11-12 tons. Indicates his haul is 30 miles to Idaho.

144	Rep. Hill	Asks if there will be trucks from other counties because of the increase in weight.
149	Skeen	Answers there is a 20-30 mile area where these high volume crops are grown.
170	Rep. Hill	Asks if an Idaho farmer with a truck registered in Idaho would be exempt.
176	Skeen	Answers it would not matter where the truck is registered.
183	Pat Ehrlich	Association of Oregon Counties. Testifies in support of HB 3506 (EXHIBIT A).
221	Dennis Bowns	Adrien, row crop farmer. Notes he runs 14 trucks that carry crops.
235	Chair Wells	Asks for the weight carried in Mr. Bown's trucks.
241	Bowns	Answers 12 1/2 tons is an average. Responds most of his trucks go in under weight. Notes farmers in Oregon compete with the farmers in Idaho. Notes his farm carries 5,100 loads a year.
299	Rep. Butler	Notes the county roadmaster did not want trucks traveling on roads with posted weight limits. Notes this is only for field-loaded farm trucks.
351	Lynn Jensen	Ontario, Oregon State University. Testifies in support of HB 3505 and HB 3506. Notes "specific gravity" of potatoes varies from one end of a field to another. Adds soil can add as much 13-15 percent to the weight of the load.
<u>TAPE 39, B</u>		
003	Chair Wells	Asks about the definition of "field loaded." Indicates it leaves the option open to use semi-trucks to field-load.
010	Rep. Butler	Answers he has never seen a semi-truck loaded in the field due to the compaction of the soil.
019	Chair Wells	Responds that the definition of field-loading is not specific.
028	Rep. Uherbelau	Asks why the focus is cross-border farming from eastern Oregon to Idaho and not Oregon to California.
045	Steve Johnston	Manager Field Services, Oregon Department of Transportation (ODOT). Answers there are not weight issues in California. Continues the bill needs to specifically state that it cannot apply to the state highway system. Indicates this should only apply the roads that intersect with Oregon and Idaho. (EXHIBITS B

		& C).
129	Johnston	Indicates the lowest fine that could be levied is \$42.00.
145	Chair Wells	States the issues need to be discussed further.
149	Skeen	More money will be paid for licenses because trucks are based on the weight.
163	Rep. Uherbelau	Indicates better weight enforcement issues are a concern.
170	Johnston	Responds the lowered fine is statewide.
178	Chair Wells	Closes hearing on HB 3505 and HB 3506. Opens hearing on HB 3461.
<u>HB 3461 PUBLIC HEARING</u>		
204	Conley	Discusses provisions of HB 3461.
211	Laura Cavill	Halsey. Testifies in support of HB 3461 (EXHIBIT D) .
291	Steve Downer	Marion, Riverbrook Farms. Testifies in support of HB 3461. States the pallet size is not in his control. Adds difference species of seed come in different sizes and densities.
331	Rep. Thompson	Asks about using side-boards on the trucks.
339	Downer	Answers it is impossible with the type of trucks that are used.
346	Dave Doerfler	Oregon Seed Council (OSC). Testifies in support of HB 3461.
362	Dave Nelson	OSC. Testifies in support of HB 3461. Notes OSC would support an amendment adding to the height limit of hay bales.
389	Rep. Hill	Asks why not leave the top row leave the top rows of straw off.
415	Nelson	Answers that straw is a low profit commodity and it needs to be shipped on large loads.
<u>TAPE 40, B</u>		

010	Rep. Kropf	Asks if there is an objection to adding other similarly situated items to the exception for broadening the definition of the word " grass seed."
012	Nelson	Responds no.
014	Chair Wells	Asks if these would be county permits.
029	Nelson	Answers it is an ODOT permit.
040	Johnston	Indicates the safety factor can be returned with the use of permits. States that ODOT wants the roads to be safe.
067	Joe McAlhany	Barenburg Seed Company. Testifies in support of HB 3461.
070	Rep. Hill	Asks if Mr. McAlhany has received a ticket for over height or width.
082	McAlhany	Indicates his company has.
091	Shellenberg	Testifies in support of HB 3461 (EXHIBIT E) .
099	Chair Wells	Closes public hearing on HB 3461, opens work session on SB 626.
<u>SB 626 WORK SESSION</u>		
		Staff presents proposed amendments on SB 626 (EXHIBIT F) .
140	Rep. Beyer	Asks if there is an exemption for small wool producers.
161	Richard Koseisan	Oregon Sheep Growers Association (OSGA). Answers he is unsure of the answer. Indicates there may be a notice in Administrative Rules relating to 4-H participants.
171	Rep. Beyer	Asks what is a grease-basise.
174	Koseisan	Answers it has to do with the amount of grease in the wool.
183	Rep. Kropf	Asks if the Sheep Commission could study the assessment and report back in the next biennium.
197	Chair Wells	States that has been brought up to him before.

209	Koesan	Agrees that idea is very interesting, and he will bring it up to the commission.
225	Rep. Uherbelau	States that there are many people that have stated their opposition to SB 626.
247	Rep. Thompson	Indicates he will vote yes on SB 626.
255	Rep. Hill	Indicates he will oppose SB 626.
282	Rep. Hopson	Indicates she will oppose the amendments but support the bill.
298	Koesan	Indicates the assessment is 1 1/2 one and one half cents per pound. Adds the new bill would allow the commission to create an assessment up to five 5 cents. Notes there was no concern with the bill in the Senate. Continues to deal with those concerns, amendments were created to limit clearly state the initial increase in the maximum statutory cap to not more than one cent that the commission could move to during the first fiscal year would be an additional penny. Adds the commission would be prohibited from increasing the assessment beyond one and a half a cent per year.
318	Chair Wells	Notes the subsection does not allow an assessment in excess of the limit established under ORS 577.085.
322	Rep. Thompson	MOTION: Moves to ADOPT SB 626-1 amendments dated 03/22/99.
		VOTE: 7-1 AYE: 7 - Beyer, Hopson, Kropf, Krummel, Thompson, Uherbelau, Wells NAY: 1 - Hill EXCUSED: 1- Deckert
	Chair Wells	The motion CARRIES.
337	Rep. Thompson	MOTION: Moves SB 626 to the floor with a DO PASS AS AMENDED recommendation.
	Rep. Beyer	VOTE: 5-3 AYE: 5 - Hopson, Kropf, Krummel, Thompson, Wells NAY: 3 - Beyer, Hill, Uherbelau EXCUSED: 1 - Deckert

	Chair Wells	<p>The motion CARRIES.</p> <p>REP. WELLS will lead discussion on the floor.</p>
345	Chair Wells	Closes Work Session on HB 626. Adjourns meeting at 10:12 a.m.

Submitted By, Reviewed By,

Samantha Demchak, B. Harrison Conley,
Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 3506, written testimony, Pat Erlich, 1 p.

B - HB 3505, written testimony, Steve Johnston, 1 p.

C - HB 3506, written testimony, Steve Johnston, 1 p.

D - HB 3461, written testimony, Laura Cavill, 2 pp.

E - HB 3461, written testimony, Don Schellenberg, 2 pp.

F - HB 626, proposed amendments, staff, 1 p.