

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 7, 1999 Hearing Room 50

4:30 p.m. Tapes 90 - 91

MEMBERS PRESENT: Sen. Gary George, Chair

Sen. Thomas Wilde, Vice-Chair

Sen. Joan Dukes

Sen. Ted Ferrioli

Sen. Bill Fisher

Sen. Tony Corcoran

Sen. Marilyn Shannon

MEMBER EXCUSED:

STAFF PRESENT: Brad Harper, Administrator

Kristal Hatton-Nease, Administrative Support

MEASURES HEARD: SB 224 Public Hearing and Work session

SB 226 Public Hearing and Work session

SB 227 Public Hearing

SB 179 Work Session

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 90, A		

005	Chair George	Convenes meeting at 4:57 p.m. Opens public hearing on SB 224.
<u>SB 224 PUBLIC HEARING</u>		
009	Brad Harper	Committee Administrator. Explains SB 224 ratifies the Northwest Wildland Fire Protection Agreement.
020	Rick Gibson	Fire Prevention Director, Oregon Department of Forestry (ODF). Says ODF supports SB 224. Explains the ñ1 amendments.
065	Martin Desmond	Northwest Forestry Contractors Association. Testifies in support of SB 224. Says the Northwest Forestry Contractors Association supports the ñ1 amendments.
070	Terry Lamers	State Issues Coordinator. Oregon Small Woodlands Association (OSWA). Submits [EXHIBIT A] and testifies in support of SB 224. States OSWA also supports the ñ1 amendments. Says the key to SB 224 is that it does not require any member to provide aid in a wildland fire.
080	Chair George	Closes public hearing on SB 224. Opens work session on SB 224.
<u>SB 224 WORK SESSION</u>		
083	Sen. Dukes	Asks if Section 4 of SB 224 is important to committee members.
087	Sen. Wilde	Comments he likes Section 4 of SB 224.
090	Sen. Wilde	MOTION: Moves to ADOPT SB 224-1 amendments dated 03/24/99. [EXHIBIT B]
		VOTE: 5-0 EXCUSED: 2 - Corcoran, Shannon
		Chair George Hearing no objection, declares the motion CARRIED.
100	Sen. Wilde	MOTION: Moves SB 224 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 EXCUSED: 1 ñ Shannon (To hear Sen. Corcoranís vote on SB 224, please listen to Tape 91, A, #195).

	Chair George	Hearing no objection, declares the motion CARRIED . SEN. FERRIOLI will lead discussion on the floor.
115	Chair George	Closes work session on SB 224. Opens public hearing on SB 226.
<u>SB 226 PUBLIC HEARING</u>		
120	Harper	Explains SB 226 clarifies authority and procedures of State Forestry Department related to forest fire prevention and protection program.
130	Rick Gibson	Submits [EXHIBIT C] and testifies in support of SB 226. Discusses the land categories defined in Oregon fire prevention statutes. Explains forestland is dealt with in ORS 477.001(9), rangeland in ORS 477.315, timberland in ORS 477.205 (2), and grazing land in ORS 477.205(1).
175	Chair George	Closes public hearing on SB 226. Opens work session on SB 226.
<u>SB 226 WORK SESSION</u>		
180	Sen. Wilde	MOTION: Moves SB 226 to the floor with a DO PASS recommendation.
		VOTE: 4-0 EXCUSED: 3 - Ferrioli, Corcoran, Shannon
		Chair George Hearing no objection, declares the motion CARRIED. CHAIR GEORGE will lead discussion on the floor. (To hear Sen. Corcoran's vote on SB 226, please listen to Tape 91, A, #195).
185	Chair George	Closes work session on SB 226. Opens public hearing on SB 227.
<u>SB 227 PUBLIC HEARING</u>		
195	Harper	Explains SB 227 allows foresters to recover costs incurred to extinguish fire on unprotected land.
214	Rick Gibson	Explains ODF supports SB 227. Says ODF also supports the #1 amendments. [EXHIBIT D]
230	Terry Lamers	Submits [EXHIBIT E] and testifies in support of SB 227 without the #1

		amendments.
260	Jean Underhill Wilkenson	Oregon Cattlemen's Association (OCA). Explains Glen Stonebrink of the OCA submitted the #1 amendments. Testifies in support of the #1 amendments. Says the state may not be able to tell where property lines are and that landowners should not need to pay if the landowner does not ask for the help.
315	Sen. Wilde	Comments on the wording in the #1 amendments. Asks what "managing agency" means.
327	Wilkenson	Says lands do not belong to state of Oregon, they are simply administered by state agencies for the public. Says maybe the #1 amendments are not worded as well as they could be. Adds the "managing agency" that manages lands for the public would have the ability to request help during fire.
347	Sen. Wilde	Says he would like to address the difficulty counties may have in a fire situation. Asks who county officials will contact in case of a fire.
360	Wilkenson	Asks if Sen. Wilde is referring to a county requesting assistance in an unprotected area or on behalf of a private landowner.
365	Sen. Wilde	Responds the original wording was the county or the private landowner of threatened land. Says some counties do own land. Adds the original idea was to get people mobilized and that is why SB 227 included the county or private landowner.
382	Wilkenson	Agrees wildland fires need to be put out as soon as possible. Says the fire should be put out in the most effective and efficient manner, if possible. Adds most private landowners feel they can fight fires in the most effective way for themselves and their property.
432	Wilkenson	Gives personal experience of growing up on a farm, which was well equipped to handle a wildland fire.
TAPE 91, A		
024	Sen. Wilde	Comments the wording "managing agency" of lands belonging to the state of Oregon. Says it seems that on one hand landowners want to take care of the problem, but the wording of the #1 amendments eliminates the ability of landowner to go directly to the forester to request help. Comments the #1 amendments create more bureaucracy.
035	Sen. Dukes	Comments she has unprotected land in her district. Adds fire districts only go to their boundary and watch anything past the boundary burn. Says if a private landowner does not want help fighting a fire on his/her property, they do not need to call.

053	Wilkenson	Says she would like to avoid confusion and landowners getting into a situation where a landowner does not fully know the extent of financial burden. Suggests allowing landowners to be fully aware when he/she calls of the financial obligation and what that cost may potentially be.
066	Sen. Dukes	Points out it is not possible to inform everyone.
073	Chair George	Asks OCA and the previous witnesses to work together to draft language that will answer the committee's questions.
083	Sen. Corcoran	Suggests having the committee hear from counties on SB 227.
087	Sen. Fisher	Asks if lands managing agency is land held in title or land within boundaries of the state of Oregon.
092	Wilkenson	Replies it is intended to be lands administered by a state agency, not lands entitled to the state of Oregon.
097	Sen. Dukes	Comments on the cooperation between state agencies. Says she is confident that if an agency called about a fire on land it administered, ODF would respond.
117	Sen. Fisher	Wonders what lands the state manages that it does not own. Comments on the potential unknown financial burden for private landowners.
150	Chair George	Closes public hearing on SB 227. Opens work session on SB 179.
<u>SB 179 WORK SESSION</u>		
161	Harper	Explains SB 179 increases licenses and indorsement fee limits for forest and farm labor contractors.
170	Sen. Wilde	MOTION: Moves SB 179 to the floor with a DO PASS recommendation.
		VOTE: 5-1 AYE: 5 - Dukes, Fisher, Shannon, Wilde, George NAY: 1 - Ferrioli EXCUSED: 1 - Corcoran (To hear Sen. Corcoran's vote on SB 179, please listen to Tape 91, A, #195).
Chair George		The motion CARRIES.

		SEN. GEORGE will lead discussion on the floor.
195	Sen. Corcoran	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. CORCORAN to BE RECORDED as voting AYE on "SB 224 as AMENDED, SB 226, and SB 179".
		VOTE: 7-0
	Chair George	Hearing no objection, declares the motion CARRIED.
202	Chair George	Closes work session on SB 179. Adjourns meeting at 5:40 p.m.

Submitted By, Reviewed By,

Kristal Hatton-Nease, Brad Harper,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 224, written testimony, Terry Lamers, 1 p.

B ñ SB 224, -1 amendments, Staff, p.

C ñ SB 224, written testimony, Rick Gibson, 1 p.

D ñ SB 227, -1 amendments, Staff, 1 p.

E - SB 227, written testimony, Terry Lamers, 1 p.