

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

March 19, 1997 Hearing Room C

8:30 AM Tapes 60 - 61

MEMBERS PRESENT:

Sen. Bob Kintigh, Chair

Sen. Bill Fisher, Vice-Chair

Sen. Bill Dwyer

Sen. Ted Ferrioli

Sen. Veral Tarno

Sen. Thomas Wilde

MEMBER EXCUSED:

Sen. Gary George

STAFF PRESENT:

Glen Stonebrink, Administrator

Brad Harper, Administrative Support

MEASURE/ISSUES HEARD:

SB 360 Public Hearing & Work Session

SB 107 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 60, A		
004	Chair Kintigh	Chair convenes meeting at 8:35 AM. Opens public hearing on SB 360.
<u>SB 360</u> <u>PUBLIC</u> <u>HEARING</u>		
	Fred	Representing Oregon Department of Forestry (ODF). Discussion of

011	Robinson	most recent changes to proposed legislation.
023	Clark Seely	Representing ODF. Explanation of proposed amendments to SB 360. Definition of urban interface.
050	Chair Kintigh	Question whether urban interface areas are reclassified as they develop.
055	Seely	ODF reclassifies interface boundaries as necessary.
062	Sen. Ferrioli	Notes confusing language within proposed legislation.
073	Seely	Further discussion of changes to SB 360.
101	Chair Kintigh	Comment
104	Seely	Discussion of proposed changes to section 17 of SB 360.
125	Sen. Fisher	Notes necessary correction.
131	Seely	Further discussion of section 17 of SB 360.
154	Chair Kintigh	Question
156	Seely	Response
158	Sen. Fisher	Question regarding section 17.
182	Seely	Further discussion of proposed changes to SB 360.
213	Sen. Dwyer	Supports revised liability provisions of SB 360.
228	Seely	Discussion of section 20 of SB 360.
235	Sen. Dwyer	Comment regarding opportunity for public involvement in drafting administrative rules.
246	Sen. Fisher	Supports ODF's efforts to address committee's concerns regarding SB 360.
252	Sen. Wilde	Question regarding specific provisions not included in proposed legislation.
265	Seely	Explanation of proposed changes.
270	Sen. Fisher	Discussion of SB 360.
285	Dee Bridges	Representing Boise Cascade. Suggests changes in liability provision of SB 360.
292	Chair Kintigh	Supports proposed change.
310	Jack Barnes	Representing Farmers Insurance of Oregon. Did not support original version of SB 360 due to proposed sanctions, but is less concerned with current version of SB 360. Remaining questions regarding possible insurance sanctions.
351	Sen. Dwyer	Comment regarding necessary insurance policy to encourage homeowners to adopt fire prevention measures.
370	Sen. Wilde	Supports Sen. Dwyer's statement and holds insurance companies

		responsible for failing to provide incentives.
382	Chair Kintigh	Discussion of insurance company practices and question regarding standards.
394	Barnes	Response
399	Sen. Dwyer	Discussion of insurance practices and need to be proactive.
TAPE 61, A		
012	Chair Kintigh	Question regarding specific suggestions.
014	Barnes	Suggests striking liability provision from SB 360.
020	Sen. Fisher	Views SB 360 as a benefit to insurance companies by decreasing potential fire risk.
041	Barnes	Agrees that decreasing fire risk is good, but still has concerns regarding potential effect of liability provisions.
048	Sen. Fisher	Discussion of insurance practices.
056	Chair Kintigh	Comment
069	Brad Witt	Board Member, Oregon Board of Forestry. Supports SB 360 as overdue legislation.
083	Sen. Dwyer	Agrees with Witt and discusses long term benefits.
094	Witt	Encourages participation of insurance industry.
099	Sen. Fisher	Legislation has provided enough time to make any necessary modifications before becoming effective.
111	Witt	Supports SB 360.
117	Chair Kintigh	Closes public hearing and opens work session.
SB 360 WORK SESSION		
125	Sen. Wilde	Question
129	Glen Stonebrink	Committee Administrator. Summary of proposed amendments to SB 360.
141	Sen. Fisher	Question
143	Sen. Dwyer	Response
145	Sen. Fisher	Discussion of certification standards.
151	Sen. Dwyer	Comment
157	Stonebrink	Further summary of proposed amendments.
162	Sen. Fisher	MOTION: Moves to send SB 360 proposed amendments dated 3/25/97 to Legislative Counsel for drafting. VOTE: 6-0

		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - George
	Chair Kintigh	The motion CARRIES.
180	Chair Kintigh	Closes work session and opens public hearing on SB 107.
<u>SB 107 PUBLIC HEARING</u>		
200	Fred Robinson	Representing Oregon Department of Forestry (ODF). Explanation of purpose behind SB 107. Clarification of existing statutes and liabilities.
282	Sen. Dwyer	Comment
302	Robinson	Response
306	Clark Seely	Representing ODF. Discussion of proposed amendments to SB 107.
353	Sen. Dwyer	Notes "prima facie" language within SB 107. Suggests use of alternative language.
373	Sen. Fisher	Question regarding relationship between SB 107 and SB 360.
387	Sen. Dwyer	No direct relationship between the two bills.
410	Sen. Fisher	Discussion of need to relate SB 360 provisions to SB 107.
TAPE 60, B		
023	Sen. Dwyer	Notes difference between SB 107 and SB 360.
028	Robinson	No intended subject matter relationship between SB 107 and SB 360.
049	Chair Kintigh	Question regarding liability issue.
052	Robinson	Response
056	Sen. Dwyer	Comment regarding concern that homeowner receive adequate notification and opportunity to respond to liability accusations.
072	Chair Kintigh	Requests explanation of proposed changes to SB 107.
077	Seely	Summary of proposed amendments to SB 107. Explanation of purpose behind changes.
168	Sen. Dwyer	Question regarding "prima facie" language within proposed amendments.
185	Robinson	Does not believe there is any obstacle to deleting "prima facie" from the amendments.
194	Seely	Comment
196	Sen. Dwyer	Rather than a "prima facie" approach, foresters should provide detailed explanations of suspected sources of fires.
205	Chair Kintigh	Directs ODF to review Sen. Dwyer's proposed changes.

212	Sen. Wilde	Question
215	Seely	Response
235	Sen. Wilde	Question
238	Sen. Dwyer	Response
256	Mike Miller	Representing Oregon Associated Loggers. Supports proposed amendments to SB 107.
267	Sen. Dwyer	Question regarding support for suggestion to delete "prima facie" language in favor of requiring detailed explanation of liability.
270	Miller	Agrees that narrative detailing basis for cost assessment is necessary.
285	Sen Dwyer	Question regarding current practice.
288	Miller	Discussion of personal experience.
302	Sen. Dwyer	Recommends deletion of "prima facie" language.
303	Sen. Fisher	Question
305	Sen. Dwyer	Response
312	Miller	Discussion of liability and insurance issues.
321	Chair Kintigh	Discussion of insurance opportunities within Small Woodlands Association.
330	Sen. Fisher	Comment regarding "willful and malicious" conduct.
332	Sen. Dwyer	Response
338	Miller	Discussion of possible relationship to homeowner between SB 107 and SB 360.
353	Chair Kintigh	Chair closes public hearing and adjourns meeting at 9:55 AM.

Submitted By, Reviewed By,

Brad Harper Glen Stonebrink

Administrative Assistant Administrator
