

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

March 21, 1997 Hearing Room C

8:30 AM Tapes 62 - 63

MEMBERS PRESENT:

Sen. Bob Kintigh, Chair

Sen. Bill Fisher, Vice-Chair

Sen. Bill Dwyer

Sen. Ted Ferrioli

Sen. Gary George

Sen. Veral Tarno

Sen. Thomas Wilde

MEMBER EXCUSED:

STAFF PRESENT:

Glen Stonebrink, Administrator

Brad Harper, Administrative Support

MEASURE/ISSUES HEARD:

SB 360 Work Session

SB 107 Public Hearing

SB 110 Public Hearing and 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 |
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| TAPE 62, A | | |
| 004 | Chair Kintigh | Convenes meeting at 8:30 AM and opens work session on SB 360. |
| SB 360 WORK SESSION | | |
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| 013 | Fred Robinson | Introduces himself as representing Oregon Department of Forestry and submits (EXHIBIT A) . |
| 040 | Clark Seely | Introduces himself as representing Oregon Department of Forestry and discusses Section 3 of -1 amendments. |
| 055 | Sen. Tarno | MOTION: Moves to ADOPT SB 360-1 amendments dated 03/20/97. |
| 060 | Sen. George | Discusses concern over specific language in Section 4 of -1 amendments. |
| 065 | Robinson | Discusses history of language adoption in chapter 477 of ORS. |
| 190 | | VOTE: 4-1 AYE: 4 - Fisher, Tarno, Wilde, Kintigh NAY: 1 - George EXCUSED: 2 - Dwyer, Ferrioli |
| | Chair Kintigh | The motion CARRIES. |
| 195 | Sen. Tarno | MOTION: Moves SB 360 to the floor with a DO PASS AS AMENDED recommendation. |
| 197 | | VOTE: 4-1 AYE: 4 - Fisher, Tarno, Wilde, Kintigh NAY: 1 - George EXCUSED: 2 - Dwyer, Ferrioli |
| | Chair Kintigh | The motion CARRIES. SEN. KINTIGH will lead discussion on the floor. NOTE: Sen. Ferrioli later recorded an "AYE" vote on this motion. See TAPE 63, A, 250. |
| 205 | Chair Kintigh | Closes work session on SB 360 and opens public hearing on SB 107. |
| <u>SB 107</u> <u>PUBLIC</u> <u>HEARING</u> | | |
| 252 | Fred Robinson | Introduces himself as representing Oregon Department of Forestry and submits (EXHIBIT B) Explains SB 107. |
| 272 | Clark Seely | Introduces himself as representing Oregon Department of Forestry and discusses SB 107 proposed amendments. |
| TAPE 63, A | | |

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| 009 | Sen. Wilde | Asks how liens are administered under Section 1 (3) of bill. |
| 016 | Frederick Boss | Introduces himself as Assistant Attorney General and explains lien structures. |
| 051 | Sen. Wilde | Discusses Section 1 (2) of bill and asks for definition of "prima facie." |
| 053 | Boss | Explains definition of "prima facie." |
| 157 | Robinson | Explains liability and negligence issues regarding SB 107 and forest fire causes. |
| 181 | Melinda Bruce | Introduces herself as representing Oregon Department of Justice and explains liability definitions. |
| 202 | Robinson | Describes process which brought about drafting of bill and explains need for bill. |
| 219 | Mike Miller | Introduces himself as representing Oregon Association of Loggers and states support for bill. Explains need for bill. |
| 250 | Chair Kintigh | MOTION: Requests unanimous consent that the rules be SUSPENDED to allow SEN. FERRIOLI to BE RECORDED as voting AYE on the motion to send "SB 360 to the floor with a DO PASS AS AMENDED recommendation." |
| | Chair Kintigh | Hearing no objection, declares the motion CARRIED. |
| 258 | Chair Kintigh | Closes public hearing on SB 107 and opens public hearing on SB 110. |
| <u>SB 110</u> <u>PUBLIC</u> <u>HEARING</u> | | |
| 260 | Fred Robinson | Introduces himself as representing Oregon Department of Forestry. Explains bill and discusses need for bill. |
| 348 | Rick Gibson | Introduces himself as representing Oregon Department of Forestry. Explains proposed amendments to SB 110. |
| TAPE 62, B | | |
| 002 | Jon Chandler | Introduces himself as representing Oregon Building Industries Association. States concerns about specific language in Section 1 (14) of bill. |
| 030 | Melinda Bruce | Introduces herself as representing Department of Justice and explains language in Section 1 (14) of bill. |
| 088 | Chandler | States concern over language in Section 2 of bill and states support of addressing language in the House of Representatives. |
| 123 | Sen. Ferrioli | Asks if home building is intended to be included as an industrial activity in SB 107. |
| 132 | Gibson | States that some aspects of home-building are intended to be included in SB 107, whereas other home building activities are intended to be |

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| | | excluded as industrial activities. |
| 184 | Chair Kintigh | States support to let the record show that site prep would be included as industrial activity whereas home building would not be included in context of SB 107. |
| 200 | Chair Kintigh | Closes public hearing on SB 110 and opens work session. |
| <u>SB 110 WORK SESSION</u> | | |
| 203 | Sen. Ferrioli | MOTION: Moves to send SB 110 proposed amendments to Legislative Counsel for drafting. |
| | Chair Kintigh | Hearing no objection, declares the motion CARRIED. |
| 214 | Chair Kintigh | Closes work session on SB 110 and convenes meeting at 9:50 AM. |

Submitted By, Reviewed By,

Paul Zolezzi, Glen Stonebrink,

Administrative Support Administrator

EXHIBIT SUMMARY

A - SB 360 proposed amendments, Oregon Department of Forestry, 10 pp.

B - SB 107 proposed amendments, Oregon Department of Forestry, 2 pp.
