

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

March 26, 1997 Hearing Room C

8:30 Tapes 66 - 67

**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 365 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 66, A</b>		
004	Chair Kintigh	Convenes meeting at 8:38 AM and opens public hearing on SB 365.
<b><u>SB 365</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
006	Fred Robinson	Representing Oregon Department of Forestry (ODF). Discussion of current status to SB 365.
	Chair	

025	Kintigh	Comments
035	Dave Fields	Representing Oregon State Fire Marshall's Office. Supports SB 365. Discussion of rural fire concerns.
070	Chair Kintigh	Question regarding population density.
073	Fields	Discussion of historical population trends. Discussion of importance to respond to fires quickly and examples where response time was essential.
127	Chair Kintigh	Comment
130	Sen. George	Question regarding Fields' background.
133	Fields	Response
135	Sen. George	Question regarding county fire practices.
137	Fields	Discussion of Crook County policies.
144	Sen. George	Question
148	Fields	Response
156	Sen. George	Question regarding homeowners ability to pay for fire protection costs.
160	Fields	Money amounts are "negligible."
172	Sen. Ferrioli	Discussion of general fund costs for fighting fires on unprotected lands.
184	Ted Young	Representing Crown Pacific. Discussion of current fire protection practices. Currently, structures on unprotected lands are given priority over timber stands in protected areas. Supports extension of protection efforts to include all lands within state.
250	Chair Kintigh	Discussion of intent of SB 365.
255	Sen. Tarno	Question regarding harvesting of dead and dying timber.
260	Young	Dead and dying timber exist on both federal lands and privately owned lands, but neglected private tracts present greatest fire risks. Most managed privately held lands are not a problem.
291	Sen. Tarno	Question regarding failure of federal agencies to enact fire prevention measures.
298	Young	Varying amounts of cooperation from federal agencies.
322	Sen. Fisher	Question regarding cost recovery.
325	Young	Response
330	Chair Kintigh	Question

335	Young	Response
345	Sen. Dwyer	Question regarding estimated impact of SB 365.
355	Young	Discussion of jurisdictional concerns.
400	Jenifer Robison	Representing Oregon Department of State Lands (DSL). Supports SB 365.
<b>TAPE 67, A</b>		
014	Chair Kintigh	Question regarding DSL fire suppression efforts.
015	Steve Purchase	Representing DSL. Discussion of DSL fire suppression efforts.
025	Sen. Tarno	Question regarding extent of DSL lands.
028	Purchase	Response
032	Sen. Fisher	Question regarding specific fires.
034	Purchase	Response
040	Chair Kintigh	Question regarding "acre fees."
042	Purchase	Discussion of certification process.
045	Sen. Fisher	Question regarding interagency cooperation.
050	Purchase	Discussion of interagency fire suppression cooperation agreements.
060	Tim Keith	Representing ODF. Discussion of three year fire history.
105	Sen. George	Question regarding impact of SB 365.
108	Keith	Discussion of protection organizations.
115	Sen. George	Question
118	Keith	Response
140	Sen. Ferrioli	Question regarding ODF decision making process.
146	Keith	Discussion of factors involved in deciding which fires to suppress.
175	Sen. Ferrioli	Support for local fire suppression efforts.
194	Sen. Fisher	Question regarding cooperation from private citizens in fire suppression effort.
205	Keith	Private citizens attempt to help, but often respond in uncoordinated, potentially dangerous manner.
218	Sen. Fisher	Question regarding qualifications to suppress fires.
226	Keith	Discussion of ODF efforts to train private landowners.
234	Chair Kintigh	Question regarding training programs.

237	Keith	Response
243	Chair Kintigh	Question regarding legal constraints.
245	Keith	Response
248	Sen. George	Question regarding allocation of resources.
253	Keith	Explanation of limited resources.
260	Sen. George	Question regarding liability provisions in SB 365.
271	Keith	Response
272	Sen. George	Question
274	Keith	Discussion of past fire experience.
288	Sen. George	Comment
300	Mike Miller	Representing Association of Oregon Loggers. Submission of written materials ( <b>EXHIBIT A</b> ). Discussion of impact of Measure 47 and revenue issues. Summary of proposed modifications to SB 365.
<b>TAPE 66, B</b>		
025	Miller	Further discussion of proposed modifications to SB 365.
102	Bill Moshofsky	Representing Oregonians in Action. Agrees with comments made by Miller. Discussion of additional concerns regarding SB 365.
116	Chair Kintigh	Question regarding fire hazards.
120	Moshofsky	Discussion of need to protect both managed and unmanaged areas within unprotected lands.
143	Chair Kintigh	Question regarding acceptable changes to SB 365.
147	Moshofsky	Supports intent of SB 365, but has concerns regarding current version.
204	Sen. George	Concerns that SB 365 does not encourage cooperation between private landowners and ODF.
228	Moshofsky	Shares Sen. George's concerns.
244	Sen. Fisher	Question regarding section 28 of SB 365.
256	Moshofsky	Discussion of proposed amendments.
268	Sen. Fisher	Question
282	Moshofsky	Response
288	Sen. Fisher	Discussion of wildfire definition.
297	Moshofsky	Not certain that terminology is accurate.
312	Sen. Fisher	Further discussion of wildfire concept.
346	Moshofsky	Response

356	Sen. Dwyer	Comment
357	Moshofsky	Comment
376	Sen. George	Question regarding building codes.
386	Moshofsky	Discussion of building restrictions.
398	Sen. Dwyer	Question regarding how SB 365 would impact building codes for existing dwelling.
410	Moshofsky	Response
<b>TAPE 67, B</b>		
016	Robinson	Review of most recent proposed changes to SB 365.
054	Sen. Dwyer	Question regarding necessity for annual assessments.
060	Robinson	Discussion of key principles underlying SB 365.
096	Sen. Dwyer	Question
097	Robinson	ODF relies on judgment of landowners. Discussion of consensus building process.
119	Chair Kintigh	Comment
121	Sen. Fisher	Discussion of location of unprotected lands.
166	Chair Kintigh	Comment
169	Robinson	Discussion of public meetings.
180	Sen. George	Supports ODF's efforts.
188	Robinson	Comment
190	Sen. Wilde	Question regarding extent of unprotected lands.
196	Robinson	Explanation of range of interests.
204	Clark Seely	Representing ODF. Explanation of most recent proposed changes to SB 365. Comparison between cultivated and uncultivated lands within unprotected lands areas.
248	Chair Kintigh	Comment
249	Sen. Fisher	Discussion of fire risks on cultivated lands.
272	Robinson	Comment
275	Chair Kintigh	Comment
286	Robinson	Discussion of public policy behind SB 365.
334	Sen. Fisher	Question regarding ownership of unprotected lands.

336	Seely	Ownership mostly private, but a significant portion of unprotected lands are administered by DSL.
365	Sen. Fisher	Comment
380	Chair Kintigh	Chair adjourns meeting at 10:25 AM.

Submitted By, Reviewed By,

Brad Harper Glen Stonebrink

Administrative Assistant Administrator

**EXHIBIT SUMMARY**

**A - SB 365, written materials, Mike Miller, 2 pp.**

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