

SENATE COMMITTEE ON  
AGRICULTURE, NATURAL RESOURCE AND THE ENVIRONMENT

March 10, 1995 Hearing Room 343  
1:00 P.M. Tapes 47, 48, 49

MEMBERS PRESENT:

Sen. Bob Kintigh, Chair  
Sen. Bill Bradbury  
Sen. Bill Dwyer  
Sen. Tom Hartung  
Sen. Rod Johnson, Vice Chair  
Sen. Marylin Shannon

MEMBER EXCUSED:

STAFF PRESENT:

Bruce McIntosh, Committee  
Administrator  
Catrina Victor, Committee Assistant

MEASURES HEARD: SB -279, Work Session  
SB -160, Public Hearing and Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks ( ) or a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

Tape 47A.

01 Chair Kintigh: Meeting called to order 1:13 P.M.  
02 Opens WORK SESSION on SB -279  
04 MOTION: SEN. DWYER: Moves to suspend the rules to reconsider SB -279.

VOTE: 4-1. MOTION CARRIED. RULES HAVE BEEN SUSPENDED. AYE: Bradbury, Dwyer, Hartung, Kintigh NO: Shannon Sen. Johnson was excused.

30 MOTION: SEN. HARTUNG: Moves to RECONSIDER THE ORIGINAL VOTE on SB -279 in which it was passed with a DO PASS recommendation to the floor.

SENATE AGRICULTURE, NATURAL RESOURCE AND THE ENVIRONMENT  
March 10, 1995 - Page 2

35 VOTE: 41. MOTION CARRIED. SB -279 TO BE RECONSIDERED.  
AYE: Bradbury, Dwyer, Hartung, Kintigh  
NO: Shannon  
Sen. Johnson was excused.

48 Sen. Hartung: Moves to adopt the dash 11 amendments.

50 Bruce McIntosh: Committee Administrator. Reviews and explains the amendments.

60 Sen. Dwyer: Questions if this amendment includes plastic cups?

67 Sen. Bradbury: No it does not.

70 Sen. Shannon: Refers to line 6. Does this include soup?

82 Sen. Johnson: "Drinkable" was intended as drinkable, not items eaten with a spoon.

94 MOTION: SEN. HARTUNG: Moves to ADOPT SB -279 DASH 11 amendments.

VOTE: C 0. MOTION CARRIED.

All members present.

\*Johnson enters the committee late (1:15 P.M.) after the first two votes to suspend the rules were conducted.

109 MOTION: SEN. DWYER: Moves to ADOPT SB -279 as amended to the floor with a "DO PASS" recommendation.

VOTE: 6 0 MOTION CARRIED. All members present. Chair Kintigh to carry this item.

110 Closes WORK SESSION on SB -279

114 Opens WORK SESSION on SB -160

125 Charlie Stone: Department of Forestry. Reviews the amendments and opens up  
discussion to the Senators. Exhibit B and C.

198 Sen. Dwyer: Is the forester trained to determine where the fish are?

204 Stone: Yes. They have been trained. Continues in the explanation of the amendments.

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SENATE AGRICULTURE, NATURAL RESOURCE AND THE ENVIRONMENT  
March 10, 1995 - Page 3

316 Sen. Bradbury: Reflects on the previous bill regarding the appeal process and the length of time for the written plan. Questions how the proposed amendments tie into the previous bill of 1989.

370 Stone: Responds to Sen. Bradbury's questions through additional explanation of the amendments. See exhibit B.

Tape 48A.

12 Sen. Johnson: Asks for further explanation of amendments on page 7.

19 Stone: Responds and clarifies.

30 McIntosh: Reviews new amendments developed just prior to the hearing by both  
Stone and McIntosh.

48 Chair Kintigh: Personally is not in support of dash-one amendments.

60 McIntosh: The dash 5 is virtually an entire rewrite of the bill. Reviews each amendment  
specifically noting the changes. The harvest "types" names have also been changed.

79 Sen. Dwyer: Why wouldn't we require reforestation?

85 Stone: There is already enough trees present, either existing trees or seedlings.

110 McIntosh: Moves onto page 3 and 4 of the dash 5 amendments. Notes Stone has already reviewed this area in detail. Defines "leave tree" and the definition of where the "right of way begins."

145 Stone: Briefly touches on the "stream rules" that were adopted last summer.

155 Sen. Dwyer: Asks what agencies use to name these "types?" Will ours be different?

165 Stone: Every agency uses a different name.

180 Sen. Bradbury: We could always make a resolution to make all the agencies use the same names. Including Federal and State definitions of harvest types.

218 McIntosh: Reviews the following pages of amendments.

280 Sen. Bradbury: Why should we require a written plan when we have no method to review it?

285 Ray Wilkeson: OFIC. Responds. If regulating the harvest of trees it's best if not done by age. Age vs. health because trees vary around the state.

358 Sen. Bradbury: Asks for additional clarification of amendments.

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SENATE AGRICULTURE, NATURAL RESOURCE AND THE ENVIRONMENT  
March 10, 1995 - Page

Tape 47B.

24 McIntosh: Continues in the amendment descriptions.  
45 Sen. Johnson: How are we to determine the 48 month timeline?  
50 Stone: The plan sets up the time frames. Also, by looking at a tree you  
can most often tell the age.  
75 Sen. Dwyer: This bill is supported by everyone except those that live  
along the gorge or Historic Gorge HWY. 100. They are already so regulated by the government.  
130 Sen. Dwyer: It's designed to let the public know it can be harvested  
without upsetting the public too much.  
142 Stone: This bill applies to the departments as well as the private  
landowners. Changing the right of way there would be more visible stretches bare than  
if left at the 150 ft. limit.  
170 Sen. Dwyer: What about the guy that only owns 150 ft. along the highway?  
189 Stone: We have other options.  
195 Sen. Dwyer: The "little guy" should get some sort of exemption.

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205 Stone: So far we haven't had anyone like that.

227 Sen. Johnson: There is no financial compensation is there?

230 Stone: No. None in this bill.

250 Sen. Johnson: Asks for clarification of the location of HWY. 100 vs. HWY.  
30 that intertwines with it.

287 Sen. Dwyer: Concerned with small landowners and possibly have a  
hardship case that may need to harvest for money.

309 Chair Kintigh: What about adding a "hardship clause?"

324 Sen. Bradbury: Concerned with the edge of right of way vs. edge of the roadway.

361 Chair Kintigh: Explains personal examples of right of way and the roadway right of way.

Tape 48B.

03 Sen. Bradbury: Sen. Dwyer has touched on a key point with the small owners.

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SENATE AGRICULTURE, NATURAL RESOURCE ANI) THE ENVIRONMENT  
March 10,1995 - Page 5

25 McIntosh: Continues in the amendment explanation pages 14-15.  
80 Stone: Reviews section seven for technical definitions and descriptions.  
160 Sen. Bradbury: Asks for additional clarification of 10 acre to 25 acre amendment changes.

190 Stone: Uses flip chart drawings to give examples.

300 Sen. Bradbury: Not comfortable with the wording and would like it made more clearly defined.

Tape 49A,

27 Chair Kintigh: Come back for another hearing with amendments suggested today.  
35 Rep. Welsh: Supports this bill.  
50 Chair Kintigh: Meeting adjourned 3:04 P.M.

Submitted by,

Reviewed by,

ina Victor            Bruce McIntosh  
Committee Assistant    Committee Administrator

EXHIBIT SUMMARY:

A-SB -279 and Amendment Explanation Form- S 3-279/ 5 pg.  
B-SB -160. Staff Measure Summary. Amendments-SB -16-/ 31 pg.  
C-Letter submitted by Charlie Stone-SB -160/ 1 pg.  
D-Testimony submitted by Jim and Betty Denison-SB -160/ 1 pg. E-Letter submitted by Charles and Louise Bateman-SB -160/ 1 p:. F-Clear Cut Graph submitted by Charlie Stone- SB -160/ 1 pg.

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