

SENATE COMMITTEE ON  
WATER AND LAND USE

Hearing Room  
Tapes - 119

MEMBERS PRESENT:

Sen. Rod Johnson, Chair  
Sen. Bob Kintigh, Vice-Chair  
Sen. Ron Cease  
Sen. Bill Dwyer

MEMBER EXCUSED:

Sen. Neil Bryant

STAFF PRESENT:

Karen Quigley, Committee Counsel  
Patricia Wehrli, Committee Assistant

MEASURES HEARD: SB 1114 WORK SESSION  
SB 964 WORK SESSION

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings,  
please refer to the tapes.

TAPE , SIDE A

004 CHAIR JOHNSON: Convenes the meeting at 1:30 p.m.  
OPENS THE WORK SESSION ON SB 964  
( Discusses problems with line twenty seven of SB 964 with Sen. Dwyer.  
( Questions proposed amendments.

OPENS WORK SESSION ON SB 1114  
CLOSES WORK SESSION ON SB 1114

OPENS WORK SESSION ON SB 964

Witnesses:

Charles Williams, Oregon Greyhound Breeders Association  
Tari Glocar, Licensing Manager, Oregon Department of State Police

070 CHARLES WILLIAMS, OREGON GREYHOUND BREEDERS ASSOCIATION: Testifies in  
support of SB 964-3 amendments.

088 VICE CHAIR KINTIGH: What is the least populous county listed?

WILLIAMS: Clackamas County.

SEN. DWYER: Why do you make reference to the size of the county?

104 WILLIAMS: Legislative Counsel does not like to single out an  
individual county.

SEN. DWYER: We don't have to make reference to the size of the county, we  
could just make reference to the race track.

WILLIAM: We don't have any problem taking that out, as long as it's

approved by Legislative Counsel.

118 SEN. DWYER: Discusses problems with the language of the amendments.

CHAIR JOHNSON: Clarifies.

148 SEN. DWYER: Expresses concerns with singling out a particular interest group.

( Where are the breeders?

WILLIAMS: There are twenty eight breeders.

173 SEN. DWYER: Proposes an amendment.

( Is it logical to say that it costs the breeders who have to travel more because they are not getting the tax incentive?

183 WILLIAMS: Yes.

Chair Johnson pauses and speaks to people in the room while waiting for Sen. Cease.

( Discusses proposed amendments with Sen. Dwyer.

310 TARI GLOCAR, LICENSING MANAGER OREGON DEPARTMENT OF STATE POLICE: Testifies in support of the proposed amendment. Discusses the language needed to clarify the procedures needed for safety.

343 GLOCAR: Discusses the statutes with Chair Johnson.

362 CHAIR JOHNSON: Is there any reason if we allow explosives to be stored in farm areas that they would not have to follow the same requirements as those in town?

GLOCAR: No.

386 SEN. KINTIGH: Where are these currently being stored?

390 GLOCAR: All over, state wide; not in residential areas.

TAPE 118 SIDE A

012 CHAIR JOHNSON: OPENS WORK SESSION ON SB 1114

021 CHAIR JOHNSON: Discusses proposed amendments.

( Discusses the purpose of SB 1114.

( Discusses regional problem solving.

( Discusses section thirty six of page one, line twenty one of the SB 1114-1 amendments, change to section 40.

( Discusses sub B line twenty, page two; proposes further amendments.

( Discusses irrigated pasture land with Sen. Cease and amendments that would allow provisions for crop lands that are singled out for grazing.

( Discusses the top of page three sub section F.

( Discusses the top of page three sub section G.

( Discusses paragraph five on page three.

231 CHAIR JOHNSON: OPENS THE WORK SESSION ON SB 964

240 TARI GLOCAR, LICENSING MANAGER, OREGON DEPARTMENT OF STATE POLICE: Asks for clarification on a particular issue. (See Exhibit B)

254 CHAIR JOHNSON: You can already store fire arms in farm lands?

GLOCAR: Yes.

270 ROGER REIF: Testifies in opposition to the proposed amendments.

282 ROBERT BROWN: Why would we need to address the local ordinances in the

bill?

292 ART SCHLACK: Testifies in support of SB 964 and its proposed amendments.

330 DON SCHELLENBERG, OREGON FARM BUREAU: Discusses the problems with opposition to kenneling on farmed zoned land.

CHAIR JOHNSON: Isn't the \$80,000 test for a dwelling?

405 SCHELLENBERG: On high value land it's \$80,000, if its not high value then it's \$40,000.

TAPE 117 SIDE B

010 CHAIR JOHNSON: What is the primary reason for SB 964?  
--Questions page one line sixteen through twenty two.

SCHELLENBERG: To clean up the gray areas of the bill.

033 SEN. DWYER: This is to give a tax write off for game ranching?

SCHELLENBERG: It is meant to protect a certain situation in Washington County; game ranching should be considered a farm use.

VICE CHAIR KINTIGH: What about the seed cleaning?

056 SCHELLENBERG: If what your doing does not produce a finished product then you qualify here.

SEN. DWYER: Line sixteen and seventeen allow the little guy to put his shed on his farm so that he can still get the recognition?

074 SCHELLENBERG: No.

CHAIR JOHNSON: That is just a merger of line sixteen and seventeen.  
--What kind of bi-products are you talking about?

086 SCHELLENBERG: Drying fruit products, chicken manure.

CHAIR JOHNSON: Most of this bill is just restating existing statutes.

SEN. DWYER: Questions what line fifteen on page two means.

113 SCHELLENBERG: The land under the dwelling is not farm use. We assess it as the farm market value.

129 CHAIR JOHNSON: Discusses line thirty three page seven.

VICE CHAIR KINTIGH: Isn't section two marginal land counties?

SCHELLENBERG: Yes.

SEN. DWYER: Except for land under single family buildings, we don't have to list all of the other things?

171 SCHELLENBERG: That is correct.

CHAIR JOHNSON: Discusses the objection to gaming birds.

182 SEN. DWYER: I don't object to people raising birds, there are serious problems of ranching elk and species of deer.

SCHELLENBERG: Offers to remove the language of "and animals"

MOTION: CHAIR JOHNSON moves to accept the proposed amendments excluding the language "and animals."

VOTE: VICE CHAIR KINTIGH objects.

268 SEN. KINTIGH: Questions line twenty nine page three.

Discussion occurs between Chair Johnson, Sen. Kintigh and Sen. Dwyer discusses the provisions with "ill relatives".

356 ART SCHLACK, ASSOCIATION OF OREGON COUNTIES: Refers to HB 2016 in comparison to the mobile home parks.

SCHELLENBERG: Nothing new is being addressed here. This is already allowed. They simply have to come back and renew that permission every six months. There is a provision here for people who are over eighty years old.

403 CHAIR JOHNSON: Recesses the hearing at 2:50 p.m. Reconvenes the hearing at 3:20.

TAPE 118 SIDE B

012 CHAIR JOHNSON: Hands out a diagram explaining the differences in lands that SB 1114 addresses. (See Exhibit C)

CHAIR JOHNSON: It either has to be addressed as forest, reforestable or just been harvested.  
( Continues to explain SB 1114-1 amendments.

VICE CHAIR KINTIGH: That would take almost 40 acres.  
( Reads the description of secondary lands.

073 CHAIR JOHNSON: Everything else will be considered secondary lands. Not crop land.  
( Just because it's not considered good crop land, it has to be 160 acre's or more.

081 SEN. DWYER: What will you be allowed to do with it?

CHAIR JOHNSON: Explains, referring to page four line twenty three.

SEN. DWYER: What makes it "predominately"?

101 CHAIR JOHNSON: If 51% of the track is predominately class unique. This needs to read that parts of track can be blocked with parts of other tracks in order to allow this secondary land blockage.

SEN. CEASE: In reference to SB 964 that allows substantial commercial uses, how will that relate in relation to the secondary crop lands?

140 CHAIR JOHNSON: Once the county adopts the secondary lands, by definition they will be setting aside commercial crop lands that will have restrictions that will take care of SB 964.  
( Page four, section three, line twenty; there will be a 300 foot buffer if someone buys a parcel to allow a set back for hardship cases for dwellings.  
( This will be voluntary though.  
( Discusses section six.

( Discussion occurs between Sen. Cease and Chair Johnson on how to word section two properly.

292 CHAIR JOHNSON: Section six, is mostly pulled out of the actual statutes.  
( There are something's that can not be done in commercial crop land.  
( Discusses section seven.

- ( Discusses section eight.
- ( Discusses section nine.
- ( Discusses section ten.
- ( Discusses section eleven through eighteen.
- ( Discusses section nineteen.

TAPE 119 SIDE A

035 CHAIR JOHNSON: If we put a moratorium here there might be a change of attitude.

( Page thirty line fifteen discusses impact.

( Discusses section twenty one.

( Discusses problems with defining the high value wheat land in Eastern Oregon.

069 SEN. DWYER: Will the wheat farmers land in Sherman County be considered High Valued Farm Land?

CHAIR JOHNSON: Yes.

083 CHAIR JOHNSON: Adds a forth category for the prime forest lands that would require the five dwelling restriction.

( Adjourns the hearing at 4:02 P.M.

Submitted by,

Reviewed by,

Patricia Wehrli  
Committee Assistant

Karen Quigley  
Committee Counsel

EXHIBITS:

- A - Proposed amendments to SB 964 -- Staff -- 3 pages
- B - Proposed amendments to SB 964 -- Robert Brown, 1 page
- C - Diagram on SB 1114 -- Staff -- 1 page
- D - Testimony on SB 1114 -- Margaret Forsythe -- 1 page
- E - Proposed amendments to SB 1114 -- Staff -- 23 pages
- F - Proposed amendments to SB 964-- Rep. Ray Baum -- 1 page
- G - Revenue impact report --Steve Meyer -- 1 page
- H - Testimony on SB 1073 -- John Rexford -- 3 pages