

HOUSE COMMITTEE ON NATURAL RESOURCES

July 22, 1993          Hearing Room D 1:00 p.m.      Tapes 101 - 102

MEMBERS PRESENT:    Rep. Ray Baum, Chair Rep. Carl Hosticka, Vice-Chair  
Rep. Marilyn Dell Rep. Sam Dominy Rep. Bill Fisher Rep. Tim Josi Rep.  
Dennis Luke Rep. Chuck Norris Rep. Nancy Peterson Rep. Bob Repine Rep.  
Liz VanLeeuwen

MEMBER EXCUSED:                  Rep. Bill Markham

STAFF PRESENT:                  Kathryn Van Natta, Committee Administrator  
Catherine Fitch, Committee Administrator Pat Zwick, Committee  
Coordinator Sue Nichol, Committee Clerk

MEASURES CONSIDERED:                  SB 114 - Public Hearing and Possible  
Work Session SB 1011-A - Public Hearing and Possible Work Session SB  
632-B - Work Session

WITNESSES:                          Terry Witt, Oregonians for Food and Shelter  
Lorna Youngs, Department of Agriculture Sen. Ron Cease, District 10 Jim  
Whitty, Associated Oregon Industries Paul Cosgrove, American Forest and  
Paper Association Ted Hughes, American Plastics Council

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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. [--- Unable To Translate  
Graphic ---]

TAPE 101, SIDE A

005      CHAIR BAUM:    Calls the meeting to order at 1:05.

WORK SESSION ON SB 632-B ENGROSSED

016    CHAIR BAUM:    Recommends that the fee portion of the bill be  
stripped out, that it be funded by General Fund, and that it be  
sent to

Appropriations 'A' Committee.

022    REP. HOSTICKA:    As an alternative can we clean it up, in terms  
of the fee aspects of it and send it to Appropriations without  
recommendation

and then they can decide what to do about funding?

024    CHAIR BAUM:    I'd rather have us send it down there and have them  
adjust the fees.

031 REP. NORRIS: Are we only then referring to the elimination of Section 3?

033 CHAIR BAUM: Yes.

036 REP. NORRIS: Section 4 details a number of fees that are commercial in nature. Are we only addressing those fees that are outlined in Section

3 of the bill?

038 CHAIR BAUM: That would be my preference.

039 MOTION: REP. NORRIS: Moves that Section 3 of the original bill be eliminated and a General Fund authorization be added.

042 CHAIR BAUM: Restates motion.

050 REP. HOSTICKA: Objects to the motion.

055 CHAIR BAUM: Noting Rep. Hosticka's objection, we will adopt the amendment.

063 MOTION: REP. NORRIS: Moves to delete Sections 3(a) and Section 2 of SB 632-B.

068 CHAIR BAUM: Restates motion.

069 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

070 MOTION: REP. NORRIS: Moves SB 632-B Engrossed, as amended, to the House Appropriations Committee without recommendation.

072 REP. DELL: "I will be preparing an amendment to take to Appropriations, but I would like it recorded that while I plan to vote 'yes' on the

bill, I do so with the understanding that the bill does not pertain to fishing that is done by the Grand Ronde Indians or the Siletz Indians under separate agreements. They have special fishing agreements with the State now. I want clarity that this does not apply to those people that are fishing under those separate agreements."

082 VOTE: On a roll call vote, REPS. DELL, DOMINY, JOSI, LUKE, NORRIS, PETERSON, VanLEEUEWEN and CHAIR BAUM vote AYE. REPS. FISHER, HOSTICKA and REPINE vote NAY. REP. MARKHAM is EXCUSED.

100 CHAIR BAUM: The motion CARRIES.

101 Closes work session on SB 632-B.

Also submitted for the record: Potential amendments hand-engrossed by Staff (Exhibit A).

105 CATHERINE FITCH: SB 114 authorizes the Department of Agriculture to increase the maximum fee for five licenses associated with the

regulation of pesticides. Included for the record are: a preliminary Staff Measure Summary, Staff Measure Summary, Senate Vote Sheet and a Fiscal Impact Statement (Exhibit B).

114 KATHRYN VAN NATTA: The bill does not need referral to Appropriations according to the Legislative Fiscal Office.

129 TERRY WITT, Oregonians for Food and Shelter: Summarizes testimony in support of SB 114 so that the current level of programs can be maintained (Exhibit C).

151 REP. REPINE: Why is the cost of the program increasing?

160 WITT: I think Lorna Youngs would be in a better position to answer that.

163 LORNA YOUNGS, Department of Agriculture: The fiscal impact gives the maximum amount that could be raised should we enact the fee to the

statutory limit that is proposed in the bill.

178 Our proposal would be to only raise revenue needed to cover the current approved expenditure limitation in the '93-'95 budget.

183 REP. REPINE: What would the fees need to be to meet your '93-'95 budget?

188 YOUNGS: At this point, I don't know the answer to that.

206 REP. REPINE: Are they presently at the caps?

210 YOUNGS: Yes.

211 REP. REPINE: This is requesting your cap value be doubled?

214 YOUNGS: We can project our expenditures. We can't predict the revenues that will come in from registrations. We use the registration money in

the investigation and compliance work we do concerning pesticide use.

229 REP. NORRIS: Is there any statutory dedication of this money to this program? 234 YOUNGS: That is outside of this bill. The bill only changes the caps.

248 Submits written testimony in support of SB 114 (Exhibit D).

254 REP. FISHER: Describe the importance of the program.

260 WITT: The Department of Agriculture has the authority to

regulate the use of pesticides in the state. I believe it is in everyone's best

interest to have standards that truly protect the environment and protect individuals.

294 REP. FISHER: Is this a required program?

300 WITT: The program is mandated by federal law.

310 YOUNGS: We are also enforcing ORS Chapter 634.

311 CHAIR BAUM: Closes public hearing on SB 114.

WORK SESSION ON SB 114

320 MOTION: REP. NORRIS: Moves SB 114 to the floor with a DO PASS recommendation.

321 CHAIR BAUM: Restates motion.

322 REP. PETERSON: Why are the fees increased up to \$500,000 the next biennium?

323 YOUNGS: The fiscal impact for this biennium would be only one year's licensing cycle.

334 REP. FISHER: If we mandate these programs, we should have the General Funds available to pay for it.

350 VOTE: On a roll call vote, REPS. DELL, DOMINY, FISHER, HOSTICKA, JOSI, LUKE, NORRIS, PETERSON, VanLEEUEWEN and CHAIR BAUM vote AYE.

REP. REPINE votes NAY. REP. MARKHAM is EXCUSED.

355 CHAIR BAUM: The motion CARRIES.

360 REP. NORRIS will carry the bill.

362 CHAIR BAUM closes work session on SB 114.

PUBLIC HEARING ON SB 1011-A ENGROSSED

390 VAN NATTA: SB 1011 modifies the Recycling Markets Development Council and creates an executive committee and lists its responsibility.

Included for the record: SB 1011-A7 amendments, Staff Measure Summary, Fiscal and Revenue Impact Statements, Senate Vote Sheet, Report on The State's Role in Recycling Market Development (Exhibit E).

TAPE 102, SIDE A

002 SEN. RON CEASE, District 10: Testifies in favor of SB 1011 in order to strengthen the way the council is constituted with a few more options

and to fund some staffing for the council.

024 REP. LUKE: Does this have any effect on the bill passed dealing with the changing of the recycling of plastics?

026 SEN. CEASE: No, it would simply aid the industry and state agencies in trying to more effectively develop markets for recycling.

030 REP. PETERSON: Has the committee done any research on markets in the last two years?

032 SEN. CEASE: Yes, and the report is in your packets. In order for this to work there must be adequate staff.

042 REP. PETERSON: Is the problem more complex than just getting more staff?

043 SEN. CEASE: More staff won't solve all the problems; but it will help to begin looking at these problems.

056 REP. VanLEEuwEN: There will be two FTE's needed?

061 SEN. CEASE: The figure is \$100,000 for a biennium.

063 REP. NORRIS: The funding mechanism is existing?

070 SEN. CEASE: No, the Emergency Board will take care of it through an expenditure limitation. The bill would provide a mechanism by which the council can accept funds.

073 REP. NORRIS: The money generated by assessments would be from SB 66 (1991)?

077 SEN. CEASE: Yes, there was some but it was limited.

081 JIM WHITTY, Associated Oregon Industries: There is anticipation that a fee will be passed by legislature. But there is no fee proposed in this bill.

092 REP. NORRIS: Then what does Section 45(c) of Chapter 385 Oregon Laws actually say?

095 SEN. CEASE: They will receive funds under the mechanism that is provided for in this act.

101 PAUL COSGROVE, American Forest and Paper Association: That was authorizing language. If the council members propose an assessment

mechanism that was authorized in SB 66, the authorization is continued in this bill but it would not become effective until industry proposed it and this legislature adopted it.

101 REP. NORRIS: So there's a vehicle out there but no fuel in the tank?

109 COSGROVE: Right. The fuel that's in the tank for the next two

years to operate this council is a commitment by the three industry groups to

raise \$103,000 voluntarily and donate it to this fund for the specified staffing needs of the council.

120 WHITTY: We propose the -7 amendments which adds back in, as members of the council, the users of the product as well as the manufacturers of

the product.

125 CHAIR BAUM: Closes public hearing on SB 1011-A.

WORK SESSION ON SB 1011-A ENGROSSED

131 REP. NORRIS: Is there a real process to convert plastics back to oil?

137 TED HUGHES, American Plastics Council: Yes.

143 REP. HOSTICKA: We did add a budget note to the DEQ appropriation to have them study that process to determine whether they consider that

recycling.

144 HUGHES: It's a new process that the plastic industry has developed.

152 MOTION: REP. HOSTICKA: Moves the -A7 amendments to SB 1011.

153 CHAIR BAUM: Restates motion.

164 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

173 MOTION: REP. NORRIS: Moves SB 1011-A Engrossed, as amended, to the floor with a DO PASS recommendation.

175 CHAIR BAUM: Restates motion.

176 REP. DELL: In favor of the bill.

190 VOTE: On a roll call vote, all members present vote AYE. REP. MARKHAM and REPINE are EXCUSED.

200 CHAIR BAUM: The motion CARRIES.

202 REP. HOSTICKA will carry the bill.

210 CHAIR BAUM: Closes work session on SB 1011-A.

Meeting is adjourned at 1:50.

Submitted by:

Reviewed by:

Sue Nichol  
Administrator

Kathryn Van Natta Clerk

EXHIBIT LOG:

A - SB 632 - Potential amendments hand-engrossed by staff - Staff  
- 7 pages B - SB 114 - Preliminary Staff Measure Summary, Staff  
Measure Summary, Fiscal Impact Statement, Senate Vote Sheet - Staff - 4  
pages total C - SB 114 - Testimony - Terry Witt - 1 page D -  
SB 114 - Testimony - Lorna Youngs - 1 page E - SB 1011-A - SB  
1011-A7 amendments, Staff Measure Summary, Fiscal and Revenue Impact  
Statements, Senate Vote Sheet, Report on The

State's Role in Recycling Market Development - Staff - 48 pages

total