

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

February 17, 1993           Hearing Room C 8:00 a.m.Tapes    37-39

MEMBERS PRESENT: SEN. RON CEASE, Chair SEN. JOYCE COHEN SEN. BOB KINTIGH  
SEN. BOB SHOEMAKER SEN. GORDON SMITH SEN. DICK SPRINGER MEMBER EXCUSED:  
SEN. JIM BUNN, Vice-Chair STAFF PRESENT: PETER GREEN, Committee  
Administrator KUS SOUMIE, Committee Assistant

ISSUES DISCUSSED: Informational meeting, Department of General Services  
report on SB 66 of 1991 session implementation Department of Parks and  
Recreation report on SB 66 implementation Work Session on SB 113 and SB  
115 Public Hearing and Work Session on HJM2 Executive Appointment of Ron  
Culbertson to the Governing Board of the Department of Geology and  
Mineral Industries Public Hearing on SB 8 Introduction of committee  
bills

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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 37, SIDE A

11           CHAIR CEASE: Calls meeting to order giving sequence of events: -  
Work Session on SB 113 and SB 115 - Executive Appointment - Public  
Hearing on SB 8 and HJM2 - Informational meeting Passes out bill for  
possible introduction requested by Jack Chapin dealing with farm land  
and agate removal Mr Chapin is a farmer in the Salem area MOTION: Moves  
the committee introduce the bill Hearing no objection, the motion  
carries (SENATOR BUNN, excused) SENATE AGRICULTURE AND NATURAL RESOURCES  
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30           Opens Work Session on SB 113 31 CHAIR CEASE: Reads what the  
bill authorizes. - References proposed amendments to SB 113 [EXHIBIT not  
available]. Sen. Bunn has no problem with the amendments at this point.

36           PHIL WARD, DEPARTMENT OF AGRICULTURE: Gives brief history of the  
bill. - Came from Dept. of Agriculture as a proposal to allow collection  
of delinquent license fees - Agrees with amendments before the committee  
and feels they are acceptable to interested parties 45 CHAIR CEASE:  
References copy of hand engrossed bill with -2 amendments. 49 PHIL  
WARD: Describes what the bill does at this point. - We proposed ability  
to levy delinquent fee the same amount as corresponding license fee, up  
to that amount - These amendments restrict that proposals for license  
fees of \$100 or less, the delinquent fee could be \$30 or the amount of  
the license fee, whichever is less - In a smaller license fee category,  
we could levy up to \$30 or the actual corresponding license fee amount -  
For license fees greater than \$100, the fee could be up to 30% of amount  
of license fee or \$750 at the maximum, whichever is less - We think  
these are an acceptable compromise to our original proposal and would be  
happy to see them go forward 62 CHAIR CEASE: And, we have the 60 day  
arrangement that the people asked about. 64           KAY JURAN, (OFI) : Mr.  
Chairman, we're very comfortable, OFI and the small grocers are  
comfortable with this and we've worked it out with the department.

66           SEN. COHEN: MOTION: Moves the -2 amendments as engrossed with SB  
113 today. 67 CHAIR CEASE: Asks for questions or comments. If not,  
Sen. Cohen would you like to move the bill? 68 SEN. COHEN: MOTION:

Moves SB 113 as amended to the floor with a do pass recommendation.  
69 CHAIR CEASE: Hearing no discussion, requests roll call vote.  
70 KUS SOUMIE, ASSISTANT:

SEN. SPRINGER, votes yes SEN. SMITH, votes yes SEN. COHEN, votes yes \ -

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SEN. KINTIGH, votes yes SEN. SHOEMAKER, votes yes CHAIR CEASE, votes yes (SENATOR BUNN, excused)

72 CHAIR CEASE: Motion carries. I will ask Senator Bunn to carry the bill. 74Closes Work Session on SB 113 75Opens Work Session on SB 115 76 This is the bill, you recall, that would remove the requirement that any contract amount over \$500 would have to have a hearing and we've toyed with the idea of changing that amount. - Questions whether or not this is a common process - What procedures and protections do we have in reference to contracts of this kind?

83 SANDRA BURT, ADMINISTRATOR PURCHASING DIV., DEPARTMENT OF GENERAL SERVICES: I am here to provide information to the committee on SB 115 to clarify some of the points that you made. - We at the Department of Gen. Services would not be in opposition to the repeal of section 2 of the bill. The Dept. of Agriculture is subject to the purchasing division procurement statutes found in ORS 279. - I would guess that it is somewhat out of date and certainly not consistent with current practices that are in place today statutory and from an operational perspective.

93 CHAIR CEASE: MOTION: Moves SB 115-2 as printed. This would make the department, at least in this respect, pure in reference to the previous law which they have not followed. - It now provides in the beginning of the bill 3 new provisions and inserts section 2, etc. - Moves SB 115 as amended to the floor with do pass recommendation. Hearing no discussion, requests roll call vote. 104 KUS SOUMI, ASSISTANT: SEN. SMITH, votes yes SEN. COHEN, votes yes SEN. KINTIGH, votes yes SEN. SHOEMAKER, votes yes SEN. SPRINGER, votes yes CHAIR CEASE, votes yes 107 CHAIR CEASE: Motion carries. 107Closes Work Session on SB 115 Requests Sen. Smith to carry the bill. 108 Opens Public Hearing on SB 8

[EXHIBIT E, PROPOSED AMENDMENTS TO SB 8] Entered for the record.  
[EXHIBIT F, SB 8] Entered for the record.

118 GARY GUSTAFSON, DIRECTOR, DIVISION OF STATE LANDS:

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[EXHIBIT A, MEMORANDUM] [EXHIBIT B, STATEMENT IN SUPPORT OF SB 8] Introduces Steve Anderson, member, and Jimmy Kagan, staff, Natural Heritage Advisory Council. The Div. of State Lands introduces SB 8 at the request of the Natural Heritage Advisory Council. - The Council is set up in statute - Helps state maintain data base and protection mechanisms for the valuable biological and botanical species that can be threatened and endangered or designated as unique. 127 STEVEN

ANDERSON, NATURAL HERITAGE ADVISORY COUNCIL: [EXHIBIT C, SENATE BILL 8 SUMMARY] Introduces Ray Erickson, another member. You have the full statement by the council of what they are proposing in SB 8.

- Proposing 3 amendments to Oregon's Natural Heritage Act (NHAC) of 1979 - One is a technical amendment relating to NHAC data collected on private land - Main proposal is a directive to NHAC to develop an Oregon big-diversity plan 147 - Explains background of act.

- Explains why they need the natural heritage areas. - Explains why the NHAC was created. 154 - Reasons why they are asking for directive to develop big-diversity plan - to be more effective on their job - to keep up with developments in the science of natural resource management - Goal is to work with agencies on voluntary basis 158 Explains what the big-diversity plan will not do: - No new authority for "us" (NHAC) or any state agency to manage resources in a new way - Does not set aside any land or other resources - Won't identify what species or other resources should be protected - Won't require any new funding 164 Explains what plan will do: - Make possible consistent set of guidelines and recommendations for long term natural resource planning by state and federal agencies. Problem is that each agency is planning in isolation using different tools. 186 GARY GUSTAFSON: Reference 3 pieces of information in front of members. - position paper from the Div. of State Lands - SB 8 summary by NHAC - Amendments hand engrossed by NHAC, dated Feb. 17, 1993 Notes that the Division of State Lands agrees with proposed amendments. 195 SEN. COHEN: Tell me how a State Advisory Council interfaces with a federal agency. 197 STEVEN ANDERSON: The mandate of the council is to provide for a protection for a sample of every native Oregon eco-system. There are lands already protected, so we work with those federal agencies to help identify areas that should be protected according to law. 206 SEN. COHEN: In process of developing their plan, they would pass through you their advice and prospective programs. Is that how it might work?

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210 JIMMY KAGAN, NATURAL HERITAGE ADVISORY COUNCIL: We have produced a Natural Heritage plan that lists the ecological resources in this state as defined by the council. Federal agencies have chosen to adopt that plan to work within when they are adopting their rules.

220 CHAIR CEASE: If you already have a plan, what is this?

221 JIMMY KAGAN: The NH plan's goal is to protect one example of every eco-system in the state.

226 CHAIR CEASE: What does the bill change in the plan?

227 JIMMY KAGAN: The focus of the plan. The plan we now have was not set up to develop a framework to protect big-diversity. - Presumably if the Legislature agrees that a framework be developed, we develop it and the federal government will use it. 237 CHAIR CEASE: Requests that they comment on value of bill in reference to coordinating action of state agencies. 239 JIMMY KAGAN: The specific idea has to do with the different types of activities going on in state and federal agencies. - idea is to develop a framework in order for everyone to fit their actions all together 253 SEN. COHEN: Comments regarding former Attorney General Frohnmeyer and his advocacy for this issue.

264 CHAIR CEASE: Requests that they comment regarding fiscal impact.

267 GARY GUSTAFSON: Describing bill. It brings us current with the way in which all state agencies are now treating land management. Bio-diversity is what everyone is doing and since they're planning for big-diversity anyway, we don't see that there would be added financial impact at this point. 272

CHAIR CEASE: Is there funding for the council itself? 273 GARY GUSTAFSON: The NHAC advises the Land Board and other entities in state government. They are housed within the budget of the Div. of State Lands and most of this division is a common school fund budget but we do have a small amount of general fund. Part of that goes to the support of the council. - also get federal dollars that go into the support of council activity 279 SEN. SMITH: Do you envision the day when you will need authority under this to compel an agency to focus on big-diversity as opposed to species management?

281 STEVEN ANDERSON: The agencies operate under laws that are passed by state legislatures or Congress. It is the Legislature that compels the agency to do certain things. We certainly don't foresee being anything other than the advisory council.

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288 JILL ZARNOWITZ, CHIEF OF HABITAT CONSERVATION DIVISION, OREGON DEPARTMENT OF FISH AND WILDLIFE: Speaks in support of this bill with the amendments being proposed by Div. of State Lands and Natural Heritage Council. 300 CHAIR CEASE: Accepts written testimony from Jim Myron, Oregon Trout. [EXHIBIT D, OREGON TROUT] 307 Asks if there are others wishing to testify. 309 Closes Public Hearing on SB 8. 314 Opens Public Hearing on HJM2

TAPE 38, SIDE A

42 MIKE MILLER, EXECUTIVE VICE PRESIDENT, ASSOCIATED OREGON LOGGERS, NORTHWEST FOREST RESOURCES COUNCIL(NFRC): States composition of NFRC. Gave memorandum to the committee regarding letter sent to Clinton administration regarding. - Many forest based companies are in desperate straits - Environmental and legal gridlock has taken them to place that amount of raw material available from federal forest agencies is now somewhere around just a few months on forest contracts. - Many of these contracts are under court injunctions - For many this summit will be too late - - lumber price index is at all time high - Requested summit be held in Pacific Northwest 79 First component of the effort of the summit should be to bring all appropriate viewpoints and data from interested parties. - Second component should be the decision making, process which should be limited to those establishing forest management policies on our nations forests. - Outcome should be a minimum of set of guiding principles that can be used as framework for Congress in setting new policy for management of NW forestry. 91 Expresses concern regarding the "so called scientific concept" We heartily endorse the provisions of SJM2. 101 RAY WILKESON, OREGON FOREST INDUSTRIES COUNCIL(OFIC): OFIC primarily focuses on concerns of private forest land owners. Issues of summit are one step removed from primary concerns of OFIC. - our members are at least 50% dependent upon public timber - it is inevitable that some will shut down - issues are similar that have

precipitated problems - labor and management are committed to seeing this through to resolution - provided written statement and letter Expresses favor in contact with Clinton administration and states 'the more they hear from us the better"

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138 SEN. SPRINGER: "[ want to believe that this is more than just feel good legislation." Comments regarding lack of success due to real inattention to the problem. Reads from document: line 26, 'Northwest Congressional Delegation or other interested members of congress should refrain from introducing legislation..." What do you mean telling me not to introduce legislation?

159 RAY WILKESON: In agreement regarding Oregon legislature telling the Congress that is not going to be the factor as to whether or not it went, however, thinks NW Delegation and others involved have reached an agreement to have the summit before introducing specific pieces of legislation. This section simply reflects that sequence of events.

166 SEN. SPRINGER: We did have a prior attempt at a summit. Says he doesn't know if a summit is the forum in which any kind of legislation will occur. Who are the affected states? Impact on housing market, national forests, etc. 182 RAY WILKESON: Nobody knows whether or not a summit is a good idea but the key point is that it was Bill Clinton's idea. Thinks he should be supported.

188 MIKE MILLER: The timber summit in '89, results were in section 318 in the Appropriations Act which provided for about 7 billion board feet of timber sales, 2 years worth of sales that had been held up. There were other agreements made. - That was a short term timber summit - This summit could serve as a model 215IRV FLETCHER, PRESIDENT, OREGON AFLCIO: Handed out statement. (Not available) The 3 stage process that we envision is based upon input from various organizations, deliberative process (suggest elected or appointed officials), and last stage of resolution in Congress. 241 REP. SAM DOMINY, DISTRICT 44: Gave written statement. (Not available) I am a mill worker when I'm not in session so I am touched by the timber issues as a mill worker, as a state representative in a district that has been hit real hard by the loss of supply, also as a union person in the IWA. - The proposal before us is just a letter to Congress saying we think its time to sit down and find a solution - I want to make it clear that we don't want to stop input from any group - Who is final decision makers, strong desire to have people making the decision be the ones who were elected by the state. 265 SEN. SPRINGER: Speaks in support. Asks about Weyerhaeuser mills still open. 269 REP. DOMINY: Responds explaining what mills are open and how they operate. 279 SEN. SPRINGER: How many people would be working in those mills or in the Northwest, if Weyerhaeuser weren't shipping raw logs overseas? And, will that issue be addressed in this timber summit?

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281 REP. DOMINY: In Albany, Longshoremen were in on that discussion. Our final decision was to leave the issue of log export out but not exclude it. - The focus was on timber supply not log export 301 IRV FLETCHER: I would guess that it would be on the table. Our position would be that it be included. 340 SEN. SMITH: Asks Rep. Dominy if Weyerhaeuser has made investments to produce the wood products that they are currently sending logs over to Japan to produce, what does Japan need and is Weyerhaeuser set up to produce that if we keep the logs here? 346 REP. DOMINY: Currently, it is my understanding, that from the state of Oregon, Weyerhaeuser is exporting zero logs today. They are still exporting logs from the state of Washington. - In Cottage Grove there is a potential for a brand new cleaning mill and they are waiting for someone to say there is an ongoing supply 372 SEN. SMITH: Shares Sen. Springer's skepticism about the summit. I saw it as a campaign stunt on the part of the administration. Says he will vote for this so that they can find out what they have and what they can work on.

TAPE 37, SIDE B

50 SEN. JOHNSON: Comments regarding critical state of this issue. Responds to Sen. Springer that he is very much in support of log export being a part of the discussion. - Agrees that we need a short term plan to 'get through' until we can get the long term solution figured out - Gives a handout and reads from paragraph 6: FOR THE RECORD: An interim short term component for the summit should be developed that would reinstate a reasonable and predictable timber sale program while federal agencies revise and adjust their management plans to reflect a new Legislative directive for the long term. I offer that as an amendment to be inserted in HJM2. 114 REP. DOMINY: There is an amendment before us which is LC 2390 dated 2-16-93, 2-84 that you may be considering today. That adds some language in regard to who should be in the decision making portion of the summit itself. I do oppose that. - Reason: the people who were elected by the public, should be the ones who are making the final decision. In-put should be from every place but at the point of decision, it should be people who have the responsibility. Refers to last page of letter to Rep. Defazio: 'Your leadership and championship on this memorial underscores Oregon's commitment to finding a solution to the NW Forest Management crisis. It is important to let my colleagues in Congress know how much our region needs an early resolution to this crisis. Your memorial does that.'

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148 CHAIR CEASE: It is my intention to put this memorial out today. We do have a couple of issues related to -----4 that has to do with letters that I and the President of the Senate have sent out but I want this to pass the Senate by 30 votes. 158 SEN. SPRINGER: Asks what issues will be addressed at the summit. 172 REP. DOMINY: We crafted it in such a way that nothing would be excluded. The focus has to be that we have to be able to plan for the future, make sure that we have a

stable supply of timber. 188 SEN. JOHNSON: The main point is whether or not we have mills operating in our communities so that we know if we have jobs. 196 BILL STREET, DIRECTOR OF RESEARCH AND EDUCATION, INTERNATIONAL WOOD WORKERS OF AMERICA; WESTERN COUNCIL OF INDUSTRIAL WORKERS: I'd like to make two points. - The way this summit came about, IWA and Western Council was able to get the then Governor Clinton, a commitment to make it happen. It was our critter from the very start. - The reason we wanted the summit was because at one point in the last session of Congress, from the NW delegation alone there were over 13 pieces of legislation determining how to manage the Pacific NW forest. Nobody would agree and until we can get some agreement within the NW delegation, we're not going to get any national legislation and until we have national legislation we're not going to get this resolution.

212 - We hope result of summit, the NW delegation will agree on a single piece of legislation 245 - This became a partisan issue in the House and I don't want that to happen here. 246 CHAIR CEASE: You had a unanimous decision in the House, where was the partisan flavor?

247 BILL STREET: In the amendment where they changed it to read other state elected officials, from what I can tell, they added up the Governor's and delegates and decided there were more Democrats than Republicans and wanted to create an opportunity for more Republicans. - Secondly, regarding the International Woodworkers' comments to President elect and then President Clinton, we went on record as: A) We have opposed log exports since 1947 B) We pointed out the NAFTA and the GATT problems that raised with any of the solutions we talked about regarding restricting the supply of log export, we think it is critical that those supplies be restricted. - If log exports ended tomorrow, is there sufficient capacity to use that product in the state of Oregon?

Absolutely. Is it within one company such as Weyerhaeuser? Absolutely not. 270 SEN. SHOEMAKER: I'm curious where the HJM2 -A4 amendments came from. Who is proposing those, was it included in the resolution as it passed the House? 275 CHAIR CEASE: I asked Legislative Council to draft those because there was an issue raised here. 280 BILL STREET: The new amendment A-4 that you have before you are not a part of the current bill.

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292 SEN. SMITH: The legislation you speak of Do you propose that would take precedence over the Endangered Species Act?

304 BILL STREET: There are two possible ways out of that conundrum. - some kind of sufficiency language in the national legislation that would grant protection as we did similar to section 318 - have the administrative agencies abide by the existing law, therefore, give extreme communities no grounds to win 321 SEN. SMITH: Expresses concern regarding possible gridlock. 323 CHAIR CEASE: This has been crafted fairly balanced with everybody on board. It doesn't answer all the problems. Essentially what it says is that we want you to get on with it. 329 BILL STREET: The dilemma that labor faces is that right now of the three competing groups, capital, labor and the non commodity special interest groups, time is working against us greater than the other two. 348 CHAIR CEASE: Asks about the amendment from Senator

Johnson and whether or not it would add a substantial, major component that would destroy their unanimity. 352 IRV FLETCHER: I agree with the amendments but not particularly to this memorial because we've submitted that statement already to the committee. I wouldn't see that it is necessary to the memorial myself. 362 REP. DOMINY: We drafted this memorial to try not be specific as to what resolve would be to give the summit all the flexibility possible. I agree that there needs to be an interim solution but I'm not sure I agree that it needs to be in this bill itself. 372 SEN. COHEN: Expresses concerns regarding spending energy on the short range plan. 380 BILL STREET: Says the only way you "slide off the lose-lose continuum" is by taking the long range approach. 396 SEN. SPRINGER: Mr. Chair, I would prefer to support the measure in the form that it came to us from the House without any additional amendments. I think this language has been carefully crafted and several competing interests have been recognized and I'm particularly pleased by the language in sub-paragraph 5 where you recognized that there are competing interests that will have to be resolved, not only in the short term but also long term. Asks what happens if we get to the point where there are no logs left, period. Do you expect this summit is going to address that when you talk about stable employment? 412 BILL STREET: The dilemma we have is with the land ownership pattern. Do I think that the summit is going to extend to the private ownership pattern? No, I do not. - I do believe there is sufficient wealth in the forest to provide for timber dependent economy in the state of Oregon.

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450 SEN. COHEN: It seems to me that the key to the success of long term piece is to recognize those growth patterns that we have set up out there. 467 SEN. SHOEMAKER: I'm curious as to what is happening in the state of Washington regarding a memorial from its legislature. Is something going on there that is similar to this? 472 BILL STREET: We have a piece that began worked identically in Washington, Idaho and in the very initial stages in California. I can't tell you what the status of it is. 486 SEN. SHOEMAKER: If this passes, will we be the first of those states to memorialize Congress and would that then provide some argument for those other states staying with the memorial as originally proposed?

TAPE 38, SIDE B

37 BILL STREET: Yes (to the first question). I would certainly make that argument when I appear there. 43 SEN. KINTIGH: I would like to point out that the present rules being drafted by the Forestry Department, will possibly reduce the yield from private land as much as 10%. 51 JANET SMITH, INTERN, WILLAMETTE UNIVERSITY; SIERRA CLUB: Liz Frankel could not be here, so I'm here in her place. The Oregon Chapter of the Sierra Club supports HJM 2. The Sierra Club believes that a forest summit sponsored by the new Clinton administration can develop legislation which responds to the needs of the regional economy and to the need to protect old growth forest eco-systems. 69 CHAIR CEASE: States that they committee will return to this issue for a Work Session



and his desire to put it out this morning. 71 Closes Work Session on HJM2 72 Opens Discussion on Governor's Recommendation for Executive Appointment 76 You all have information regarding Mr. Culbertson including statements to the Ethics Commission Asks for questions or comments. 82 SEN. COHEN: Having served on the Executive Appointments Committee, the process we went through was to ask the individual coming a little bit about his background and a statement as to why he would like to serve on the board, and what he would contribute, etc. 87 MR. CULBERTSON: First of all. I have served for 4 years. When I was first asked to serve on this, I wondered why. I wondered why there was a need for a Department of Geology and Mineral Industries. After having served for 4 years, I realize that it serves a real function in this state. - Continues to explain the role of the Commission, his reasons for wanting re-appointment, etc. 118 SEN. SPRINGER: Asks about Gold Mining rules. Does he feel we need to go further? . .

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121 MR. CULBERTSON: I'd just as soon leave it alone for a while and see what happens. 123 SEN. SPRINGER: I agree. Asks about Mineral Task Force policy, royalties, do you think we should revisit that issue, or if public should expect return from private development of mineral resources? 133 MR. CULBERTSON: I guess I'm a radical but I'm a radical right in this respect. I don't think we should even mess with it. Goes on to explain reasons. 166 SEN. SHOEMAKER: Expresses concern regarding that the old law that allows mining claims (1872). 173 MR. CULBERTSON: Explains that that is a federal law and it came at the same time as the railroads were granted every other section of land in order to develop things. It was to encourage development. I am not familiar enough with all the aspects of the law to take a hard stance. My gut reaction is that it needs to be changed. 200 Discussion regarding royalties. 230 SEN. COHEN: MOTION: Recommends to the Senate that we confirm Mr. Culbertson's re-appointment to the Board of Geology and Mineral Industries. 234 CHAIR CEASE: Hearing no discussion, requests roll call vote. 235 KUS SOUMIE, ASSISTANT:

SEN. COHEN, votes yes SEN. KINTIGH, votes yes SEN. SHOEMAKER, votes yes SEN. SPRINGER, votes yes SEN. SMITH, votes yes CHAIR CEASE, votes yes

237 CHAIR CEASE: Motion carries. 249 Opens Informational Meeting on Department of General Services and Department of Parks and Recreation's report on SB 66 1990 session implementation. 259 SEN. COHEN: Explains brief history. 265 CAM BIRNIE, ADMINISTRATOR, TRANSPORTATION DISTRIBUTION DIVISION, DEPARTMENT OF GENERAL SERVICES: Brings report on small element of SB 66 passed last session. This relates to re-treaded tires. - Explains what the bill reads in relationship to their responsibilities

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- Says they are wondering what the proper procedural direction should be regarding a recommendation relating to larger re-treaded tires, but they are strongly against mandated use of smaller passenger vehicle re-treaded tires. - Gives reasons why - References handout given (not available), says it defines what a passenger vehicle is - Experienced a lot of passenger vehicle retread tire failures - Explains comparison done with mile usage for new vs. re-treaded tires We urge the committee to not demand/mandate Dept. of General Services and other state agency fleets to acquire retread tires for their passenger vehicles. We do endorse the use of these tires for the larger vehicles. 338 SEN. COHEN: Asks what he means by the "other, larger tires." 339 CAM BIRNIE: References document, page 2, "Conditions and Participants" we do include what are passenger vehicles. 359 DON UNDERWOOD, SERVICES DIRECTOR, DEPARTMENT OF FORESTRY: Explains their part in the vehicle tire tests done. - We go along with Dept. of General Services recommendations to only use them (re-treaded tires) on our heavy equipment. 386 SEN. COHEN: I would suggest that we support your suggestion based upon the information that you spent a fair amount of time gleaning out of some use, except that I need to find out what other kind of tires will be used as retreads. 393 SEN. SHOEMAKER: Of the 28 vehicles used for the test, how many were larger vehicles? And, do you have any experience using them? 395 DON UNDERWOOD: None. (to the first question) In the past we've used quite a few retreads. They weren't part of the study but we've used them. 413 GREG PHILIPS, FLEET REPAIR MANAGER, DEPARTMENT OF TRANSPORTATION: Explains their experience with re-treaded tires on heavy equipment. - Explains using heavy equipment in test 432 SEN. COHEN: I recommend that we approve or adopt the recommendation from the Department of General Services that reflects their study, that they have had less than satisfactory experience in using retreads on passenger vehicles, but should continue using re-treaded tires on larger vehicles. 457 CHAIR CEASE: We will first determine what action we are supposed to take and bring the issue back on Friday to put it out.

TAPE 39, SIDE A

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30 STEVE JOHANSON, OREGON STATE PARKS AND RECREATION DEPARTMENT: Introduces self and Mike Niss, our Naturalist from Tryon Creek State Park in Portland. We want to take a few minutes to update you on section 85 of SB 66 requesting that the Parks Dept. conduct a demonstration project using recycled plastic. Explains what the handout (not available) shows. - The Parks Dept. is underway conducting 10 projects with recycled material 50 MIKE NISS, PARK NATURALIST, TR1 ON CREEK STATE PARK, PORTLAND: I work on the field level with these projects. He shows samples of materials concerned. 55 CHAIR CEASE: Requests slight interruption to move into a Work Session. 57 Opens Work Session on HJM2 MOTION: The Chair moves HJM2 to the floor with a do pass recommendation. 59 Hearing no discussion, requests a roll call vote.

60 ASSISTANT: SEN. KINTIGH, votes yes SEN. SHOEMAKER, votes yes SEN. SPRINGER, votes yes SEN. SMITH, votes yes SEN. COHEN, votes yes

CHAIR CEASE, votes yes 62 CHAIR CEASE: Motion carries. The Chair will carry the memorial. 63 Closes Work Session for HJM2 64 Ooens Informational Meeting on Department of Parks and Recreation's report on SB 66 1990 session implementation. 65 MIKE NISS: Continues with his report on recycled plastics projects. - We generally use two types of materials - rivanite and 100% recycled plastic lumber - We are impressed with the use of 100% recycled plastic lumber to replace wood 81 SEN. KINTIGH: How would a cost compare using the approximately 2 by 6 there (referring to one in room) compared to a pressure treated 2 by 6 that you would want to use on a bridge. 83 MIKE NISS: Could be a size 10 times. Part of this is due to the availability of material. Our understanding is that there is a small business starting in Oregon City where they will actually be able to manufacture the material here so that should cut down on the cost. - We consider ourselves a lead agency in using this but we're not the only ones 97 SEN. COHEN: Thanks them for going out and making effort to begin to create the market for this. 106 SEN. SMITH: I'm interested in what kind of a dent we're making the milk bottle supply. Are we making a difference? . . . 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. SENATE AGRICULTURE AND NATURAL RESOURCES February 17, 1993 - Page 15

110 MIKE NISS: I believe it is a public relations thing. Explains ways they have tried to show uses of these materials. 120 SEN. COHEN: It may be a short term investment on part of tax payers but if you get the market developed the price should be competitive. 131 SEN. SMITH: Speaks in favor of the long term idea, still asks 'is there really light at the end of the tunnel?' 137 PETER GREEN: Senator Springer and I were at a conference looking at this issue and a company was making pilings that might be 80 ft high and 14 inches in diameter and each piling took 200,000 milk jugs. 143 SEN. SPRINGER: Is there a way you can share your experience or information with other agencies who may benefit from it? For example, the Marine Board. 148 MIKE NISS: We can communicate with other agencies and there are other agencies performing some of the same projects. We still need to communicate with our own employees. - handout given (not available) was made on recycled paper 165 CHAIR CEASE: Final comments.

Adjourned the meeting.

Transcribed by, Reviewed by,

DAR' WOODRUM PETER GREEN Cornrnittee Staff Committee Administrator

EXHIBIT SUMMARY:

A- Memorandum, Gary Gustafson, 1 page B- Statement in Support of SB 8, Gary Gustafson, 5 pages C-Senate Bill 8 Summary, Steve Anderson, 7 pages D- Oregon Trout, Jim Myron, 1 page E- Proposed Amendments to SB 8, Staff, 1 page F- SB 8, Staff, 5 pages

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