

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: February 22, 1993 TAPES: 44 - 47 PLACE: Hearing Room C TIME:  
8:00 AM

MEMBERS PRESENT: Senator Ron Cease, Chair Senator Jim Bunn,  
Vice-Chair Senator Joyce Cohen Senator Bob Kintigh Senator Bob Shoemaker  
Senator Gordon Smith Senator Dick Springer GUEST MEMBERS: Senator  
Joan Dukes Representative Beverly Stein STAFF PRESENT: Peter Green,  
Administrator Chris Warner, Research Associate Kus Soumie, Clerk

MEASURES HEARD: SB 186 WRK SB 189 PAW SB 193 PUB SB  
350 PUB INFORMATIONAL MEETING: LC 2711 LC 3347 LC 3494

EXECUTIVE APPT: GOV'S Recommended Appointment to State Parks and  
Recreation Commission June M. Spence

THESE MINUTES CONTAIN MATERIALS WHICH PARAPHRASE AND/OR SUMMARIZE  
STATEMENTS MADE DURING THIS SESSION. ONLY TEXT ENCLOSED IN QUOTATION  
MARKS REPORTS A SPEAKER'S EXACT WORDS. FOR COMPLETE CONTENTS OF THE  
PROCEEDINGS, PLEASE REFER TO THE TAPES.

TAPE 44 SIDE A Senate Agriculture and Natural Resources February 22,  
1993 Page 2

005 CHAIR CEASE CALLS MEETING TO ORDER 8:00 AM

WORK SESSION ON SB 186

WITNESSES: Peter Green Rep Beverly Stein Sen Joan Dukes

027 PETER GREEN, Committee Staff, offers testimony on SB 186, and  
presents overview of background of the bill and proposed amendments.  
(EXHIBIT A)

067 REP BEVERLY STEIN, State Representative District 14, offers  
testimony on SB 186.

078 - discussion with committee members and Rep Stein

168 REP STEIN: - continues testimony on SB 186, and presents overview  
of EXHIBIT A

214 MOTION: Chair Cease asks for Roll Call vote on -2 amendments to  
SB 186

VOTE: 1 aye 6 nay (all members present) ACTION: MOTION FAILS -  
discussion on related policy in the state of Washington

285 MIKE DEWEY, Oregon Wheat Growers League & Oregon Potato Commission,  
offers testimony on SB 186 -1 amendments.

- from the agricultural perspective we do not have a position on the  
bill MOTION: Sen Cohen moves SB 186 as amended (-1) DO PASS - 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

22, 1993 Page 3 VOTE: In a roll call vote 7 - 1 MOTION CARRIES all members present

ACTION: SB 186 as amended TO THE FLOOR DO PASS Sen Springer to Carry

PUBLIC HEARING ON SB 189

WITNESSES: Lee Frease

357 LEE FREASE, CAP, offers testimony on SB 189 and presents overview of intent of the original bill affecting solid waste statutes EXHIBIT B.

- problems with the proposed amendments

TAPE 45 SIDE A

005 FREASE: - continues testimony on -1 amendments to SB 189.

025 SEN BUNN: I misunderstood your original draft of SB 189. Are you saying that it is not intended to bring action against an individual but against the government. Why is it specified that half of the penalties would go to the person who brought the action. Isn't the action against the violator?

030 FREASE: No. It would be against the state agency to enforce the laws. It has nothing to do with the corporation or the private person at all.

- proposes further amendments - concern with punitive measures against citizens bringing lawsuits against a State Agency

044 CHAIR CEASE: Metro has just signed an agreement a large amount of garbage into Yamhill county. The landfills are getting larger, how do you protect those living around the landfill.

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061 FREASE: - proposes amendment to SB 189

073 GILL DePUY, CAP, offers testimony on SB 189 and -1 amendments.

- DEQ's own testimony says landfill will cause future problems - landfill is already contaminated and established illegally - citizens need protection from contamination

108 SEN BUNN: I am assuming that you are trying to close Riverbend. You are saying DEQ is not enforcing the rules we have so let's make them enforce.

121 DEPUY: We need help. Whether it is this bill or amendments to this bill, we flat out need some help.

123 SEN BUNN: The base bill is bad and amendments are not helping I think we ought to move on.

- people of Yamhill county do not want a regional landfill

151 DEPUY: We are not going to be the only group sitting in here wanting a landfill to be cleaned up.

178 CHAIR CEASE: DEQ having so much regulating power is a concern.

194 SEN BUNN: We should not get the idea that Riverbend is a substandard operation. The concern is that statewide, no landfills would be acceptable if this were to pass.

224 CHAIR CEASE: Do you have any suggestions or comments on the larger problem of landfills.

233 BOB DANKO, DEQ, offers testimony on SB 189, and presents overview of EXHIBITS A & B, and answers questions from committee members.

- Riverbend is one of many sites managed by DEQ

263 SEN BUNN: How is riverbend doing in relation to other landfills in Western Oregon?

268 DANKO: - four regional sites lead

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- Riverbend is state of the art landfill technology for 1 990's - solid waste sometimes disposed of without the benefit of liners

308 DANKO: - answers questions from committee members

341 CHAIR CEASE: In reference to your facility is there an enhancement free that goes to citizens

351 MR. EMERICK, Government Affairs Chairman, Former Owner Operator Of Riverbend Solid Waste Facility, offers testimony on SB 189, and answers questions from committee members.

360 KRISTAN MITCHELL, OSSI, offers testimony on SB 189 and proposed amendments, and presents overview of EXHIBIT C.

TAPE 44 SIDE B

005 MITCHELL: - continues testimony on SB 189 and proposed amendments

028 MIKE DEWEY, Oregon Waste Systems, offers testimony on SB 189 and proposed amendments, and presents overview of EXHIBIT D.

- opposition to proposed amendments - we think this a matter of local concern needing the attention of elected officials - DEQ has done good job of regulating the industry 116 SEN SPRINGER: Has Yamhill adopted a policy similar to SB 66 (1990)?

154 EMRICK: I am liable for any action at that landfill for the rest of

my life.

- waste site must be run correctly or I am personally liable impacts to health and treatment systems - continues discussion on past and present standards for groundwater quality

210 JOHN DELORENZO, Representing Finley Gates Landfill Company, offers testimony on SB 189 and proposed amendments.

- 1 amendment problems in Section 6 subsection 3 destroys ability of any  
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county to compete for a regional landfill - should the - 1 amendments become law counties with host fee agreements will instantly be in breach of contract

PUBLIC HEARING ON SB 193

WITNESSES:

250 SEN DICK SPRINGER, Senate District 6, offers testimony on SB 193, and presents overview of EXHIBIT E. - growing evidence of harvesting immature timber in Oregon - purpose of the bill is to review clear cut practices - corporate maneuvers to get around the clear cut size limits - bill intended provide continuous supply of timber in Oregon 362 SEN COHEN: I am concerned about immature trees and premature harvesting.

375 SEN SPRINGER: We are aiming for 60-80 year rotation for cutting of tees.

TAPE 45 SIDE B 005 SEN KINTIGH: - questions to Sen Springer 032 PETER GREEN: - discussion with committee members continues 068 FRED ROBINSON, ODOF (Oregon Department of Forestry), offers testimony on SB 193 and presents overview of EXHIBIT E

100 CHARLIE STONE, DIRECTOR, ODOF, offers testimony on SB 193, and presents overview of EXHIBIT F.

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173 SEN COHEN: - questions to Stone and Robinson .

185 STONE: - answers questions for Sen Cohen - implementation plan for SB 193 - reforestation plan - 40 year harvest rules - how much very young timber taken is unknown - history of appeals for Forest Practices Act - 120 acre harvest limit not appealable INTRODUCTION OF COMMITTEE LC'S

LC 2711 LC 3347 LC 3494 MOTION: Chair Cease asks for

objection to introduction of LC's 2711, 3347, & 3494 VOTE: Hearing no  
objection ACTION: ADOPTED BY THE COMMITTEE

PUBLIC HEARING OF SB 193 - continues

373 RAY WILKESON, Oregon Forest Industries Council, offers testimony in opposition to SB 193, and presents overview of EXHIBIT G.

TAPE 46 SIDE A

005 WILKESON: - continues testimony on SB 193, and overview of EXHIBIT G

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023 SEN COHEN: Would you have any objections to asking the age of the timber on the written plans that are required?

028 WILKESON: That would be a better way to gather information, and land owners would not object to that.

028 JULIE BRANDIS, Oregon Small Woodlands Association, offers testimony in opposition to SB 193, and presents overview of the association's opposition to the bill.

- small woodland owners are non-industrial land owners - West of the Cascades small woodland owners may have up to 5,000 acres of forest land  
- East of the Cascades may own up to 10,000 acres - 25,000 non-industrial land owners statewide

062 SEN SPRINGER: - few small woodland operations (including Helmer's in Washington County) I have seen are good operations

- the vast majority-of the industry is not managing their land

EXECUTIVE APPOINTMENT OF JUNE SPENCE to the State Parks and Recreation Commission

104 JUNE M. SPENCE, offers overview of her qualifications to an appointment to the State Parks and Recreation Commission (EXHIBIT H).

190 SPENCE: - continues testimony

- questions and answers

285 SEN JOAN DUKES, Sen District 1, offers her recommendation of Ms. Spence for appointment to the Parks and Recreation Commission.

MOTION: Sen Cohen moves the appointment of JUNE M. SPENCE to the

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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. - Senate Agriculture and Natural Resources February 22, 1993 Page 9 State Parks and Recreation Commission  
VOTE: In a roll call vote 6 - 0 (Sen Springer excused) MOTION PASSES  
ACTION: TO THE FLOOR DO PASS (Sen Dukes is Carrier) 329 CHAIR CEASE  
ADJOURNS MEETING AT 10:30 AM

EXHIBIT LOG:

A - Committee Information packet - Staff - 1 7 pages B - Testimony on SB 189 - Frease - 1 page C - Testimony on SB 189 - Mitchell - 1 page D - Testimony on SB 189 - Dewey - 1 page E - Testimony on SB 193 - Sen Springer- 2 pages F - Testimony on SB 193 - Stone/Robinson - 4 pages G - Testimony on SB 193 - Wilkeson - 3 pages H - Testimony on Executive Appointment - Staff - 11 pages Submitted by: Reviewed  
by: Kus Soumie Peter Green Assistant  
Administrator

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