

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: March 1, 1993 ' TAPES: 55 - 58 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 Dick Springer MEMBERS EXCUSED: Senator  
Gordon Smith GUEST MEMBERS: Senator Bill Dwyer STAFF  
PRESENT: Peter Green, Administrator Chris Warner, Research Associate  
Kus Soumie, Clerk MEASURES HEARD: SB 187 PAW SB 405 PAW SJM4 PAW SB  
418 PUB

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 55 SIDE A 005 CHAIR CEASE CALLS MEETING TO ORDER 8:00 AM PUBLIC  
HEARING ON SJM4 WITNESSES: Sen Bill Dwyer, Senate District 21 Mike  
Dewey, Oregon Wheat Growers

005 SEN BILL DWYER, Senate District 21, offers testimony urging the  
passage of SJM4, and presents overview of EXHIBIT B.

056 MIKE DEWEY, Oregon Wheat Growers, offers testimony on SJM4, and  
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presents overview of EXHIBIT B.

WORK SESSION ON SJM4

MOTION: Sen moves SJM4 TO THE FLOOR DO PASS VOTE: Roll call 6 - 0 (Sen  
Smith excused) ACTION: SJM4 TO THE FLOOR DO PASS (no amendments)

PUBLIC HEARING ON SB 187

WITNESSES: Mike Graine, ODOE Tim Raphael, OSPIRG Liz Frenkel, Oregon  
Sierra Club Jim Austin, American Automobile Manufacturers Assoc. James  
Beard, Oregon Environmental Council Ray Gribbling, Oregon Auto Dealers  
Assoc.

117 PETER GREEN, Committee Administrator, offers testimony on SB 187,  
and presents overview of EXHIBIT A.

130 MIKE GRAINEY, ODOE, offers testimony on SB 187, and agrees with  
Green's overview of EXHIBIT A.

- enough states passing similar legislation will send a message to  
Congress

153 TIM RAPHAEL, OSPIRG, offers testimony in favor of SB 187, and  
presents overview of EXHIBIT C.

187 LIZ FRENKEL, Sierra Club, offers testimony in favor of SB 187, and  
presents overview of suggested amendments (EXHIBIT D).

217 JIM AUSTIN, American Automobile Manufacturers Association, offers  
testimony on SB 187, and presents overview of concerns with the bills  
provisions.

261 CHAIR CEASE: I am told that this bill does not apply to light

trucks or vans?

260 AUSTIN: Is that true, if that is so then I stand corrected.

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261 GREEN: As it is written now it doesn't.

260 AUSTIN: - continues testimony on SB 187, and overview of AAMA's concerns with the bill.

291 JAMES E. BEARD, Oregon Environmental Council, offers testimony on SB 187 , and presents overview of EXHIBIT D-2, including OEC's concerns for provisions in the bill.

318 SEN COHEN: Miles driven have increased since the EPA's fuel efficiency mandates have gone into effect. This is not the signal we want to send.

319 BEARD: OEC would favor the fuel emissions bill (SB 4251.

- request that this legislation is set aside - fees with per mile basis rather than fuel efficiency - flexible funding (not only highway funds)
- will present testimony in writing

380 RAY GRIBLING, Oregon Auto Dealers Association, offers testimony on SB 187 , and presents overview of EXHIBIT E.

- overview of concerns with the provisions in the bill - those who can buy fuel efficient vehicles will still drive more

TAPE 56 SIDE A

005 GRIBLING: - continues testimony on SB 187, and overview of EXHIBIT E.

PUBLIC HEARING ON SB 405

WITNESSES: Ted Hughs, Oregon Nurseryman Assoc. Norbert Keinan, Oregon Assoc. Nurseryman Rod Park, Gresham area grower Bridgett Flannagan, Safeway, Inc. Steve McCoid, Oregon Food Industries Phil Ward, ODOA Bill Wright, ODOA Jason Eisdorfer, Eugene Attorney Frank Gearhart, Bull Run Coalition

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037 TED HUGHS, Oregon Nurseryman Association, offers testimony on SB 405, and presents overview of EXHIBIT F.

- this bill is taking a proactive approach to inspection process - 1700 growers in Oregon in 1991 - 32,000 acres are used by the industry - 87

percent of the product is exported - 20,000 employees, 32 percent are permanent - opposition to the bill noted - meetings with opposing parties requested

100 NORBERT KEINAN, Oregon Association Nurseryman, offers testimony on SB 405 , and presents overview of EXHIBIT F.

- growers inspected each 2.3 years - inspection of retailers sporadic - ODOA inspectors are stretched beyond capacity

144 KEINAN: - answers questions from committee members on inspection

- continues testimony on SB 405, and overview of EXHIBIT F. - much negotiation to arrive at agreement for this bill - minimum fees should be raised - retail millage rate reduced

184 SEN COHEN: What do you mean by retail? How do you distinguish that term?

- Do we rely on California or other states to insure that the products are bug free

190 KEINAN: - continues testimony on SB 405, and overview of EXHIBIT F.

- we do not consider this an increase

276 ROD PARK, Gresham Area Grower, offers testimony on SB 405, and presents overview of EXHIBIT F.

- SB 405's priorities

300 PARK: Answers questions for committee members.

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335 PARK: We have outstripped our program, there is only so much that we can do. The system needs revamping.

- measure needed to keep insect pests out of Oregon - reduction of pesticides and chemicals will result from better inspection

380 HUGHS: We ar not against the ODOA we simply need more inspection than the ODOA is able to give the industry at this time.

TAPE 55 SIDE B

005 BRIDGET FLANNAGAN, Safeway Incorporated, offers testimony in opposition to SB 405, and presents overview of EXHIBIT G.

- there are problems with the relating clause

090 CHAIR CEASE: Could the staff work with the relating clause?

096 SEN COHEN: I want someone to visit those stores. What is the ODOA

expected to inspect for?

130 STEVE McCOID, Oregon Food Industries (Grocers), offers testimony in opposition to SB 405, and presents overview of EXHIBIT H.

- smaller dealers are paying for volume business of large dealers  
decreases in nurseries harm smaller operators

175 McCOID: - continues testimony on SB 405, and overview of EXHIBIT H.

188 PHIL WARD, ODOT (Oregon Dept of Agriculture), offers testimony on SB 405 , and presents overview of their position on the bill.

- this is unique for an industry to request fee increases - proposal was mailed out to all nursery dealers in Oregon

242 BILL WRIGHT, Oregon Department of Agriculture, offers testimony on SB 405 , and presents overview of the Department's position on SB 405.

- prevention methods and options need to be expanded \ 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 March 1, 1993 Page 6

- growers required treatment with toxic pesticides due to lack of inspection oversight - treatment of oil and other options - industry funded research can affect the retail level of product

305 WRIGHT: Nursery industry in Oregon is marketing for parks and other public uses and cannot have pests transported to or from other states

PUBLIC HEARING ON SB 418

357 JASON EISDORFER, Eugene Attorney, offers testimony on SB 418, and presents overview of EXHIBIT I dealing with technical aspects of the bill.

- citizen suite statute increases voluntary compliance - citizen suit is often less costly than DEQ fees

TAPE 56 SIDE B

005 WILLIAM CARPENTER, Sorenson Law Offices, presents testimony on SB 418, and overview of EXHIBIT J.

056 CARPENTER: - continues testimony on SB 418, and overview of EXHIBIT I

- questions from committee members

283 FRANK GEARHART, Bull Run Coalition, offers testimony on SB 418, and presents overview of EXHIBIT K.

- Oregon may be at crossroads with this legislation - since 1986 I have seen no improvement in enforcement - it is time for Oregon to enforce SB 66 (a good piece of legislation) - 1991 (post SB 66) a logging company came to the Forestry Department and asked to cut trees in riparian area along a stream bed and received permission - This is the time to stop

destructive harvesting practices - Oregon needs to take a serious look at how we enforce our laws

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005 GEARHART: - continues testimony on SB 418, and overview of EXHIBIT J.

010 SEN SHOEMAKER: Discussion on discretionary and non-discretionary enforcement involving DEQ and citizen suites.

Sen Cease, Shoemaker discuss possible solutions and problems with the bill

GEARHART: - responds to members' discussion

- we need to take some bold step forward (maybe in faith) - What have we lost if this doesn't work? The law could be amended in the next session.  
- examples of breach of regulation in the Gordon Creek water shed - DEQ has not to this date followed through on complaints of heavy metals in the water shed

067 CARPENTER: (responds to Sen Shoemaker) This is not a bill that would these are only nondiscretionary, without having discretion, and would not, in the 60 day notice period whether or not it elected to pursue.....

092 SEN SHOEMAKER: Please elaborate and present further testimony to the committee.

100 JIM WHITTY, AOI, offers testimony on SB 418, and presents overview of EXHIBIT L.

136 CHAIR CEASE ADJOURNS MEETING AT 10:15 AM

EXHIBIT LOG:

A - Information Packet - Staff - 19 pages B - Testimony on SJM4 - Warner - 1 pages C - Testimony on SB 187 - Raphael - 1 pages D - Testimony on SB 187 - Frenkel - 1 pages D(2- Testimony on SB 187 - Beard - 2 pages E - Testimony on SB 187 - Gribbling - 1 pages F - Testimony on SB 405 - Hughs/Keir an/Park - 4 pages G - Testimony on SB 405 - Flannigan - 5 pages

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Testimony on SB 418 - Whitty - 1 pages Submitted by:  
Kus Soumie Peter Green Assistant

Reviewed by:  
Administrator

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