

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: March 12, 1993 TAPES: 70 - 7' PLACE: Hearing Room C TIME:
8:00 AM

MEMBERS PRESENT: Senator Ron Cease, Chair Senator Joyce Cohen Senator
Bob Kintigh Senator Bob Shoemaker Senator Gordon Smith MEMBERS EXCUSED:
Senator Dick Springer Senator Jim Bunn, Vice-Chair

GUEST MEMBERS: Senator Mae Yih Senator Katherine Webber STAFF
PRESENT: Peter Green, Administrator Chris Warner, Research Associate
Kus Soumie, Clerk MEASURES HEARD: SB 116 PUB SB 190 WRK INFORMATIONAL
HEARING: Amery Lovins: Energy Issues Christine Ervine: Department of
Energy

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 70 SIDE A 005 CHAIR CEASE CALLS MEETING TO ORDER 8:00 AM

PUBLIC HEARING ON SB 116

WITNESSES: Senator Mae Yih, Senate District Senator Catherine Webber,
Senate District 16 Bruce Andrews, Director, ODOA Eric Lindau, State
Board of Agriculture Larry Knudsen, Assistant Attorney General Ed
Meyers. Oregon Dairy Farmers Association

006 BRUCE ANDREWS, Director, ODA (Oregon Department of Agriculture),
offers testimony on SB 116, and presents overview of EXHIBIT B.

073 ERIC LINDAU, Member, State Board of Agriculture, offers testimony
on SB 116, and presents overview of the Board's position on the bill
urging its passage. 112 SEN MAE YIH, Senate District 19, offers
testimony on SB 116, and presents overview of EXHIBIT C. - SB 100 (1973)
limited farmers right to farm without lawsuits resulting from normal
farming practices 143 SEN CATHERINE WEBBER, Senate District 16,
offers testimony on SB 116, and presents overview of her position on
proposed legislation. - expanded nuisance protection - urges passage of
SB 116 183 SEN SMITH: You are saying the common law definition of
"nuisance and trespass" may leave farmers vulnerable to lawsuit and this
provision should be expanded. 200 LARRY KNUDSEN, Assistant Attorney
General, offers testimony on SB 116, and presents overview of EXHIBIT D.
- QUESTIONS FROM COMMITTEE MEMBERS TO KNUDSEN 305 KNUDSEN: -
continues testimony on SB 116, and overview of EXHIBIT D. 405 -
Questions from committee members

TAPE 71 SIDE A

005 SEN COHEN: There is an ongoing problematic issue dealing with
logging practices in generalized urban areas. When there is a clearcut
next to one's house, could a suit be filed based on whether the owners
followed the Forest Practices Act or not.

016 KNUDSEN: If the activity were covered by the Forest Practices Act,
it would be commercial forestry and would not be covered by the
provision at all. This bill takes the concept of nuisance from lawsuit
capacity. This provision would prevent you from filing action against
that activity.

037 ED MEYERS, Chair, Board of Directors, Tillamook County Creamery Assn., offers testimony on SB 116, and presents overview of support for the bill. 049 TOM NELSON, Hood River Growers and Shippers, offers testimony in support of SB 116. 064 MAC KERNS, Oregon Wheat Growers League, offers testimony in support of SB 116. - urban sprawl makes problems for farmers 1 15 HECTER MCPHERSON, Albany Chamber of Commerce, offers testimony on SB 116, and presents overview of pros and cons of the bill. - testimony from land use planning standpoint 163 GEORGE PAGH, Linn County Chamber of Commerce, offers testimony in support of SB 116, and presents overview of problems associated with urban and farming practices. 193 PETER JENSEN, Linn County Dairy Farmer, offers testimony in support of SB 116, and presents overview of problems associated with farming practices and proximity to non farm properties. - preservation of the land for farming should be a priority 236 CHAIR CEASE: Would you view this as a land use bill? 241 JENSEN: This bill allows me to be more vocal in support of the land use bills, if we can have some protection for what we do. There is no alternative for us to keep farming, it is very difficult for farmers. 248 ROGER HAMLIN, Farm Bureau, Agripac, offers testimony in support of the SB 116, and presents overview of the problems associated with farming and agricultural practices and the need for protection needed in order to carry out normal farming practices. - within UGBs some properties will never be developed - lands in the UGB are not always controlled by the counties - cities have authority on some term lands

TAPE 70 SIDE B

PRESENTATION ON ENERGY ISSUES IN OREGON AND THE NORTHWEST

WITNESSES: Christine Ervine, Director, Oregon Department of Energy Amery Lovins, Director Rocky Mountain Institute

- 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. 014 CHRISTINE ERVINE, Director, Oregon Department of Energy, offers testimony containing information on issues of energy 084 AMERY LOVINS, Director, Rocky Mountain Institute, offers testimony on energy issues. (overview of EXHIBIT G) - cost of global warming - Swedish State Power Board 234 LOVINS: - continues testimony on and overview of energy technologies. - secondary markets for energy - opportunity to bring changes in energy efficiency exists in Oregon - utilities are rewarded for selling more energy - decouple utilities and let them keep as profit what they save the state - example of passive solar energy and lowered building costs in Colorado in the Rockies - money saved by Boeing with energy efficient technology - savings in the capitol building would be about 70 percent with energy efficient

TAPE 71 SIDE B

005 LOVINS:- continues testimony on energy issues, and overview of EXHIBIT G. - example of savings in the state of Iowa - money kept locally due to savings on utility purchases - questions from committee members 101 SEN KINTIGH: Did declining domestic production of oil contribute to the upturn of imported oil. 110 LOVINS: Yes, it was driven by the very success of the efficiency programs. - foreign oil is cheaper than domestic - tax on imported oil - artificially cheap oil - invites OPEC to raise prices - solution is to use up domestic oil -

diversified sources, trade routes, - substitution taken from an economical standpoint - Detroit has cut in half MPG for cars in the future 152 LOVINS: - continues overview of Ultra light hybrid car - would cost less than today's cars - manufacturers have no need to re-tool in this country - most costs of running and owning a car are more than the fuel price

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. - how can people be mobilized to drive more efficient cars - fee bates (to get people to buy more efficient cars) - bad cars should be shot

256 CHAIR CEASE ADJOURNS MEETING AT 10:00 AM

EXHIBIT LOG:

A - Committee Information Packet - Staff - 14 pages B - Testimony on SB 116 - Andrews - 3 pages C - Testimony on SB 116 - Sen Yih - 2 pages D - Testimony on SB 116 - Knudsen - 3 pages E - Testimony on SB 116 - Riley - 12 pages F - Testimony on SB 116 - Batson - 33 pages G - Testimony on Energy Issues - Lovins - 105 pages

Submitted by: Reviewed by: Kus Soumie Peter Green
Assistant Administrator

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