

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: March 17, 1993 TAPES: 74 - 77 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 Senator Dick
Springer MEMBERS EXCUSED: Senator Jim Bunn, Vice-Chair

STAFF PRESENT: Peter Green, Administrator Chris Warner, Research
Associate Kus Soumie, Clerk MEASURES HEARD: SB 315 VVRK SB 190 VVRK
SB 350 PUB SB 195 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 74 SIDE A 005 CHAIR CEASE CALLS MEETING TO ORDER 8:00 AM WORK
SESSION ON SB 190 WITNESSES: Peter Green, Committee Administrator Chuck
Bennett, PLEXIS Inc

010 PETER GREEN, Committee Administrator, offers testimony on SB 190,
and presents overview of EXHIBIT A. - - 4 Amendments -- 3 Amendments -
Hand Engrossed SB 190

MOTION: Sen Cohen moves to adopt -3 amendments to SB 190 Senate
Agriculture and Natural Resources March 17. 1993 Page ~

VOTE: Hearing no objection ACTION: -3 amendments to SB 190 ADOPTED

100 CHUCK BENNETT, PLEXIS INC., (copper mining company), offers
testimony on SB 190, and presents overview of EXHIBIT A (-4 amendments
to SB 190). - our interest is in the first sentence only, due to our
investment of over \$2 million - second sentence was to insure that new
applications don't slip through this exemption tor application in
process at the time of enactment of the bill. 115 CHAIR CEASE:
Comments on the wording on -4 amendments, sentence one of proposed
section 2. - reads letter containing clarification ot intent with
respect to SB 190 and its possible effect on those already in the
permitting process MOTION: Sen Cohen moves SB 190 as amended (- 3
amendments) VOTE: MOTION PASSES in a roll call vote 5 - 0 (See's Bunn
and Springer excused) ACTION: SB 190 as amended TO THE FLOOR DO PASS
(Sen Smith to Carry)

WORK SESSION ON SB 315

WITNESSES: Chris Warner, Research Associate Dick Mathews, Legislative
Staff Lon Reval, DEQ Brian Bowe, OregonPetroleum Marketers Association

142 CHRIS WARNER, Research Associate, offers testimony on SB 315, and
presents overview of EXHIBIT B (proposed- amendments to SB 315). -
committee members discuss changes proposed by proponents of the bill
194 DICK MATHEWS, Senator Bill Dwyer's Legislative Staff, offers
testimony on SB 315 and overview of proposed changes to the original
bill 208LON REVAL, Manager, Underground Storage Tank Cleanup
Program, DEQ, offers testimony on SB 315, overview of EXHIBIT C and
history of present form of the bill. 234SEN SPRINGER: Is there any
guarantee of public notice or opportunity for Proponents to participate
in a hearing if there is going to be land use permitted which may have

an adverse impact on adjoining property owners? 242 REVAL: Procedure
tor off site locations includes comparability statements, and we
encourage regional folks to meet with local officials to determine what
type of public notice and whether

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Resources March 17, 1993 Page 3

a hearing would be necessary. We rely on local jurisdiction and focus
mainly on questions of the adequacy of the plan.

252 - questions from committee members to DEQ staff 264 MATHEWS: -
we are giving citizens the choice with this amendment

282 BRIAN BOWE, Oregon Petroleum Marketers Association, offers
testimony on SB 315, and presents overview of EXHIBIT C, with overview
and discussion of concerns with proposed amendments. concerns with
delegating authority to local governments - potential problem with local
optional gas taxes patchwork of regulations could cause confusion and
added costs to administration

325 TOM GALLAGHER, Oregon Petroleum Marketers Association, offers
testimony on SB 315, and presents overview of concerns with proposed
amendments EXHIBIT C. - Section 2 has problems tor us - Local government
will have ability to ban on site soil aeration - OPM has no problems
with the Metro ordinance and made suggestions to staff

MOTION: Sen Kintigh moves SB 315 as amended (-1 with 2 changes) to
FLOOR DO PASS VOTE: Roll Call Vote 6 - 0 MOTION PASSES (Sen Bunn
Excused) ACTION: SB 315 (as amended) TO THE FLOOR DO PASS

TAPE 75 SIDE A

PUBLIC HEARING ON SB 195

WITNESSES: Laurna Youngs, ODOA Jim Mischkot Michelle Coker. Women's
Rights Coalition Audry Simmons, Water Watch Becky Riley, NCAP Mary
Fenner, Peter Grundfossen, Oregon Housing Association Greg Ego,
Rasmussen Spray Service Joe Hay Dwight Coon, Local Farmer Julie Brandis,
Oregon Small Woodlands Association

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Resources March 17, 1993 Page 4

Terry Witt, Agricultural Research Inc.

005 LORNA YOUNGS, Assistant Director, ODOA, offers testimony on SB
195, and presents overview of EXHIBIT D. - overviews concerns with
internal and structural consistency in the proposed legislation -
problems have been communicated to OSPIRG via letter (Jan '93) -
requested changes do not appear in this legislation 077 JIM MISCHKOT,
representing self, oft'ers testimony on SB 195, and presents overview of
his concerns with proposed legislation. 122 MICHELLE COKER, Womens'
Rights Coalition, offers testimony in support of SB 195, and presents

overview of EXHIBIT E. - families deserve immediate access to complete information on all chemicals, including long and short term effects, used in their area 180 AUDRY SIMMONS, Water Watch, offers testimony in support of SB 195, and presents overview of EXHIBIT F. - proposal for section 14 is commended and would like to see included concerns of conservation and handling and management of surface water 228 SEN SPRINGER: There was suggestion of premature harvest as well as harvest in excess of Oregon's clearcut limitations by a certain business entity who had purchased MEDCO as part of a LBO and there was a significant adverse impact to the local economy due to an unsustainable harvest rate in the geographical area, in addition to the fact that the watershed was being devastated. The responsible parties felt no responsibility to those in the local community for any of those impacts. 241 BECKY RILEY, NCAP, offers testimony in favor of SB 195, and presents overview of EXHIBIT G. - NCAP has worked extensively with a group in Butte Falls and they have major concerns with herbicide use in their watershed which they have no control over - this group has tried to get action through ODOA and EPA to no avail 320 RILEY: - continues testimony on SB 195, and overview of EXHIBIT F. - Agricultural Pesticide use is up nationally and in Oregon - pesticide resistant species are increasing

TAPE 74 SIDE B

005 SEN SMITH: - comments on Organic Farming

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052 MARY FENNER, Representing Self, offers testimony on SB 195, citing the story of how she was disabled by a fungicide sprayed over her yard. - feels she was given great disservice from those who heard her case - problems in finding out who or what was sprayed on her yard - Roverall (chemical used) does not dissipate quickly - physical problems cited due to herbicides - herbicide induced problems adversely affected work (was demoted due to illness associated with herbicide) - finally lost job due to hyper-reactions associated with exposure to chemicals 247 PETER GRUNDFOSEN, Association of Oregon Housing Authorities, offers testimony on SB 195, and presents overview of EXHIBIT H. - Housing Authority would like instruction in proper use and application of pesticides - Measure 5 may keep us from obtaining proper instruction - SB 195 in Ways and Means committee will prevent obtaining instruction on proper use and application of pesticides 300 GREG EGO, Rasmussen Spray Service, offers testimony on SB 195, and overview of questions he has as a commercial operator on the proper use of pesticides. - supports Oregonians for Food and Shelter on this issue 339 JOE HAY, formerly of the Oregon Highway Division (representing self), offers testimony in opposition to SB 195. - gives reasons for opposition to proposed mandates in SB 195

TAPE 75 SIDE B

005 HAY: - continues testimony on SB 195 and overview of opposition to the bill. 025 DWIGHT COON, Local Farmer, offers testimony in opposition to SB 195.

057 JULIE BRANDIS, OSWA (Oregon Small Woodlands Association), offers

testimony in opposition to SB 195. and outlines procedures for application of pesticides.

079 TERRY WITT (for RONALD BURR, PhD., Ag. Research Inc.), offers testimony on SB 195, and presents overview of EXHIBIT 1. i

PUBLIC HEARING ON SB 350

WITNESSES: Locha Pitts Bill Johnson, ENUF Brock Andrews, ODOA

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Chuck Craig, ODOA Vern Cooz, Local Farmer Wendell Manning, Local Farmer Don Wirth, Oregon Seed Grower Tom Fuller Dwight Coon David Nelson, Oregon Seed Council Bill Young, OSU Andy Hashimoto, OSU Tom Chastain, OSU Ruby Rinsdorf, Oregon State Grange

168 LOCHA PITTS, representing self, offers testimony on SB 350.

325 SEN SHOEMAKER: Who are you and what are your interests in this network?

- I am a research engineer - programs are set up so the growers perform the experiments - leadership is weak under the monopoly TAPE 76 SIDE A

025 SEN KINTIGH: Comments to Pitts' accusations of links to funding

036 BILL JOHNSON, ENUF Inc., offers testimony in support of SB 350, and presents overview of EXHIBIT J. - committee urged to pass this bill - practical results needed - solution oriented bill not a funding oriented bill

091 SEN SMITH: Commends OSU in their position on the bill.

130 BRUCE ANDREWS, ODOA, offers testimony on SB 350, and presents overview of EXHIBIT K. 177 CHUCK CRAIG, ODOA, offers testimony on SB 350, and presents overview of EXHIBIT K. 212 VERN COOZ, Local Farmer, offers testimony on SB 350, and presents overview 226 WENDELL MANNING, Local Farmer, offers testimony on SB 350, and presents overview of field burning practices. . . Senate Agriculture and Natural Resources March 17, 1993 Page 7

260 DON WIRTH, Oregon Seed Grower, offers testimony on SB 350.

304 GEORGE PUGH, Oregon Seed Grower, offers testimony on SB 350.

337 TOM FULLER, Representing Self, offers testimony on SB 350, and presents overview of EXHIBIT L. - further determine uses of wheat straw - 4 documents used in 1991 legislation - all provide private sector with information on alternatives to burning - cogeneration facility projects looked at (test will take place in New Zealand - evaluations are done voluntarily by the private sector 396 DWIGHT COON. offers testimony on SB 350. 422 DAVID NELSON, Oregon Seed Council, offers testimony on SB 350 and presents overview of the industry's position on the bill.

TAPE 77 SIDE A

005 NELSON: - continues testimony on SB 350. - alternative farming management techniques discussed - farmers have great interest in

phase-down of pesticides and field burning 034 BILL YOUNG, OSU, Extension Seed Specialist, Crop and Soil Science, offers testimony on SB 350, and presents overview of EXHIBIT M. - decline in field burning since 1989 - change in industries using field burning - grass seed production is a growth industry - industry is ahead of schedule for cessation of field burning 147 ANDY HASHIMOTO, Department of Engineering, OSU, offers testimony in opposition to SB 350, and presents overview of EXHIBIT M. 182 TOM CHASTAIN, Professor at OSU, offers testimony on SB 350, with overview of OSU research department's position on the bill. 223SEN SPRINGER: Do you see any potential conflicts between production goals and trying to minimize "the negative externalities"? Do you see any potential conflicts with negative externalities i.e., Smoke? 225 CHASTAIN: There is no conflict between program goals and external forces. Our program will allow the production of crops under SB 3554. If our goals have a greater negative environmental

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impact then something's wrong with our goals.

- comments to Pitts' accusations

259 SEN SPRINGER: Is there at OSU, for those engaged in research, a statement of ethics or principles to guide whose interest is being pursued? Public, private, the institution, those sponsoring research who are you working for and whose interest are you serving?

Please submit a copy of your mission or ethics statement please submit it.

269 HASHIMOTO: OSU scientists submit proposals and others can also submit proposals

- there is a definite goal with the funding we do - mission in Department of Agricultural

316 RUBY RINGS DORF, Oregon State Grange, offers testimony in opposition to SB 350, bury the bill. 343CHAIR CEASE ADJOURNS MEETING AT 11:00 AM

EXHIBIT LOG:

A - Testimony on SB 190 - Staff - 5 pages B - Testimony on SB 315 - Staff - 2 pages C - Testimony on SB 315 - Reval - 7 pages D - Testimony on SB 195 - Youngs - 2 pages E - Testimony on SB 195 - Cocker - 1 pages F - Testimony on SB 195 - Simmons - 1 pages G - Testimony on SB 195 - Riles - 12 pages H - Testimony on SB 195 - Grundtossen - 2 pages I - Testimony on SB 195 - Witt/Burr - 6 pages J - Testimony on SB 350 - Johnson - 2 pages K - Testimony on SB 350 - Andrews - 4 pages L - Testimony on SB 350 - Fuller - 2 pages M - Testimony on SB 350 - Young - 2 pages N - Testimony on SB 's 88/195 - Staff for the Record - 8 pages

Submitted by:
Assistant

Reviewed by: Kus Soumie
Administrator

Peter Green

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