

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES .

DATE: April 21, 1993 TAPES: 129 -131 PLACE: Hearing Room CTIME: 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 Shirley Gold

GUEST MEMBERS: Senator Jeannette Hamby Senator Joan Dukes STAFF  
PRESENT: Peter Green, Administrator Chris Warner, Research Associate  
Kus Soumie, Clerk

MEASURES HEARD: SB 336 WRK SB 1112 WRK SJR 42 WRK SB  
633 PUB SB 1037 PUB SB 571 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 129 SIDE A 005 CHAIR CEASE  
CALLS MEETING TO ORDER 8.00 AM WORK SESSION ON SJR42 WITNESSES: Kate  
Brown, Oregon Department of Fish and Wildlife

005 KATE BROWN, ODFW, presents testimony on SJR42, and gives overview  
and intent of proposed amendments (EXHIBIT A). Senate Agriculture and  
Natural Resources April 21, 1993 Page 2

MOTION: Chair asks for objection to -1 amendments to SJR42  
VOTE: Hearing no objection ACTION: Amendment Adopted  
MOTION: Chair moves SJR42 to the FLOOR as amended DO PASS VOTE: 7  
- 0 Roll call vote MOTION CARRIES ACTION: SJR42 as amended TO THE  
FLOOR DO PASS (Sen S Bunn carries)

WORK SESSION ON SB 1112

WITNESSES: Peter Green, Committee Administrator Tom Robinson, Oregon  
Salmon Commission David Moscovitz, Oregon Trout

039 PETER GREEN, Committee Administrator, offers testimony on SB  
1112, and presents overview of proposed amendments (EXHIBIT C).

061 TOM ROBINSON, Oregon Salmon Commission, offers testimony on  
proposed amendments to SB 1112 (EXHIBIT C), and answers questions from  
committee members. 100 DAVID MOSCOWITZ, Oregon Trout, offers  
testimony on SB 1112, presents overview of EXHIBIT B. - concerns and  
changes requested for proposed amendments - problems with the term  
"salmonid" and recommends "native resident anadromous fish" as term for  
the bill, but will go along with the term "salmonid" at this point  
141 SEN COHEN: This funding deals with water shed configuration, and  
is too fragile. I am concerned we prioritize the watershed piece with  
lottery funding commitment, to make the point to Oregon agencies,  
citizens and the Federal Government, this is a move to ultimately do our  
part to avoid further listings. I would disagree with those who say we  
are moving too far away with this funding and we must target funding now  
or it will not be available in the future, giving Oregon a leg up on  
watershed protection problems...I am willing to expand definition to  
include native resident fish, which must include habitat.

227 ROBINSON: The term "native" is not defined in Administrative  
Rules, which can present problems. It is in Statute, and ODFW technical  
people say the term is "fuzzy". 237 MOSKOWITZ: The initial focus of

SB 1112 was water shed health and restoration of natural productivity. - suggested amendments (EXHIBIT C) - section by section overview of proposed amendments with additions - request addition of "restoration and protection" to language 273 CHAIR CEASE: - overview of EXHIBIT B & C Senate Agriculture and Natural Resources April 21, 1993 Page 3

- section by section analysis of proposed amendments

346 MOSKOWITZ: Discussion of the term "supplementation".

380 ROBINSON: Definition of "supplementation" and discussion of appropriateness of definition. - committee members' definitions and intent of the bill

TAPE 130 SIDE A 005 MOSKOWITZ: - continues discussion with committee members and Robinson. - continues section by section of proposed amendments to SB 1112 093 CHAIR CEASE: - agrees to consensus language for amendments

MOTION: Chair Cease asks for objection to amended language for proposed amendments VOTE: Hearing no objection MOTION CARRIES ACTION: New language and AMENDMENTS ADOPTED MOTION: Sen Cohen moves SB 1112 to Ways and Means as amended (printed amendments plus additions made in committee) DO PASS

SEN COHEN: Asks for cooperation from interested parties in maintaining the bill's integrity through Ways and Means committee. VOTE: 6 - 0 Roll call vote (Sen Bunn Excused) ACTION: SB 1112 as amended TO WAYS and MEANS DO PASS

WORK SESSION ON SB 336 WITNESSES: Peter Green, Committee Administrator Kristen Mitchell, OSSI Senator Jeannette Hamby State Senate District 5

130 PETER GREEN, Committee Administrator, offers testimony on SB 336, and presents overview of -3 amendments, EXHIBIT D. 140 KRISTEN MITCHELL, OSSI, offers testimony on SB 336, and overview of EXHIBIT D. - suggests removing any weight limitation related to proposed -3 amendments SEN JEANNETTE HAMBY, Senate District 5, offers testimony on SB 336, and presents overview of EXHIBIT D.

PUBLIC HEARING ON SB 571 Senate Agriculture and Natural Resources April 21, 1993 Page 4 WITNESSES: Senator Rod Johnson, State Senate District 23 Charles Bertuci Kay Brown, ODFW Tom Robinson, Oregon Salmon Commission John Alto, Oregon Fisherman

245 SEN ROD JOHNSON, State Senate District 23, offers testimony on SB 571, presents overview of EXHIBIT E, and history of proposed legislation (SB 1219, 1991) CHARLES BERTUCI, representing self, offers testimony on SB 571, and presents overview of EXHIBIT E.

INFORMATIONAL HEARING ON PLASTICS RECYCLING

WITNESSES: Senator Jeanette Hamby, State Senate District 5 Jerry Herman Fred Nicholes, Partridge Industries

352 SEN JEANNETTE HAMBY, Senate District 5, offers testimony on plastics technology, and presents overview of EXHIBIT F. - prison inmates could make benches and items routinely ordered through state agencies - DuPont plastic expressed interest in assisting Oregon to establish recycling industry 375 JERRY HERMAN, offers testimony on

plastic recycling and overviews EXHIBIT F. - overviews processes in manufacture of 'plastic lumber' (composite building materials)

TAPE 129 SIDE B

005 HERMAN: -- continues testimony on plastics, and overview of EXHIBIT F. - questions from committee members 194 SEN HAMBY: Virgin plastic today is less expensive than recycled, and until the price of virgin materials is 30 percent below cost of recycled materials, industry will not be cost effective. 225HERMAN: - continues overview of progress in the composite materials industry, and presents overview of EXHIBIT F. 257 FRED NICHOLS, Administrator, Partridge Industries, offers testimony on plastics recycling in Oregon and Canada, and overview of EXHIBIT G. 275 HERMAN: - outlines the industry's administration - Oregon need to begin production of recycled products before other states (Alaska)

PUBLIC HEARING ON SB 571 (Continued) Senate Agriculture and Natural Resources April 21, 1993 Page ~

325 KAY BROWN, ODFW, offers testimony on SB 571, and presents overview of EXHIBIT H.

TAPE 130 SIDE B

005 BROWN: - continues testimony on SB 571, and overview of EXHIBIT H  
010 CHAIR CEASE: - discussion of fish habitat restoration and problems with funding.

020 TOM ROBINSON, Oregon Salmon Commission, offers testimony on SB 571, and presents overview of the commission's position on the bill with suggested language.

045 JOHN ALTO, Oregon Troll Fisherman, gives testimony SB 571, and overviews EXHIBIT 1.

PUBLIC HEARING ON SB 1037

WITNESSES: Mike Dewey, Oregon Waste Systems Doug Coenen Oregon Waste Systems  
1311h Danko DEQ Solid Waste Division Dave Barrows Chemical Waste Systems

100 MIKE DEWEY, Oregon Waste Systems, offers testimony on SB 1037, and presents overview of EXHIBIT J. (EXHIBIT J submitted by state's) - supports proposed amendments to delete previous calendar year provision allowing the EQC to establish a schedule of permit fees based on amount of solid waste received at disposal site. - language removed on line 16 and 17 (housekeeping changes)

145 DOUG COENEN, Oregon Waste Systems, Arlington, offers testimony on SB 193 7, and presents overview of EXHIBIT J. - fee analysis on services provided by Oregon 167 BOB DANKO, DEQ, Solid Waste Division, offers testimony on SB 1037.

172 DAVE BARROWS, Chemical Waste Management, offers testimony on SB 1037, and presents overview of rules for hazardous wastes in Oregon. - proposed language amending statute's definition of "solid waste" pertaining to hazardous waste

PUBLIC HEARING ON SB 633

WITNESSES: Major Roy Hyder Oregon State Police, Fish and Wildlife  
Division Kathy White Senator Joan Dukes, State Senate District I

225 MAJOR ROY HYDER, Oregon State Police, Fish and Wildlife Division,  
offers testimony in support of SB 633, and presents overview of EXHIBIT  
K. Scnatc Agriculluie and Natural Resources April 21, 1993 Page 6

- overview of Elk hunter and land owner conflicts in Oregon

326 SEN J BUNN: Issues of trespassing (story from a previous meeting)  
landowner used a tag tor animal not shot by him

351 HYDER: - definition of "hunt" - proposed legislation would not be  
able to solve this problem

TAPE 131 SIDE A

008 SEN J BUNN: - questions tor clarification of lawful hunting  
practices 021 HYDER: Gives his understanding ot proposed amendments  
tor exemption intent - my understanding of sections A and B were not  
discussed with requestors of the bill 048 SEN SHOEMAKER: Why is  
section 4 necessary if it is already illegal to shoot from a moving  
vehicle at wildlife? 053HYDER: At this time it is illegal to shoot  
across a public highway. It is illegal to hunt with the aid of a motor  
vehicle. The language in Section 4, tries to interfere with the common  
term "road hunting" that happens before the shooting. It is not illegal  
to carry a loaded gun in a vehicle or to shoot trom a vehicle. This  
language is intended to interfere with the common practice of driving in  
a vehicle with a loaded gun looking for "critters". 073 - discussion  
ot language in proposed amendments to SB 633 (Shoemaker and Hyder)  
100 KATHY WHITE, Clatsop County Resident, offers testimony on SB 633,  
and presents overview of EXHIBIT L. (video presentation and photographs,  
letters and news clips)

329 SEN JOAN DUKES, State Senate District 1, offers testimony on SB  
633, and presents overview of EXHIBIT L. (overview of -1 amendments). -  
inherent problems in current statute overviewed - State Police hear guns  
but are unable to locate and apprehencl offenders 400 SEN DUKES: -  
continues testimony on SB 633, and overview of EXHIBIT L. - requests  
passage ot proposed legislation 433 CHAIR CEASE ADJOURNS MEETING AT  
10:45 AM

EXHIBIT LOC:

A - Proposed Amendments to SJR42 - Statt - I pages B - Testimony on SB  
1112 - Myron/Moskowitz - 5 pages C - Proposed Amendments to SB 1112 -  
Staff - 3 pages Senate Agriculture and Natural Resources April 71, 1993  
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D - Proposed Amendments and H/E SB 336 - Statf - 3 pages E - Proposed  
Amendments to SB 571 - Johnson - I pages F - Plastic Recycling in Oregon  
- Herman - 10 pages G - Plastic Recycling in Oregon - Herman - 14 pages  
H - Testimony on SB 571 - Brown - 2 pages I - Testimony on SB 571 - Alto  
- 3 pages J - Testimony on SB 1037 - Statf - 2 pages, K - Testimony on  
SB 633 - Hyder - 2 pages L - Testimony on SB 633 - White - 10 pages M -  
Testimony and proposed Amendments to SB 633 - Brown - 2 pages

Submitted by: Reviewed by:

Kus Soumie Peter Green Assistant Administrator

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.