

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: May 12, 1993 TAPES: 152 -153 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 Shirley Gold

STAFF PRESENT: Peter Green, Administrator Chris Warner, Research
Associate Kus Soumie, Committee Assistant MEASURES HEARD: HB 2492 WRK SB
753 WRK SB 857 WRK SB 936 PUB SB 937 PUB SB 938 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 152 SIDE A 005 CHAIR CEASE CALLS MEETING TO ORDER 8:00 AM WORK
SESSION ON HB 2492 WITNESSES: Steve Green, Right of Way, Oregon
Department of Transportation

010 STEVE GREEN, Manager, Right of Way section, ODOT, offers
testimony on HB 249 2, and presents overview of EXHIBIT A. - highlights
history of proposed legislation - response to questions from committee
members - discussion on partitioning land use process continues
141 SEN COHEN: I see nothing that says what you are going be surveyed
and want you to get very clear. I would like to see specific and
explicit statutory referrals. Senate Agriculture and Nalutal ReBoutces
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168 SEN SHOEMAKER: My concerns would be satisfied if DLCD would sign
off on this bill.

WORK SESSION ON SB 857

WITNESS: Sen Joyce Cohen, State Senate District 13 Paul Cosgrove,
American Forest and Paper Association Bob Danko, Director, Solid Waste
Division, DEQ Laurie Aunan, OSPIRG Timothy Wood, Assistant Attorney
General

194 SEN COHEN, Senate District 13, offers testimony on SB 857, and
presents overview of SB 857, ~ amendments, and section by section
analysis of proposed legislation and amendments (EXHIBIT B).

346 PETER GREEN, Committee Administrator, suggests language for SB
857. 364 SEN SMITH: I have concerns with language in this bill.

TAPE 153 SIDE A

005 PAUL COSGROVE, AFPA, offers testimony on SB 857, and overviews
language and proposed amendments (EXHIBIT B). - recycling symbol
requirements of various states discussed

047 BOB DANKO, Director Solid Waste Division, DEQ, offers testimony on
SB 857 , and presents overview of EXHIBIT B. - SB 66 (1991) and
definitions for recycling and recovery - questions on definitions of
recycling - public opinion of recycling differs from industry's - energy
recovery/making is not recycling

098 SEN COHEN: The game must be played by the rules, if you play
packaging for recycled - we did not include burning in SB 66 112 SEN
SMITH: The public wants to use recycled plastic. We must be fairly broad

in what confers secondary good to society in the ways we handle plastic.

121 DANKO: In my opinion this language doesn't impact the SB 66 plastic recycling rate or definition discussion. Your issue is the larger issue. 131 LAURIE AUNNAN, OSPIRG, offers testimony on SB 857, and overview of EXHIBIT B. - State policy ranks "Reduce Reuse Recycle" above composting and energy recovery - consumers separating materials believe those materials go to new products and packaging rather than burned up and gone forever Senate Agriculture and Natural Resources May 12, 1993 Page 3

153 TIMOTHY WOOD, Assistant Attorney General, offers testimony on SB 857, presents overview of EXHIBIT B, suggested guidelines and clarification of mandates.

177 SEN SMITH: The provision on interstate commerce by Sen Cohen is excellent and should be preempted by congress. WORK SESSION ON SB 753 WITNESSES: Bob Danko, DEQ Marvin Schneider, Newberg Resident

200 CHAIR CEASE, offers testimony on SB 753, and presents overview of proposed amendments (EXHIBIT C). - problems with constitutionality of proposed legislation may exist 234 BOB DANKO, DEQ, offers testimony on SB 753 -1 amendments, gives opinions on the intent of the bill, and proposed language intent clarification. 286 SEN KINTIGH: I see problems in UGB's and land use siting zones. 290 CHAIR CEASE: There are 2 definitional problems in this bill. I want to declare that there cannot be building within an urban area. And then the question is how to define that area. The printed bill said "urban resident", which doesn't make sense, because you would not be able to site it anyplace. I am not trying to prevent it from being sited, but I don't want it in the middle of an urban area. There are non-urban areas in UGB's. We need to keep looking for a definition. 317 DANKO: This is similar to the siting of the new regional landfills in Gilliam and Morrow Counties, which would be outside of the UGB's and they were still sited under conditional use - process. The intent is to get these away from urban areas, and cited under the existing land use laws.

322 SEN COHEN: In line 8, the language in the -1 amendments also protects rural areas. There would be opportunity for hearing and full public process.

344 MARVIN SCHNEIDER, Newberg Oregon Resident, offers testimony on SB 753, and presents overview of anaerobic composting that has no odor. - overview of various states' composting programs - 50 percent reduction not achievable if only recyclable materials removed from solid waste - 70 percent reduction can be achieved through mandated recycling

TAPE 152 SIDE B 005 SCHNEIDER: - continues testimony on SB 753. Senate Agriculture and Natural Resources May 12, 1993 Page 4

- answers questions from committee members on composting

044 CHAIR CEASE: Overview of history on composting, and public hearing process. - the "not in my backyard" mentality is a problem - when the air smells rotten all the time there is an issue

056 SEN BUNN: Does DEQ currently have the ability to reject an application based on this type of criteria?

059 CHAIR CEASE: I think they do. The difficulty with odor is partly in the "smell of the beholder". It is difficult to measure odor, and DEQ is

not comfortable in dealing with

- continued discussion with committee members on DEQ standards for noise and odor in landfill and compost operations

PUBLIC HEARING ON SB 936, 937 & 938

WITNESSES: Paul Hanneman, Trawl Fisheries Larry Schock, Oregon Trawl Fisheries Ralph Brown, Fishermen's Marketing Association Kay Brown, Oregon Department of Fish and Wildlife

120 PAUL HANNEMAN, Trawl Fisheries, offers testimony in favor of SB 936, 937, 938. 145 LARRY SCHOCK, Oregon Trawl Fisheries, offers testimony in favor of SB 936, 937, 938, and presents overview of history and intent of the proposed legislation (see EXHIBIT E).

165 RALPH BROWN, Fishermen's Marketing Assoc., offers testimony in favor of SB 936, 937, 938, and presents overview of history and intent of the proposed legislation (see EXHIBIT E). - answers questions from committee members 222 SCHOCK: - overview of permit process for scallop fishing in Oregon 315 - discussion continues among committee members, Schock and R. Brown

386 SCHOCK: If a vessel is engaged in a fishery and making a profit and then make a major investment in another to see if you can make a profit, is not the normal process. A vessel that is not making a profit will want to make that investment and utilize a different resource. These permits being held creates a situation where a new person can not enter that fishery.

TAPE 153 SIDE B

005 SCHOCK: - continues with answer to Sen Cohen's question

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015 R. BROWN: - virtually all permits for scallops are held by those in the shrimp industry and are not being transferred creating a situation where a new player can not enter that fishery - overview of the processing difficulties for Scallop industry - continues discussion, questions and answers for committee members - permits are tied to the particular vessel and can not be taken off that vessel

063 KAY BROWN, ODFW, offers testimony on SB 936, 937, 938, and presents overview of EXHIBIT D. - limited entry program took 4 years to develop and is not a simple issue - ODFW does not support or oppose. SB 938 which creates an advisory committee to examine commercial fishing and limited entry systems - implementation of Federal groundfish limited entry in 1994 - SB 911 to be heard in committee on Oregon crab limited entry - answers questions for Sen Bunn and other committee members

118 CHAIR CEASE: Suggests adoption of conceptual amendment indicating inclusion of permit holders from various groups and members of the public.

125 SEN SHOEMAKER: - agrees with Sen Bunn and the Chair, on the need for more than one public member on advisory board.

132 SEN J BUNN: - suggests specification of 3 public members who are not permit holders.

155 K BROWN: Presents overview of EXHIBIT D and speaks to permitting system in the Scallop fishery. - fishery could be controlled with seasonal/bag limits in event all permits became active - questions from Sen Bunn on Salmon rate increases 260 CHAIR CEASE ADJOURNS MEETING AT 10:00 AM

EXHIBIT LOG:

A - Testimony on HB 2492 - Steve Green - 1 pages B - Amendments to SB 857 - Staff- 7 pages C - Testimony on SB 753 - Staff - 1 pages D- Testimony on SB 936,937,938 - Brown - 6 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 represent a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.