

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

DATE: June 7, 1993 TAPES: 177 - 178 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, Clerk

MEASURES HEARD: WORK SESSION SB 97 PUBLIC HEARING AND WORK SESSION
HB 2213 PUBLIC HEARING HB 2913

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 177 SIDE A

005 CHAIR CEASE: Calls meeting to order 8:00 a. m..

Reviews agenda for the day. SB 1016 was voted out before the
amendments were received. Unless there is a problem with the
amendments, the bill will not be considered further.

Opens work session on SB 97.

WORK SESSION ON SB 97

WITNESSES: Greg Wolf, Department of Land Conservation and
Development Dale Blanton, Policy Analyst, DLCD Art Schlack, Association
of Oregon Counties

017 GREG WOLF, DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT: SB 97
moves the periodic review process to a new and superior process
developed last session.

We have worked with counties to find resolution to some details they
had problems with. We believe they are addressed in the proposed
amendment (EXHIBIT A).

028 DALE BLANTON, POLICY ANALYST, DEPARTMENT OF LAND
CONSERVATION AND DEVELOPMENT: Reviews provisions of proposed
amendment as presented in Hand Engrossed SB 97 (EXHIBIT A).

095 SEN. SHOEMAKER: Did previous legislation provide that all future
periodic reviews are under the new system?

096 BLANTON: Yes.

097 SEN. SHOEMAKER: How do sections one and two of SB 97 differ?

098 BLANTON: Section 1 (1) says "which is under review" to get at what

we expect to be one or two jurisdictions who have submitted by the December date, but their periodic review is being conducted as of the transition date. Subsection 2 is intended to have the date that they submit their work program.

128 ART SCHLACK, ASSOCIATION OF OREGON COUNTIES: We have worked with the department on the language in SB 97-Hand Engrossed (EXHIBIT A) to address issues of certain counties that anticipate that they will submit material to complete periodic review before the end of the year.

We support the hand engrossed version of SB 97 (EXHIBIT A).

140 CHAIR CEASE: Do you see a problem as expressed by Sen. Shoemaker?

142 SCHLACK: I did not initially, but there may be need for further clarification. Could amend line 6 language to say "have not submitted a final periodic review order or submitted an order which is under review" so that it is clear that it is either or.

153 MOTION: SEN COHEN: Moves to amend SB 97 with hand-engrossed proposed amendment, making sure to clarify that it would be applied to any periodic review that had been filed or was in process.

160 CHAIR CEASE: Restates the motion.

It has been moved conceptually that we further amend hand engrossed SB 97 (EXHIBIT A) on line 6 to make sure it applies to those under review.

163 VOTE: Without objection, amendment is adopted.

165 MOTION: SEN. COHEN: Moves SB 97, as amended, to the floor with a do pass recommendation.

165 VOTE: On a roll call vote, motion passes 6 - 0. Sen. Bunn is excused.

170 CHAIR CEASE: Sen. Cohen will carry the bill.

Opens public hearing on HB 2213.

PUBLIC HEARING ON HB 2213

WITNESSES: Phil Ward, Department of Agriculture

185 PHIL WARD, OREGON DEPARTMENT OF AGRICULTURE: Paraphrases written testimony in support of HB 2213 (EXHIBIT B).

220 SEN. KINTIGH: How do these cases come to you?

222 WARD: We did extensive advertising with agriculture groups and the rural weekly newspapers during the origination of the program. That has brought us the business that is out there. We continue to do that, particularly during the times when farmers are going to their creditors for their annual financing.

The largest number of our mediations since the inception of the program

have been in Malheur county, probably because of the drought and depressed commodity prices. The county extension agent in Malheur county has encouraged his producers to participate.

233 SEN COHEN: What is the outcome of the 16 mediations? 234 WARD: We come to an agreement between the creditor and the debtor that allows for some successful resolution of the problem. It may mean liquidation of the farm, but it keeps the whole situation out of court. We are able to save the farm in some cases and that is the ultimate goal.

260 SEN SHOEMAKER: Will you be entitled to a federal match without any general fund dollars in the program?

253 WARD: Yes. There is an other-fund portion of this program. Farmers and their creditors are each charged a fee with a cap of \$20 per hour per individual and that is factored into the program. We plan to use in-kind services at the agency to help match federal dollars. Because the federal match is going from a 50-50 match to a 70-30 match we believe we will be able maintain funding. We have worked it through with the federal authorities.

265 SEN. G. SMITH: You are definitely talking secondary lands in eastern Oregon counties. Commodity prices are not currently too bad, but crop subsidies were reduced in the 1990 Farm Act and that puts a lot of acreage on the cusp as far as being economical. Further reductions in commodity price supports are expected in the upcoming farm bill so the mediation service will probably get a lot of use.

287 CHAIR CEASE: Is this a bigger problem in eastern Oregon than in the Valley?

290 WARD: Our numbers indicate that eastern Oregon has used this service more than the Willamette Valley.

305 CHAIR CEASE: Closes public hearing on HB 2213.

Opens work session on HB 2213.

WORK SESSION ON HB 2213

309 MOTION: SEN. G. SMITH: Moves HB 2213 to the floor with a do pass recommendation.

VOTE: On a roll call vote, motion passes unanimously. Sen. Gold is excused.

325 CHAIR CEASE: Opens public hearing on HB 2913.

PUBLIC HEARING HB 2913

WITNESSES: Paul Ries, Oregon Department of Forestry

329 PAUL RIES, OREGON DEPARTMENT OF FORESTRY: Paraphrases written testimony giving background and purpose of HB 2913 and submits department brochures and newsletter (EXHIBIT C).

400 SEN. G. SMITH: It appears we are not committed to rural forestry, but we are to urban forestry. This program is a perfect example of why federal spending is absolutely out of control.

415 CHAIR CEASE: Asks for information on mission of program in reference to environmental issues.

420 RIES: The objective of the program is to provide assistance to cities. Only Portland and Eugene have city foresters. Seventy five percent of the cities in Oregon have a population of 5,000 or less. Fiscal constraints prevent these cities from having full time people caring for trees within their communities. We provide that service to the cities with grants and educational training sessions to help them manage their urban forests.

We promote planting the correct species in the correct places for the myriad of environmental benefits we get from trees.

438 CHAIR CEASE: Do these trees have anything to do with the carbon dioxide issue?

440 RIES: Yes. We encourage cooperative projects to offset carbon dioxide and energy conservation purposes.

450 SEN. KINTIGH: What are you doing about helping cities eliminate or determine dangerous trees in subdivisions built on former forested tracts?

460 RIES: We provide direct on-site technical assistance and hold hazardous tree evaluation workshops.

480 SEN. KINTIGH: Believes more should be done in tree selection for subdivisions.

490 RIES: Agrees.

TAPE 178 SIDE A

043 SEN. SHOEMAKER: Suggests amendment; in line 22 there is a reference to town or city and I wondered why there is a reference to town. It's a definitional phrase so every word in it is important.

050 SEN. COHEN: We should talk about county or city.

054 SEN. SHOEMAKER: There is no mention of town elsewhere in the bill.

057 RIES: Oregon has 500 named places. Not all of them are incorporated areas with a governing unit for us to provide service to.

068 SEN. SHOEMAKER: In line 32 of the bill, should we declare it public policy to encourage cities and towns to plant and properly care for trees?

072 RIES: Not sure if there is a legal definition of "town".

077 CHAIR CEASE: Reads Section 4, page 2. Is the intention to be pretty broad?

078 RIES: Yes.

082 CHAIR CEASE: I wonder if we could have a conceptual amendment to make it clear that we are talking about incorporated cities, unincorporated cities, and other organizations. We could

just use the word "communities".

090 Committee agrees to accept "communities" and conceptual amendment proposed.

091 SEN. BUNN: Thinks language in bill conveys correct idea and does not need fine tuning.

096 SEN. SHOEMAKER: If we are going to broaden the bill to "communities" we should probably not limit it to urban growth boundaries because many communities do not have urban growth boundaries. That is on line 1 of page 2.

On page 2, line 2, where it makes a reference to protect and promote urban trees, think we should say urban forests.

103 SEN. COHEN: Wants to think about whether this bill is broad enough to include other concerns that have come up. Has heard from citizens with concerns about authority and regulation of urban forest practices.

125 CHAIR CEASE: Will hold the bill until Wednesday and get amendments to take care of issues raised.

Closes public hearing on HB 2913.

INFORMATIONAL

160 Peter Green, Committee Administrator shows video on Cattle Grazing in Riparian Areas of Public Lands in preparation for a joint hearing with the Senate Water Policy committee scheduled for Friday, June 11.

400 GREEN: Reviews June 11 agenda and responds to questions from committee members.

TAPE 177 SIDE B

GREEN: Continues responses to committee members.

035 CHAIR CEASE: Reviews future committee work.

057 Adjourns meeting at 9:15 a.m.

Transcribed by: Reviewed by:

Pat Zwick, Peter Green, Assistant Administrator

EXHIBIT LOG:

A - SB 97 Hand-Eng., SB 97-1 amendment, measure summary - Staff - 3 pages
B - Testimony on HB 2213 - Phil Ward - 2 pages
C - Testimony on HB 2913 - Paul Ries - 32 pages