

Senate Committee on Agriculture and Natural Resources April 15, 1991 -
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statements made during this session. Only text enclosed in quotation
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report a speaker's exact words. For complete contents of the
proceedings, please refer to the tapes.

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 15, 1991Hearing Room C 8:15 a.m. Tape 143 - 145

MEMBERS PRESENT:Sen. Dick Springer, Chair Sen. Joyce Cohen,
Vice-Chair Sen. Bob Kintigh Sen. Tricia Smith Sen. Eugene Timms

MEMBERS EXCUSED:Sen. John Brenneman Sen. Shirley Gold

STAFF PRESENT: Peter Green, Committee Administrator Chris Beck,
Research Associate Barbara Porter, Committee Assistant

MEASURES CONSIDERED: SB 66 (WRK) SB 1202 (PPW)

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proceedings, please refer to the tapes.

TAPE 143 SIDE A

003 CHAIR SPRINGER CALLS THE MEETING TO ORDER AT 8:00 AM

SB 1202Revises fees for various commercial fishing licenses and permits.

010 KAY BROWN, OREGON DEPARTMENT OF FISH AND WILDLIFE: Testifies in
favor of the bill.

049 CHAIR SPRINGER: Have those people in a position to be affected by
the bill had a chance to voice their position?

053 BROWN: It is our understanding that there is no opposition.

CHAIR SPRINGER: What is the fisheries fund for?

068 BROWN: Those monies would be used for the things that are reduced
by Measure 5.

110 Discussion of fund concept.

123 PAUL HANNEMAN, THE OREGON TROLL COMMISSION: Testifies and refers to
proposed amendments (EXHIBIT A). All parties have agreed to this bill
without the amendments.

174 SEN COHEN: Do you need the specific accounts on this bill?

188 HANNEMAN: The dedicated fund seemed a minor point during the discussions.

211 JOE EISLEY, OREGON TROLL COMMISSION: Discusses special funds.

221 MOTION: SEN. COHEN moves the -1 amendments.

VOTE: Hearing no objection, the motion passes.

MOTION: SEN. COHEN moves the deletion of sections 21-23.

VOTE: Hearing no objection, the motion passes.

MOTION: SEN. COHEN moves HB 1202 as amended to Ways and Means with a do pass recommendation.

VOTE: In a roll call vote, the motion passes with all members present voting AYE. Senators Brenneman and Gold are excused.

SB 66 Establishes statewide integrated solid waste management program.

Reference to memo, dated 4-12-91, from Bob Danko.

278 BOB DANKO, DEQ: Testimony relating to line 13 of -A19 amendments (EXHIBIT B). - no intent to count those rates in recovery rates. - metal demolition debris not counted in recovery rates.

359 DAVID KNOWELLS, OREGON METALS COUNCIL: Offers an amendment with similar

language to that of Mr Danko. Local governments have come to a concensus.

MOTION: CHAIR SPRINGER moves the amendments relating to recovery rates.

VOTE: Hearing no objection, the amendments are adopted.

TAPE 144 SIDE A

014 DANKO: Refers to page 4, lines 24 & 25 [(B) & (C)] of the -A19 amendments.

DAVE PHILLIPS, LOCAL GOVERNMENT: We concur.

MOTION: CHAIR SPRINGER moves (B) & (C) on the bottom of page 4 of the -A19

amendments.

VOTE: Hearing no objection, the amendments are adopted.

039 DANKO: Presents technical amendments to SB 66-A (EXHIBIT C). Reads amendment as would be read in the bill.

158 SEN. SMITH: Adds "schools" to the amendment on page 8.

MOTION: SEN. COHEN moves the adoption of the technical amendments.

VOTE: Hearing no objection, the motion is adopted.

185 KNOWELLS: Suggests amendments relating to recycling.

203 DANKO: Describes intent of the language.

MOTION: CHAIR SPRINGER moves the adoption of the new section 9, section 2.

VOTE: Hearing no objection, the motion is adopted.

220 SEN KINTIGH: Gives suggestions for recycling and changing thought patterns. -Section 2, line 22: urges consideration. -Section 52, page 39, line 5: after "reduction", insert "reusing,". -Section 52, page 39, line 6: after "to", insert "reuse and." -Section 60, page 43, lines 11 & 12: strike out from "them" to the end of line 12, insert "reusing paper, envelopes and all types of containers and packaging."

312 DIANNA GODWIN, OREGON SANITARY SERVICE INSTITUTE: Testimony relating to

Sen. Kintigh's proposed amendments.

350 CHAIR SPRINGER: Hearing no objection, Sen. Kintigh's amendments are adopted.

360 SEN. KINTIGH: Suggests further amendments. -line 29, page 26 and line 16, page 27: delete "commercial fertilizer".

383 SEN. COHEN: Could we just take out the word, "commercial"?

393 CHAIR SPRINGER: It is my understanding that sludge is not just a filler.

407 DON UNDERWOOD, STATE DEPARTMENT OF FORESTRY: Discusses the content of sludge in Oregon.

MOTION: SEN. KINTIGH moves the adoption of the amendments.

TAPE 143 SIDE B

035 SEN. TIMMS: Questions impact on agriculture.

VOTE: In a roll call vote, the motion fails with Senators Brenneman and Kintigh voting AYE and Senators Smith, Timms, Cohen and Springer voting NAY. Sen. Gold is excused.

MOTION: CHAIR SPRINGER moves the adoption of the Oregon Environmental Council amendment.

VOTE: Hearing no objection the motion is adopted.

084 JEAN CAMERON, OREGON ENVIRONMENTAL COUNCIL: Testimony relating to reducing what goes into the wastestream. Minimization is important.

110 LAURIE AUNAN, CONSUMERS FOR RECYCLING: Submits and summarizes written testimony relating to recycling (EXHIBIT D). -Suggests revision of recycling definition. -The report should list separately the amount

of each type of material that is recycled to enable the state to assess its progress in recycling.

171 SEN. KINTIGH: What will this language accomplish?

177 AUNAN: We need to separate out the recycling rates.

MOTION: CHAIR SPRINGER moves to delete sections 50-58.

VOTE:Hearing no objection, the motion passes.

MOTION: SEN. TIMMS moves to delete sections 53-58, pertaining to unredeemed deposits.

VOTE: Hearing no objection, the motion passes.

225 PETER GREEN: Presents funding proposal (EXHIBIT E). Refers to the packet from Friday.

277 DANKO: Testimony relating to sunset dates.

315 MOTION: CHAIR SPRINGER moves the funding proposal language in EXHIBIT E.

SEN. TIMMS: Discussion of fees.

VOTE: In a roll call vote, the motion passes with all members present voting AYE.

TED HUGHES, COUNCIL FOR SOLID WASTE SOLUTIONS: Introduces Joel Ario.

369 JOEL ARIO, OSPIRG: Testimony relating to Consumers for Recycling amendments focusing on rigid plastic containers. Submits and summarizes written testimony (EXHIBIT F).

TAPE 144 SIDE B

036 ARIO: Continues testimony. -Reads language for amendments.

The meeting is in recess until 5:30.

EXHIBIT LOG:

A - Proposed amendments to SB 1202 - Department of Fish & Wildlife - 1 page
B - Proposed amendments to SB 66 - staff - 60 pages
C - Testimony on SB 66 - Bob Danko - 1 page
D - Testimony on SB 66 - Oregon Environmental Council - 5 pages
E - Funding proposal for SB 66 - Peter Green - 1 page
F - Proposed amendments to SB 66 - Joel Ario - 4 pages

Submitted by: Reviewed by:

Barbara Porter Peter Green Assistant Administrator

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SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 15, 1991Hearing Room B 5:30 PM Tape 145 - 147

MEMBERS PRESENT:Sen. Dick Springer, Chair Sen. Joyce Cohen,
Vice-Chair Sen. John Brenneman Sen. Bob Kintigh Sen. Eugene Timms

MEMBERS EXCUSED:Sen. Shirley Gold Sen. Tricia Smith

STAFF PRESENT: Peter Green, Committee Administrator Chris Beck,
Research Associate Kus Soumie, Committee Assistant

MEASURES CONSIDERED: SB 66(WRK) SB 555 SB 1125 SB 519
SB 1182(PUB) SB 687 SB 686 SB 266

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TAPE 145 SIDE A

003 CHAIR SPRINGER: Reconvenes the hearing at 5:30 p.m.

WORK SESSION ON SB 66

018 PETER GREEN, COMMITTEE STAFF: Reviews testimony relating to
commercial fertilizer vs. sludge usage.

MOTION: SEN KINTIGH moves to delete "commercial fertilizer" on page
26, line 29 and page 27, line 16.

VOTE: Hearing no objection, the motion passes.

044 TED HUGHES, Council for Solid Waste Solutions, gives testimony on SB
66 and presents and overview of Recycling Standards for Rigid Plastic
Containers (EXHIBIT A). -Opposes "50% by the year 2000" language on page
1, sub a. -Opposes "should not be renewable" language on page 3, sub D.

122 HUGHES: Submits and summarizes amendment relating to collection
(EXHIBIT B).

MOTION: SEN COHEN moves adoption of the Hughes amendment in
conceptual form.

VOTE: Hearing no objection, the motion is adopted.

MOTION: CHAIR SPRINGER moves to retain the 50% language.

VOTE: In a roll call vote the MOTION FAILS Sen. Timms, Kintigh, Brenneman voting NAY. Sen. Smith, Gold excused.

MOTION: CHAIR SPRINGER moves to delete the 50% language.

VOTE: Hearing no objection, the motion passes. Sen. Gold and Sen. Smith are excused.

MOTION: CHAIR SPRINGER moves the rigid plastic containers portion of SB 66 as amended.

VOTE: Hearing no objection, the motion passes. Sen. Gold and Sen. Smith are excused.

MOTION: SEN. COHEN moves SB 66 as amended with a do pass recommendation to Ways & Means.

VOTE: In a roll call vote, the motion passes with all members present voting AYE.

WORK SESSION ON SB 555

210 MARC LIVERMAN, Portland Audubon Society, gives testimony on SB 555 and presents overview of EXHIBIT C. - proposed amendments - over cutting on private forest lands. - answers questions from committee members

346 LIVERMAN: Gives source for information in testimony related to clear cutting.

TAPE 146 SIDE A

WORK SESSION ON SB 1125

009 JOHN DAVIS, Oregon Forest Industries Council, gives testimony on SB 555

020 DAVID COX, Mason, Bruce and Girard, Inc, gives testimony on SB 555 and overview of EXHIBIT D - answers questions from members of the committee.

232 SEN. COHEN: For the record, I would like to hear from the forestry department on this issue.

242 COX: Continues testimony on SB 1125.

324 SEN KINTIGH: The average size for clearcuts is lowered by the small woodland owners.

334 DAVIS: The average unit size will be considerably smaller. 371 COX: The trees are more spread out than is perceived.

385 SEN. KINTIGH: How does SB 1125 handle the matter of adjacent ownership?

389 DAVIS: SB 1125 is structured so that each ownership stands on it's

own.

403 COX: Continues to answer questions from members of the committee.

TAPE 145 SIDE B

060 JIM BROWN, State Forester, gives overview and update of activities within the Forestry Department and the Board of Forestry.

WORK SESSION ON SB 687

DON HULL, Department of Geology and Mineral Industries, gives testimony on SB 687 and submits overview of EXHIBIT E.

- answers questions from members of the committee.

199 TERRY DREVER, Eastern Oregon Mining Association, asks question regarding metal mining permits. And gives testimony on SB 687

220 HULL: The smaller mines are charged the same permit fee as the metal mines based on the actual cost of enforcing.

238 DREVER: Testifies in favor of the bill.

260 RICHARD ANGSTROM, Oregon Concrete and Aggregate Association, gives testimony on SB 687 opposing proposed amendments. Will work with Ways & Means toward a compromise.

PUBLIC HEARING ON SB 1182

353 CAROLYN BROWN, gives testimony on SB 1182 and presents overview of EXHIBIT F.

TAPE 146 SIDE B

003 BROWN: Continues testimony and overview of EXHIBIT F

046 GARY BROWN, Concerned Citizens for Responsible Mining, gives testimony on SB 1182 and presents overview of EXHIBIT G.

127 ALICE ELSHOFF, Oregon Natural Desert Association, testimony on SB 1182 and presents overview of EXHIBIT H. - answers questions from members of the committee - discussion of per capita income based on mining industries. 290 SALLY CROSS, Oregon Natural Resources Council, gives testimony on SB 118 2 and offers public support.

313 JEAN CAMERON, Oregon Environmental Council, gives testimony on SB 1182 and submits overview of EXHIBIT I.

393 ROY ELLICKER, National Wildlife Federation, gives testimony on SB 1182

TAPE 147 SIDE A

003 ELLICKER: Continues testimony on SB 1182.

084 LARRY TUTTLE, The Wilderness Society, gives testimony n SB 1182 and submits overview of EXHIBIT J.

146 STUART GARRETT, Native Plant Society of Oregon, gives testimony on

SB 118 2 and presents overview of EXHIBIT K. -Answers questions from members of the committee.

235 MARC LIVERMAN, Portland Audubon society, gives testimony on SB 1182 and presents overview of EXHIBIT L.

278 TODD SILVERSTEIN, Willamette University, gives testimony on SB 1182 and presents overview of EXHIBIT M.

TAPE 148 SIDE A

018 GARY LYNCH, gives testimony on SB 1182 and SB 686 and presents (EXHIBIT N) on behalf of Martha Pagel.

120 TOM KRAUSE, OREGON MINING COUNCIL, gives testimony on SB 1182 and presents overview of EXHIBIT O.

182 SCOTT PRATT, Oregon League of Conservation Voters, gives testimony on SB 118 2 and presents overview of EXHIBIT P.

246 JAY QUAST, representing self, gives testimony on SB 1182 and presents overview of EXHIBIT Q. - presents suggested amendments

TAPE 147 SIDE B

009 MARTIN BERGOFFEN, gives testimony on SB 1182 and presents overview of EXHIBIT R

025 JOSEPH MINATO, gives testimony on SB 1182, and presents EXHIBIT S

095 MARY VOGEL, Ancient Forest Hikes, gives testimony on SB 1182

124 BROOKS COOPER, gives testimony on SB 1182 and tailings ponds have potential for evaporation. Surface stabilization methods are costly, and ineffective in the long run.

192 KATHRYN BOULA, The Oregon Chapter of the Wildlife Society, gives testimony on SB 118 2 with suggested amendments, which have impacts on wildlife.

289 JAMES GODFREY, gives testimony on SB 1182, and presents EXHIBIT T

TAPE 148 SIDE B

009 VINCENT RENOLDS, gives testimony on SB 1182.

051 RAY KINDLEY, Oregon Water Resources Committee, Oregon Chapter American Fisheries Society, gives testimony on SB 1182 and presents overview of EXHIBIT U

093 SEN. TIMMS: What effect does the mining have on fish?

101 KINDLEY: It is inevitable that some cyanide will get into the water. Even with the best practices, runoff will be used. I heard references to various levels of mining. This will come in as another major use of water.

126 SEN. TIMMS: I hope that this will not effect fish. I think we should move to the city and get good job.

136 KINDLEY: - answers questions from committee members.

204 MARINER ORAM, gives testimony on SB 1182

220 STUART SUGARMAN, gives testimony on SB 1182.

247 GEORGE OSTERTAG, gives testimony on SB 1182. There is a need for State regulation of the mining industry.

319 HAL HUSHB ECK, speaks in favor of SB 1182

333 CHARLIE OVERBECK, gives testimony on SB 1182

- Small scale mining is not feasible. - discussion of Nevada's Heap leach mining industry.

CHAIR SPRINGER ADJOURNS MEETING AT 9:25 P.M.

EXHIBIT LOG:

A - Proposed Amendments to SB 66A - Ted Hughs - 3 pages
B - Proposed Amendments to SB 66A - Ted Hughs - 1 page
C - Proposed Amendments to SB 555 - Marc Liverman - 40 pages
D - Testimony on SB 555/1125 - David Cox - 15 pages
E - Testimony on SB 555/1125 - Don Hull - 8 pages
F - Testimony on SB 1182 - Carolyn Brown - 10 pages
G - Testimony on SB 1182 - Gary Brown - 3 pages
H - Testimony on SB 1182 - Alice Elshof - 11 pages
I - Testimony on SB 1182 - Jean Cameron - 9 pages
J - Testimony on SB 1182 - Larry Toutle - 2 pages
K - Testimony on SB 1182 - Stuart Garrett - 2 pages
L - Testimony on SB 1182 - Mark Liverman - 1 page
M - Testimony on SB 1182 - Todd Silverstein - 4 pages
N - Testimony on SB 1182 - Gary Lynch - 2 pages
O - Testimony on SB 1182 - Tom Krause - 4 pages
P - Testimony on SB 1182 - Scott Pratt - 5 pages
Q - Testimony on SB 1182 - Jay Quast - 2 pages R - Testimony
on SB 1182 - Martin Bergoffen - 1 page S- Testimony on SB 1182 -
Joseph Minato - 2 pages T - Testimony on SB 1182 - James Godfrey -
1 page U- Testimony on SB 1182 - Ray Kindley - 10 pages

Submitted by: Reviewed by:

Kus Soumie Peter Green Committee Assistant Administrator