

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.

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

May 1, 1991Hearing Room C 8:00 a.m. Tape 178 - 179

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

VISITING MEMBERS: Sen. Joan Dukes

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

MEASURES CONSIDERED: SB 555(WRK) SB 263(WRK) SB 861(WRK) SB 1097(PPW)

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TAPE 178 SIDE A

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

WORK SESSION ON SB 861

WITNESSES: Robert Hall Mike Grainey

010 ROBERT HALL, Portland General Electric Company, gives testimony on amendments to SB 861 EXHIBIT A

018 MIKE GRAINEY, Department of Energy, gives concurrence on SB 861 amendments

MOTION: Chair Springer moves the - 1 amendments

VOTE: Hearing no objections the MOTION IS ADOPTED

MOTION: Chair Springer moves SB 861 as amended to the floor DO PASS

VOTE: In a roll call vote the MOTION CARRIES Sen Brenneman, Cohen and Gold excused

PUBLIC HEARING ON SB 1097

WITNESSES: Sen Joan Dukes William Voelker

042 WILLIAM VOELKER, Director Forest Management, Oregon Department of Forestry, gives testimony on SB 1097 and presents overview of EXHIBIT B and EXHIBIT C

108 SEN JOAN DUKES, District 1, gives testimony on SB 1097 and presents suggested amendments EXHIBIT D

150 - answers questions from Committee members

MOTION: Sen Timms moves the - 1 amendments

VOTE: Hearing no objections the MOTION is ADOPTED

MOTION: Sen Smith moves SB 1097 to the floor DO PASS

VOTE: In a roll call vote the MOTION PASSES unanimously

WORK SESSION ON SB 1125 and 555

WITNESSES: Peter Green Jeff Curtis Fred Robinson Jill Zarnowitz  
John Davis Mark Liverman

330 PETER GREEN, Committee Administrator, gives overview of amendments to SB 112 5 and presents EXHIBIT E

382 JEFF CURTIS, Department of Fish and Wildlife, gives overview of agreements reached in the -7 amendments to SB 1125 / SB 555

TAPE 179 SIDE A

003 CURTIS: continues overview of EXHIBIT E - answers questions from SEN KINTIGH - these provisions would apply to all wildlife, I am worried about the south coast. We need authority to restore habitat.

096 FRED ROBINSON, Assistant State Forester, Division Chief, Forest Protection Division, speaks on habitat maintenance and the State's obligation to maintain viable wildlife and not to maintain habitat.

136 ROBINSON: The board faces the problem of moving from the regulatory approach to private land. The land owner can make decisions

165 SEN. SMITH: If we don't manage what we have, the feds will lock up all State resources.

186 ROBINSON: The expansion of authority is a new concept as related to the policy stated here.

218 CURTIS: We have identified areas and species that are in trouble if something is not done in the near future.

236 JILL ZARNOWITZ, Oregon Department of Fish and Wildlife, cites ORS showing responsibility regarding wildlife habitat and population.

251 SEN. KINTIGH: Give some examples of species other than those on the south coast that need enhancement or protection.

274 JILL: The Marbled Merolette, is the only one that I can think of at this time, I will get you a complete list.

286 SEN BRENNEMAN: I am not comfortable with your Department being involved in these areas.

310 CURTIS: We recognize the problem with Elk Damage. There are others who oppose such proposed hunts.

392 ROBINSON: reads the amended version of the proposed bill.

TAPE 178 SIDE B

003 SEN. KINTIGH: Couldn't you make due with the old language in the bill.

010 CURTIS: gives intent of the amendments for seeking authority within the Department of Fish and Wildlife.

051 JOHN DAVIS, Oregon Forest Industries Council, gives testimony relating to process that is ongoing since the passage of HB 3396, which was created to deal with the problems being discussed here today. - HB 3396 is geared to deal with sensitive species

073 ROBINSON: All at this table and interest groups have been involved in talks. Those acts are related to restoring habitat and is a different concept. The board feels that they need the authority to deal with restoration and enhancement of habitat where there are not now sensitive species.

088 MARK LIVERMAN, Conservation Director, Portland Audobon Society, gives testimony on the Department of Forestry's Sensitive Species Program, saying that the department has no intention of proceeding through the list of sensitive species which has been identified by the Department of Fish and Wildlife. The process that is outlined is a petitioning process placing a heavy burden on the public to nominate species and promulgate information to support that information.

106 ROBINSON: If a conflict exists we would develop rules. Process is described which the board would follow in dealing with the selection of a sensitive species.

125 LIVERMAN: With regard to why the term "Habitats and Populations" be linked in the policy statement, I suggest that is the unit of conservation, such as "trees and soil". Habitat is the key to wildlife population and maintenance. We are loosing the characteristics of the original habitat. lists species of birds affected by diameter of trees in a given area. We need this authority to deal with these issues.

182 DAVIS: We are talking about setting aside millions of acres on federal land. All acres of forest land do not have to be home for all species. When is enough enough?

240 ZARNOWITZ: gives testimony on reasons for proposed forest practices.

CUMULATIVE EFFECTS

270 LIVERMAN: - the understanding between ODF and conservation groups

287 ROBINSON: - gives testimony meeting with MARTHA PAGEL (Governor's Staff) on cumulative effects of intensive forest practices

308 PETER GREEN: gives overview of Cumulative Effects Meeting regarding line 11-14 EXHIBIT E - Senator Cohen suggests deleting lines

369 ROBINSON: Refers to EXHIBIT E

TAPE 179 SIDE B

003 ROBINSON: - continues testimony on cumulative effects - answers questions from committee members

004 ROBINSON: The primary objective would be to select some species on the south coast

043 SEN. COHEN: Why don't we do a real study to determine what is actually happening with turbidity etc. Focus in a way that will help us find what we can do better and what the recommendations are needed to amend our forest practices act.

083 SEN SMITH: If we are going to study a basin then it should not lead to another study.

092 SEN. COHEN: speaks about the problems in studying cumulative effects.

100 ROBINSON: We know there are less salmon then there used to be. There are many different reasons for this, we think this process will help. We will produce some results in the interim. How land practice affects fish harvest is a difficult question.

131 CHAIR SPRINGER: do you support the language in sub c?

134 ROBINSON: Yes.

140 LIVERMAN: gives overview of amendments' failure to address cumulative effects and habitat.

148 DAVIS: We are opposed to cumulative effects legislation. We do not have a good bases for this legislation. This study should be completed by 1992 and would be crucial for all those involved. We are dealing with a complex area of science. We need a well designed study.

195 SEN. SMITH: I don't know if there is enough time to deal with all the problems presented during this legislative session.

WORK SESSION ON SB 263

213 SEN. COHEN: gives overview of amendments to SB 263 EXHIBITS F and G

293 SEN. SMITH: gives testimony on background of the bill and amendments, and PUC's experience with rate setting

MOTION: Sen Cohen moves the - 1 amendments

VOTE: Hearing no objections the MOTION CARRIES

MOTION: Sen Cohen moves SB 263 as Amended to Ways and Means Committee DO PASS

DISCUSSION SEN BRENNEMAN

VOTE: In a roll call vote the MOTION PASSES 6 - 1 with Sen  
Kintigh voting NAY

CHAIR SPRINGER CALLS RECESS TILL 5 PM

EXHIBIT LOG:

A - Proposed Amendments to SB 861 - Committee Staff - 2 pages  
B - Testimony on SB 1097 - William Voelker - 2 pages  
C - Testimony on SB 1097 - William Voelker - 2 pages  
D - Proposed Amendments to SB 1097 - Sen Joan Dukes - 1 page  
E - Proposed Amendments to SB 1125 - Committee Staff - 25 pages  
F - Proposed Amendments to SB 263 - Sen Joyce Cohen - 3 pages  
G - Testimony on SB 263 - Sen Joyce Cohen - 1 page

Submitted by: Reviewed by:

Kus Soumie Peter Green Assistant Administrator

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SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

May 1, 1991Hearing Room B 5:30 PM Tape 180 - 182

MEMBERS PRESENT:Sen. Dick Springer, Chair Sen. Joyce Cohen, Vice-Chair Sen. John Brenneman Sen. Shirley Gold Sen. Bob Kintigh Sen. Tricia Smith

MEMBERS EXCUSED:Sen. Springer Sen. Timms

VISITING MEMBERS: Sen. Bill McCoy

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

MEASURES CONSIDERED: SB 765 ppw SB 766 ppw SB 1043 ppw SB 1112 ppw SB 1094 ppw

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TAPE 180 SIDE A

003 CHAIR SPRINGER CALLS THE MEETING TO ORDER AT 5:30 PM

PUBLIC HEARING ON SB 1112

WITNESSES:

027 PAUL COSGROVE, Ethenol Fuel Assn., gives testimony on SB 1112 adn presents overview of EXHIBIT A

083 MARK KAFFORD, , gives testimony on alternative fuels and offers to answer questions.

092 GEORGE RICHARDSON, Norththwest Natural Gas, givews testimony on SB

1112 and gives overview of EXHIBIT B

DELL ISHAM, Northwest Propane Gas Assn., gives testimony on SB 1112.

147 SEN. KINTIGH:

153 BRIAN DOHERTY, Western States Petroleum, gives testimony on SB 1112 and gives overview of EXHIBIT C - answers questions from members on alternative fuels

204 SEN. SMITH: Why is this not on the market? And why hasn't the industry don this on it's own. Does this reformulated fuel use the same amount of crude?

211 DOHERTY: The company is trying to market this product and will require retooling.

241 MIKE GRAINEY, Department of Energy, gives testimony on HB 2230, SB 1112, and gives overview of EXHIBIT D - answers questions from members

386 TAMMY HOFFBURB, sen Philips, gives testimony in favor of SB 1112

410 JOHN ALBRECHT, Seirra Club, gives testimony on SB 1112 and gives overview of EXHIBIT E

TAPE 181 SIDE A

003 ALBRECHT: continues overview of EXHIBIT E

045 JIM D'AMICO, Driver's Fuels Tax, gives testimony on SB 1112 and voices concern with the definition and gives recommended amendments.

068 SEN. COHEN: What do you do with the tax? Do you now collect tax on Eythenol etc?

075 D'AMICO: We collect the tax from fuels reported used to us. Our concern is gasahol and the original definitions in the bill.

101 MARTIN FORD, Department of Transportation, gives testimony and clarification of definitions of alternative fuels.

123 COSGROVE: gives overview of proposed definitions of alternative fuels and reasons for generic definitions.

180 RICHARDSON: There is still some uncertainty with the amendments and reductions and dependency on foriegn bills.

SEN. COHEN:

200 COSGROVE: tHIS SHOULD RECIEVE THE INCENTIVE if you go to the laundry list we are concerned with fueSl that are being developed at the present time.

217 RICHARDSON: We are refering to other mixtures with different types of fuels.

230 COSGROVE: we need to vest in someone the authority to say what is alternative.

252 SEN. COHEN: We have a larger issue here and the committee willl

have to look them before we send this bill to revenue.

276 SUSAN SCHNIEDER, City of Portland, gives testimony in favor of SB 1112 and gives suggested amendments

295 ROBERT HALL, PGE, gives testimony on SB 1112 and gives suggested amendments, while stating comfort with the amendments submitted by NNG

331 SEN. COHEN: We have 6 versions of amendments. We could take some action next week.

372 SEN. SMITH: I heard no opposition to DOE into the bill

WORK SESSION ON SB 1112

MOTION: SEN SMITH MOVES -6, TO SB 1112

VOTE: HEARING NO OBJECTION

TAPE 180 SIDE B

PUBLIC HEARING ON SB 765, SB 766

WITNESSES:

003 CHRIS BECK:

010 SEN BILL McCOY, DISTRICT, gives testimony on EXHIBIT F

040 CAMERON BIRNIE, General Services Division, gives testimony on SB 765 and gives overview of EXHIBIT G - presents overview of suggested amendments.

121 SEN. SMITH: How did you feel about NWNG definition of alternative fuels?

128 SEN McCOY: We are ok with these definitions.

150 DANI WILKE, for Rep. Shibley, gives testimony for REP SHIBLEY,

BRIAN DOHERTY, , gives testimony on SB 765 and gives overview of EXHIBIT H

172 DON UNDERWOOD, DEPARTMENT OF FORESTRY, gives testimony on SB 765 and overview of EXHIBIT I

238 CHRIS NELSON, EXHIBIT J

260 DELL ISHAM, , gives testimony on SB 765 citing the lack of advancement in this area in the United States as compared to Canada

300 JOHN HALL:

312 SEN KINTIGH: Question about the state fleet.



328 BIRNIE: We don't know what the demand will be for alternative fueled vehicles

PUBLIC HEARING ON SB 766

WITNESSES:

352 GEORGE RICHARDSON: gives support to SB 766 and salutes TRI MET because they are purchasing some alternative fueled buses.

TAPE 181 SIDE B

001 GEORGE BRENTANO, TRI MET, EXHIBIT K We will have the first of their kind in the alternative fueled buses. We are prepared to buy 8 more in the next 2 years.

040 RANDY PRINCE, Renewable Energy Awareness Project, gives testimony on SB 766 and offers alternatives to petroleum based fuels. - talks about the greenhouse effect - renewable fuels recycled fuels - small hydro projects - development of renewable resources - cellulose as liquid fuel - electricity is least expensive

166 SEN. KINTIGH:

178 PRINCE:

WORK SESSION ON SB 766

MOTION: -1 TO 766

VOTE: ADOPTED

WORK SESSION ON SB 765

MOTION: AMENDMENTS TO 765

VOTE: HEARING NO ADOPTED

PUBLIC HEARING ON SB 1092

WITNESSES:

250 KEN SAMILIA, Oregon Department of Agriculture, gives testimony on SB 109 4 and presents overview of EXHIBIT L

410 STEPHANIE SMYTHE, Department of Justice, gives testimony on SB 1094 and gives overview of EXHIBIT M and present proposed amendments

TAPE 182 SIDE A

003 SMYTHE: There is a 5 cent differential for rating at the pump.

044 DELL ISHAM, Oregon AAA, gives testimony on SB 1094

MEETING ADJOURNED AT 7:45 PM

EXHIBIT LOG:

A - Testimony on SB - name - # pages B - Testimony on SB -  
name - # pages C- Amendments to SB - name - # pages D - E - F - G  
- H -

Submitted by: Reviewed by:

Kus Soumie Peter Green Assistant Administrator