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**SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**May 2, 1997 Hearing Room C**

**8:30 A.M. Tapes 98 - 99**

**MEMBERS PRESENT:**

**Sen. Bob Kintigh, Chair**

**Sen. Bill Fisher, Vice-Chair**

**Sen. Bill Dwyer**

**Sen. Ted Ferrioli**

**Sen. Veral Tarno**

**Sen. Thomas Wilde**

**MEMBER EXCUSED: Sen. Gary George**

**STAFF PRESENT:**

**Glen Stonebrink, Administrator**

**Linda Spaulding, Administrative Support**

**MEASURE/ISSUES HEARD:**

**SB 365 Public Hearing and Work Session**

**SB 622 Public Hearing and Work Session**

**HB 1002 Public Hearing and Work Session**

**HB 2448 Public Hearing and Work Session**

**HB 2449 Public Hearing and Work Session**

**HB 2496A Public Hearing and Work Session**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 98, A</b>		
004	Chair Kintigh	Calls the meeting to order at 8:32 a.m. Opens public hearing on SB 365.
<b><u>SB 365 - PUBLIC HEARING</u></b>		
016	Mike Miller	Representing Associated Oregon Loggers ( <b>EXHIBIT A</b> ) Reports results of Unprotected Areas Committee study. Suggests addition of an industrial forestland owner representative to the committee.
045	Sen. Wilde	Asks if all categories are necessary.
049	Chair Kintigh	Answers yes.
052	Miller	Explains broad range of representation rationale.
059	Sen. Wilde	Comments owner of 10,000 acres is not a small rancher.
061	Miller	Replies ranches in Eastern Oregon may exceed 100,000 acres.
065	Sen. Wilde	States most committees strive for odd number of members.
071	Sen. Dwyer	Asks for number of landowners holding over 30,000 acres who are not corporate owners.
072	Miller	Replies undetermined number, but large.
076	Sen. Dwyer	Comments 30,000 acres represents large holding.
081	Chair Kintigh	States land assessments on per-acre basis affect landowners differently. Explains need for broad representation.

085	Miller	Reiterates only change remains adding industrial forestland owner to amendment language.
086	Sen. Tarno	Asks definition of industrial forestland owner.
087	Miller	Replies amendment to the -1 amendments proposes to add one industrial forestland owner to the committee.
092	Sen. Tarno	Asks if Oregon Forest Industry Council (OFIC) qualifies as "industrial."
093	Miller	Replies difference is in that they represent all their membership.
107	Nancy Orr	Representing State Fire Marshal Presents fiscal impact statement and work sheet ( <b>EXHIBIT B</b> ).
117	Chair Kintigh	Asks if fiscal impact applies to proposed amendment.
118	Orr	Replies affirmatively; explains proposal is for personal services contract.
138	Chair Kintigh	Asks if fiscal impact was discussed with working group.
139	Orr	Replies State Fire Marshal met with working group.
142	Chair Kintigh	Confirms two full-time people to staff are necessary.
145	Orr	Answers proposal includes fiscal impact for regional meetings.
153	Chair Kintigh	Closes public hearing on SB 365; opens work session on SB 365.
<b><u>SB 365 - WORK SESSION</u></b>		
167	Sen. Dwyer	<b>MOTION: Moves to ADOPT SB 365-1 amendments dated 04/23/97 and that the measure be FURTHER AMENDED on page 2, line 18, by inserting "(f) One industrial forestland owner potentially threatened by uncontrolled fires."</b>
		<b>VOTE: 4-0</b>
		<b>EXCUSED: 3 - Ferrioli, Fisher, George</b>
	Chair Kintigh	<b>Hearing no objection, declares the motion CARRIED.</b>
170	Sen. Dwyer	<b>MOTION: Moves to ADOPT SB 365-1 amendments dated 4/23/97 AS AMENDED.</b>
		<b>VOTE: 4-0</b>
		<b>EXCUSED: 3 - Ferrioli, Fisher, George</b>
175	Sen. Dwyer	<b>MOTION: Moves SB 365 to the floor with a BE ADOPTED AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.</b>

		<b>VOTE: 4-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 3 - Ferrioli, Fisher, George</b>
	<b>Chair Kintigh</b>	<b>The motion CARRIES.</b>
184	Chair Kintigh	Closes work session on SB 365. Opens public hearing on SB 622.
<b><u>SB 622 - PUBLIC HEARING</u></b>		
202	Glen Stonebrink	Committee Administrator, explains proposed -1 amendments to SB 622 ( <b>EXHIBIT C</b> ).
211	Sen. Dwyer	Confirms new -1 amendment language.
214	Stonebrink	Agrees.
216	Ken Evans	Representing Fisheries Restoration Enhancement Coalition Supports SB 622 and recommends passage as written; opposes -1 amendments.
279	Stephen Kafoury	Representing American Fisheries Society Opposes SB 622 as written; supports -1 amendments.
319	Kafoury	Explains process of Oregon Plan.
327	Sen. Fisher	Asks if he supports -1 amendments.
331	Kafonry	Answers yes to amendments proposed by Oregon Department of Fish and Wildlife (ODF&W).
333	Miller	States committee received proposed amendments as testimony during previous public hearing (4/21/97).
340	Kafonry	Explains proposed ODF&W amendments.
361	Sen. Dwyer	Asks if he is aware that federal government is accepting comments with respect to states investigating wildlife preservation issues.
374	Kafonry	States Oregon should follow federal process.
385	Sen. Tarno	Comments federal process moves slowly.
390	Miller	Agrees.
404	Chair Kintigh	Closes public hearing on SB 622. Opens work session on SB 622.
<b><u>SB 622 - WORK SESSION</u></b>		
		Chief, Wildlife Division (ODF&W)

425	Jim Greer	States Division will look at amendments as proposed in original testimony.
<b>TAPE 99, A</b>		
008	Chair Kintigh	Asks if amendment is necessary if area is limited.
010	Greer	Answers ODF&W desires flexibility.
015	Sen. Fisher	Asks question with respect to main stem Columbia River.
016	Greer	Answers with respect to effectiveness of study over other areas.
022	Chair Kintigh	Comments funding is relevant factor.
025	Sen. Fisher	Asks question with respect to volunteers.
025	Greer	Refers to ODF&W proposed amendments that adds "and on the main stem Columbia River."
047	Sen. Fisher	<b>MOTION: Moves to ADOPT amendments offered by the Oregon Department of Fish and Wildlife to SB 622 (EXHIBIT D, 4/21/97).</b>
		<b>VOTE: 5-0</b>
		<b>EXCUSED: 2 - George, Wilde</b>
	Chair Kintigh	<b>Hearing no objection, declares the motion CARRIED.</b>
051	Chair Kintigh	Closes work session on SB 622. Opens public hearing on SB 1002.
<b><u>SB 1002 - PUBLIC HEARING</u></b>		
061	Phil Ward	Representing Department of Agriculture Supports proposed -2 amendments. Explains -2 amendments ( <b>EXHIBIT D</b> ) reflect views of Department of Agriculture and Oregon Farm Bureau regarding studies and recommendations addressing wildlife damage control.
084	Jim Greer	Representing ODF&W Supports -2 amendments. States damage caused by wildlife has been identified. Says programs are working; ODF&W is willing to collaborate with Department of Agriculture to set up survey focusing on solutions.
103	Lewie Stahancyk	Rancher, Prineville, Oregon ( <b>EXHIBIT E</b> ) Supports SB 1002 as written. Describes damage caused by elk to gates and fences.
116	Chair Kintigh	Clarifies -2 amendments allow ODF&W to collaborate with Department of Agriculture to perform study of wildlife damage.

120	Stahancyk	Asks if ranchers and farmers will have representation in study.
124	Chair Kintigh	Answers yes.
129	Ward	Explains survey with goose damage involves farm community. States study for wildlife damage will involve direct contact with landowners.
138	Chair Kintigh	Closes public hearing on SB 1002. Opens work session on SB 1002.
<b><u>SB 1002 - WORK SESSION</u></b>		
146	Sen. Fisher	<b>MOTION: Moves to ADOPT SB 1002-2 amendments dated 05/01/97.</b>
		<b>VOTE: 4-2</b>  <b>AYE: 4 - Ferrioli, Fisher, Tarno, Kintigh</b>  <b>NAY: 2 - Dwyer, Wilde</b>  <b>EXCUSED: 1 - George</b>
	Chair Kintigh	<b>The motion CARRIES.</b>
154	Sen. Fisher	<b>MOTION: Moves SB 1002 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 4-2</b>  <b>AYE: 4 - Ferrioli, Fisher, Tarno, Kintigh</b>  <b>NAY: 2 - Dwyer, Wilde</b>  <b>EXCUSED: 1 - George</b>
	Chair Kintigh	<b>The motion CARRIES.</b>  <b>SEN. FISHER will lead discussion on the floor.</b>
164	Sen. Dwyer	Objects to passage of SB 1002.
174	Chair Kintigh	Opens public hearing on HB 2448, HB 2449, HB 2496.
<b><u>HB 2448 - PUBLIC HEARING</u></b>		
<b><u>HB 2449 - PUBLIC</u></b>		

<b><u>HEARING</u></b>		
<b><u>HB 2496 - PUBLIC HEARING</u></b>		
193	Rich Angstrom	Managing Director, Oregon Concrete-Aggregate Producers Association (OCAPA) OCAPA supports the three-bill package. Presents overview of three-bill package offered by OCAPA that addresses land reclamation and mining issues.
269	Gary Lynch	Representing Oregon Department of Geology and Mineral Industries (DOGAMI) Says HB 2448 ( <b>EXHIBIT F</b> ), HB 2449( <b>EXHIBIT G</b> ), and HB 2496A ( <b>EXHIBIT H</b> ) are coordination bills. Explains provisions of each bill.
304	Sen. Dwyer	Asks reason why Columbia County is not regulated.
305	Lynch	Replies with history of Mined Land Reclamation (MLR) exemption for Columbia County.
311	Sen. Dwyer	Questions how local government can exempt themselves from state law.
312	Angstrom	Answers MLR for Columbia County was grandfathered at time of enactment.
323	Chair Kintigh	Closes public hearing on HB 2448, HB 2449, and HB 2496A. Opens work session on HB 2448.
<b><u>HB 2448 - WORK SESSION</u></b>		
369	Sen. Dwyer	Asks history with respect to proposed amendment on HB 2448.
372	Lynch	Characterizes amendment as a style issue. Says House Committee split on the issue; left decision to Senate Committee.
402	Sen. Fisher	<b>MOTION: Moves HB 2448 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 5-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - George, Tarno</b>
	Chair Kintigh	<b>The motion CARRIES.</b>
		<b>SEN. GEORGE will lead discussion on the floor.</b>
419	Chair Kintigh	Closes work session on HB 2448. Opens work session on HB 2449.

<b><u>HB 2449 - WORK SESSION</u></b>		
420	Sen. Dwyer	<b>MOTION: Moves HB 2449 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 5-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - George, Tarno</b>
	<b>Chair Kintigh</b>	<b>The motion CARRIES.</b>
		<b>SEN. GEORGE will lead discussion on the floor.</b>
443	Chair Kintigh	Closes work session on HB 2449. Opens work session on HB 2496A.
<b><u>HB 2496A - WORK SESSION</u></b>		
445	Sen. Dwyer	<b>MOTION: Moves HB 2496A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 5-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - George, Tarno</b>
	<b>Chair Kintigh</b>	<b>The motion CARRIES.</b>  <b>SEN. KINTIGH will lead discussion on the floor.</b>
458	Chair Kintigh	Adjourns the meeting at 9:32 a.m.

**Submitted By, Reviewed By,**

**Linda Spaulding, Glen Stonebrink,**

**Administrative Support Administrator**



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**EXHIBIT SUMMARY**

**A - SB 365, proposed -1 amendments, staff, 3 pp**

**B - SB 365, written material, Nancy Orr, 2 pp**

**C - SB 622, proposed -1 amendments, staff 1 p**

**D - SB 1002, proposed -2 amendments, staff 1 p**

**E - SB 1002, written testimony, Lewie Stahancyk, 2 pp**

**F - HB 2448, written testimony, Gary Lynch, 1 p**

**G - HB 2449, written testimony, Gary Lynch, 1 p**

**H - HB 2496A, written testimony, Gary Lynch, 1 p**

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