

HOUSE COMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES

March 24, 2005 Hearing Room: BAKER CITY ARMORY

1:00 P.M. 1740 CAMPBELL ST

BAKER CITY, OR 97814

Tapes 33 - 36

MEMBERS PRESENT: Rep. Patti Smith, Chair

Rep. Brian Boquist, Vice-Chair

Rep. Arine Roblan Vice-Chair

Rep. Terry Beyer

Rep. Chuck Burley

Rep. Mac Sumner

MEMBER EXCUSED: Rep. Mark Hass

VISITING MEMBER: Rep. Tom Butler

STAFF PRESENT: Patrick Brennan, Committee Administrator

Jania Zeeb, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2759 – Public Hearing and Work Session

HB 2781 – Public Hearing

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.

TAPE/#	Speaker	Comments
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TAPE 33, A

003	Chair P. Smith	Calls the meeting to order at 1:03 p.m. and begins the introduction of committee members.
021	Rep. Tom Butler	House District 60. Introduces himself.
032	Rep. Burley	House District 54. Introduces himself and the elected officials in the room.
043	Rep. Roblan	House District 9. Introduces himself.
058	Rep. Sumner	House District 18. Introduces himself.
071	Rep. Beyer	House District 12. Introduces herself.
079	Rep. Boquist	House District 23. Introduces himself.
092	Chair P. Smith	House District 52. Introduces herself and the Committee staff.
107	Chair P. Smith	Opens the public hearing on HB 2759 and HB 2781.

HB 2759 and HB 2781 – Public Hearing

109	Patrick Brennan	Committee Administrator. Summarizes the two bills. Discusses the -1 amendments for HB 2759 (EXHIBIT A).
141	Chair P. Smith	Asks if estimates have been made of the fiscal impact for the bill.
142	Brennan	Relays the information that was given to him by the Legislative Fiscal office.
162	Chair P. Smith	Expresses her support for HB 2759, and explains why she is in support of the bill.

177	Rep. Sumner	Concurs with Rep. Smith.
181	Brennan	Reads the letter sent by Rep. Dave Hunt in support of HB 2759 (EXHIBIT P) .
220	Rep. Butler	House District 60. Gives an explanation of HB 2781.
320	Rep. Butler	States that the people in rural Oregon are passionate about the issue because cougars can kill people and affect their livelihood.
352	Roy Elicker	Deputy Director, Oregon Department of Fish and Wildlife (ODFW). Introduces Bruce Eddy, ODFW Northeast Regional Manager, Dewaine Jackson, ODFW Wildlife Research Project Coordinator, and Lieutenant Randy Scorby, ODFW East Region Lieutenant. Submits and presents prepared testimony (EXHIBIT B) . Comments on the number of tasks that the department would be responsible for as a result of the bill.

TAPE 34, A

003	Elicker	Comments on the initial reservations that ODFW has regarding the two bills. States that a clear definition of pursuit season is needed.
017	Ron Anglin	Wildlife Division Administrator, ODFW. Discusses the concerns the department has with the -1 amendments (EXHIBIT A) .
051	Rep. Roblan	Asks if the current studies on elk predation include finding related to the impact of cougars on the elk population.
054	Anglin	Gives information on the Northeast Oregon Study and comments on the results of the study in regard to cougars.
064	Rep. Burley	Inquires about the trend with the number of tags in the northeast region for elk hunting.
066	Anglin	Responds that overall the number has gone down over the past couple years.
076	Rep. Roblan	Inquires if the department has information on the current population of cougars in the state of Oregon.

081	Anglin	Gives the estimated numbers of how many cougars are in Oregon.
092	Chair P. Smith	Talks about statistics showing that more cats are being taken in Oregon than in the past. Asks if the percentage of the total cougar population that is being taken has dropped.
097	Anglin	Responds that in regard to percentages there are less cougars being taken overall than was the case when hunters were allowed to use dogs.
112	Chair P. Smith	Solicits opinions as to whether Oregon has a cougar problem.
113	Anglin	Responds that in some areas there is a cougar problem.
119	Elicker	Comments on the current harvest of cougars.
138	Chair P. Smith	Inquires if ODFW agrees that cougars need to be managed.
142	Elicker	Responds that the department feels that they need more information on cougar population to manage the cougars. Says the department wants a program for better information to allow better management.
152	Rep. Roblan	Inquires if the department has any numbers for what would be considered an appropriate population of cougars for Oregon.
157	Elicker	Responds that he would prefer to talk about more specific numbers with individual members.
165	Jerod Broadfoot	Safari Club International (SCI) "First for Hunters." Testifies in support of HB 2759. Lists the counties that HB 2759 would affect. Addresses the -1 Amendments (EXHIBIT A). States the goals of HB 2759.
258	Broadfoot	States that there has been a reduction of deer and elk tags sold in Oregon and comments on the budget impact on ODFW. States that the -1 amendments should reduce the fiscal impact for HB 2729, if the cougar tag money is spent of management.
276	Rep. Boquist	Asks if SCI can work with ODFW to have a successful program.

280	Broadfoot	Responds affirmatively.
283	Rep. Burley	States that he does not see where the draft or the amendments call for a general pursuit season. Asks if Mr. Broadfoot can speak to that. Questions if the differences can be worked out.
296	Broadfoot	Comments on the need for a non-lethal pursuit season to mentally condition cougars to fear humans. States that SCI is willing to work with the department, and comments on the past experience working with the department.
334	Al Elkins	Oregon Hunters Association. Submits and presents written testimony in support of HB 2759 and HB 2781 (EXHIBIT C) . Testifies in support of both bills and the -1 amendments for HB 2759. Comments on the importance of what the committee is doing.
395	Steve West	Host, Steve's Outdoor Adventures Television Show. Testifies in support of HB 2759 and HB 2781. Comments on the benefits of a quota system as opposed to a tag system.

TAPE 33, B

036	West	Comments on the dangers of not managing the cougars. Discusses the situation in California, Utah and Washington. Gives suggestions to the committee for what should be done.
064	Rep. Sumner	Inquires if there are any hound hunters in Oregon.
067	West	Responds that there are, though there are fewer than there were in the early 90's.
072	Rep. Sumner	Asks if it will take time for hound hunters to acquire dogs again.
074	West	Answers that it takes years to develop a pack of quality hounds.
075	Broadfoot	Comments that it would be helpful to know the governor's position on the bill and the -1 amendments.
110	John Schiller	Bay Ranches. Submits prepared testimony in addressing the problem with cougars, bears and wolves (EXHIBIT D) .

123	Mike Hayward	Chairman, Wallowa County Board of Commissioners. Submits prepared testimony in support of HB 2759 and HB 2781 (EXHIBIT E) . Testifies in support of HB 2759 and HB 2781.
151	Paul Schwartz	Comments on the benefits of using hounds to hunt cougars.
172	Bill Moore	Rancher, Unity Area. Testifies in support of HB 2759 and HB 2781. Submits pictures of a cougar (EXHIBIT Q) and pictures of a dog after a cougar attack (EXHIBIT R) . Relates personal experiences with cougar.
238	John Patterson	Rancher, Baker County and Marion County. Testifies in support of HB 2759 and HB 2781. Discusses his experience with cougars. Comments on ODFW.
305	Jan Kerns	Rancher, Baker Valley. Submits and presents prepared testimony in support of HB 2759 and HB 2781 (EXHIBIT F) . Talks about her personal experiences with cougars.
354	Mitch Butler	Resident, Halfway Oregon. Testifies in support of HB 2759 and HB 2781. Relates personal experience with cougars. Comments on the importance of a pursuit season.
410	Angie Butler	Resident, Halfway. Testifies in support of HB 2759 and HB 2781. Comments on the fear that is involved.
440	Tom Suitton	Resident, Butte Falls. Comments on his experiences with cougars and discusses the importance of a pursuit season.

TAPE 34, B

030	Randy Carter	Northeast Committeeman, Oregon Bow Hunters. Testifies in support of HB 2759 and HB 2781.
051	Rob Hill	Wildlife Manager, Plane Valley Ranch. Testifies in support of HB 2759 and HB 2781. Comments on the low number of deer and the danger of having cougars around.
070	Elden Dierdarf	Submits letters in support of HB 2759 and HB 2781 (EXHIBIT G) . Discusses his personal experience with cougars.

115	Howard Martin	President Lower Columbia Chapter, Oregon Hunters Association. Testifies in support of HB 2759 and HB 2781. Comments on the problems with cougars in the Astoria area.
160	Alicia Martin	Resident, Astoria Oregon. Testifies in support of HB 2759 and HB 2781.
181	Tim O'Leary	Resident, Southern Douglas County. Testifies in support of HB 2759 and expresses preference for the original bill without the amendments.
203	Chair P. Smith	Comments that the amendments are from the sports industry, not ODFW.
209	O'Leary	States that he supports the bill without the changes ODFW expressed interest in during its testimony.
216	Terry Clearwater	Southern Oregon Predator Control. Testifies in support of HB 2759 and HB 2781. Comments on the current problem with cougars in Southwestern Oregon.
260	Alicia Martin	Resident, Astoria. Testifies in support of HB 2759 and HB 2781.
282	Lynn Shumway	Chair, Baker County Natural Resources Advisory Committee. Testifies in support of HB 2759 and HB 2781. Discusses the comments from ODFW with the concerns of going over the cougar taking quota. States that there is no need for concern with going over the quota, given how many cougars there are. Comments on safety concerns. Discusses his personal experience with cougars.
381	Matt Wilson	Resident, Silver Lake. States that Lake County should be included in the list of counties included in the pilot program. Discusses the concerns he has with the bill. States that hound hunting is one of the best tools for the hunting of cougars.

TAPE 35, A

013	Rachel Wilson	Resident, Silver Lake. Voices the concerns of Lake County citizens. Comments on the relationship between the county and ODFW. Submits prepared testimony in support of hunting cougars with hounds (EXHIBIT H).
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065	Chair P. Smith	Asks if Lake County would be one of the counties covered under HB 2781.
069	Matt Wilson	Answers that it would not.
109	Greg Jones	Malheur County. Expresses his concerns with HB 2781 and HB 2759.
127	Fred Warder	Chairman, Baker County Board of Commissioners. Testifies in support of HB 2759 and HB 2781. Submits prepared testimony in support of both bills (EXHIBIT I) . highlights the economics of hunting season in eastern Oregon.
159	Mike Slinkard	Southeast Committee member, Oregon Bow Hunters. Testifies in support of HB 2759 and HB 2781. Discusses how the cougar problem could affect the people from his area. Submits photo of a cougar from Grant County Oregon (EXHIBIT J) .
218	Phil Hassinger	Union County Farm Bureau. Testifies in support of HB 2759 with the -1 amendments. Comments on the need for good data and the opportunity that this bill would provide the needed data.
268	Rod Klawitter	Oregon United Sporting Dog Association. Tentatively support HB 2759 as amended. Talks about the pursuit aspect of HB 2759. Discusses Ballot Measure 18.
339	Lyn Akers	Baker County, OR. Testifies in support of HB 2759 and HB 2781. Discusses his experience with cougars on his farm.
436	James Foley	National Land Rights League. Reads an e-mail that was sent to him regarding a cougar attack (EXHIBIT K) .

TAPE 36, A

050	Connie Teal	Resident, Portland Oregon. Testifies in opposition to HB 2759 and HB 2781.
084	Laura Ireland Moore	Humane Society of the United States. Testifies in opposition to HB 2759 and HB 2781.
093	Chair P. Smith	

Notes that the fact that there are 50 cosponsors for the measures indicates that there is bipartisan support for the bills.

095	Moore	Answers that she thinks the bills were misrepresented in terms of what the study is about.
106	Chair P. Smith	Inquires what study Ms. Moore is referring to.
108	Moore	Responds that she is talking about the pilot study.
117	Catherine Kain	Resident, Eugene Oregon. Testifies and submits written testimony in opposition to HB 2759 and HB 2781.
202	John Lamareau	Commissioner, Union County. Testifies in support of HB 2759 and HB 2781.
217	Dough McColley	Resident, Baker City. Testifies in support of HB 2759 and HB 2781. Discusses his experience with cougars.
270	Donald Oakes	Rancher, Unity Area. Testifies in support of HB 2759 and HB 2781. Comments on the problem with the deer and elk population in Oregon.
346	Dennis Reynolds	Judge and Chief Executive Officer, Grant County. Testifies in support of HB 2759 and HB 2781. Expresses the frustration the community has with cougars. Gives information on his experience with cougars of sightings within John Day Oregon.

TAPE 35, B

023	Warren Whitnah	Newbridge or Richland Oregon. Testifies in support of HB 2759 and HB 2781. Discusses his personal experience with cougars.
062	Stan Hermens	Rancher, Kimberly Oregon. Submits and reads prepared testimony in support of HB 2759 and HB 2781 (EXHIBIT M). Testifies in support of HB 2759 and HB 2781.
106	Brett Brownscombe	Resident, La Grande. Comments on the problems with elk populations. Discusses his concerns with HB 2759 and HB 2781.

- 186 Duncan McKenezy Rancher, Eastern Oregon. Testifies in support of HB 2759 and HB 2781. Gives information about his experience with cougars.
- 212 Chair P. Smith Closes the public hearing on HB 2759 and HB 2781 and opens a work session on HB 2759.

HB 2759 – WORK SESSION

- 221 Rep. Boquist **MOTION: Moves to ADOPT HB 2759-1 amendments dated 3/23/05.**

- 225 **VOTE: 6-0-1**
EXCUSED: 1 - Hass

Chair P. Smith **Hearing no objection, declares the motion CARRIED.**

- 225 Rep. Boquist **MOTION: Moves HB 2759 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.**

- 232 Rep. Beyer Inquires if the reduction of the area covered by HB 2759 is to address a fiscal concern.

- 246 Ron Anglin Deputy Director, Oregon Department of Fish and Wildlife (ODFW). Responds that it is a fiscal issue.

- 257 Rep. Beyer States that she thinks it is important to get a bill that everyone can work with, but that if there is a fiscal issue then it is fine to sent it to Ways and Means.

- 267 Chair P. Smith Comments that she thinks the fiscal issues are one of the biggest concerns.

- 277 Rep. Roblan States that it is important that something be done this legislative session.

- 284 Rep. Burley

Refers to the ODFW recommendations regarding the pilot program **(EXHIBIT B)**. Asks where in the bill it says that anything will be done outside the listed counties that are part of the study area.

- 294 Anglin Refers to the language in line 21 and 22 of the -1 amendments **(EXHIBIT A)**.
- 313 Jerod Broadfoot Refers to the -1 amendments Section 1 (1) **(EXHIBIT A)**. Explains that the language sets the bill up to specific geographical areas.
- 332 Rep. Burley Expresses thanks to Mr. Broadfoot for the clarification.
- 339 Rep. Boquist Comments that he believes that ODFW has the capacity to handle this. Relates his experience with cougars. Comments on the ways people have to currently handle cougars.
- 413 Rep. Beyer Expresses thanks to the people who came to testify. Comments on the need for hearing from people from both sides of an issue.
- 439 Rep. Burley Relates his experience with cougars. States that he thinks HB 2759 is a good bill.

TAPE 36, B

- 013 Rep. Sumner Comments that cougars are nocturnal animals. States that HB 2759 is a good start to addressing the issue.
- 022 Rep. Roblan States that residents have the same problems in his district and that this is becoming more of a state issue.
- 031 Chair P. Smith Comments that it is a complex issue that needs to be addressed before it becomes a public safety issue.

053

VOTE: 6-0-1

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 1 - Hass

Chair P. Smith The motion CARRIES.

EXHIBIT SUMMARY

- A. HB 2759, -1 amendments, staff, 3 pp
- B. HB 2759 and HB 2781, prepared testimony, Roy Elicker, 2 pp
- C. HB 2759 and HB 2781, prepared testimony, Al Elkins, 1 p
- D. HB 2759 and HB 2781, prepared testimony, John Schiller, 2 pp
- E. HB 2759 and HB 2781, prepared testimony, Mike Hayward, 4 pp
- F. HB 2759 and HB 2781, prepared testimony, Jan Kerns, 2 pp
- G. HB 2759 and HB 2781, letters, Elden Dierdorf, 6 pp
- H. HB 2759 and HB 2781, prepared testimony, Karmen O'Leary, 4 pp
 - I. HB 2759 and HB 2781, prepared testimony, Fred Warner, 1 p
 - J. HB 2759 and HB 2781, photo, Mike Slinkard, 1 p
- K. HB 2759, letter and pictures, James Foley, 4 pp
- L. HB 2759 and HB 2781, prepared testimony, Catherine Kohen, 3 pp
- M. HB 2759 and HB 2781, prepared testimony, Stan Hermens, 1 p
- N. HB 2759, prepared testimony, Elaine Smith, 2 pp
- O. HB 2759 and HB 2781, prepared testimony, David Wilson, 1 p
- P. HB 2759 and HB 2781, testimony, Rep. Dave Hunt, 1 p
- Q. HB 2759 and HB 2781, photographs, Bill Moore, 1 p
- R. HB 2759 and HB 2781, photographs, Bill Moore, 1 p