

**HOUSE COMMITTEE ON**  
**AGRICULTURE AND NATURAL RESOURCES**

**April 13, 2005 Hearing Room C**

**9:00 A.M. Tapes 47 - 48**

**MEMBERS PRESENT:           Rep. Patti Smith, Chair**

**Rep. Brian Boquist, Vice-Chair**

**Rep. Arnie Roblan, Vice-Chair**

**Rep. Terry Beyer**

**Rep. Chuck Burley**

**Rep. Mark Hass**

**Rep. Mac Sumner**

**STAFF PRESENT:           Patrick Brennan, Committee Administrator**

**Jania Zeeb, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 2881 – Public Hearing and Work Session**

**HB 2529 – Public Hearing**

**HB 2597 – 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.**

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
---------------	----------------	-----------------

## **TAPE 47, A**

004 Chair Smith Calls the meeting to order at 9:04 a.m. Opens a public hearing on HB 2881.

### **HB 2881 – PUBLIC HEARING**

007 Rep. Wayne Krieger House District 1. Testifies in support of HB 2881. Submits informational material regarding HB 2881 **(EXHIBIT B)**.

047 Rep. Bob Jensen House District 58. Testifies in support of HB 2881.

075 Rep. Roblan Asks if the listed status of Aleutian Canadian geese means they cannot be harassed.

077 Rep. Jensen Responds that he is correct.

088 Roy Elicker Deputy Director, Oregon Department of Fish and Wildlife (ODFW). Submits prepared testimony with comments on HB 2881 **(EXHIBIT C)**. Discusses what would happen if HB 2881 passes.

151 Ron Anglin Wildlife Division Administrator, ODFW. Comments on the situation with the geese in California. Talks about the process of working with the U.S. Department of Fish and Wildlife to offer harassment permits.

207 Rep. Boquist References HJM 5, which was heard by the committee on March 9. Inquires if this is one of the species that was discussed in regard to the Yu'pik native Alaskans and the Pacific Flyway Council issues discussed a few weeks ago.

209 Anglin Responds that there was some conversation with regard to the Aleutian.

212 Rep. Boquist Asks if the Yu'pik support or oppose HB 2881.

231 Anglin Answers that it is not an issue to the Yu'pik, but presumes they would be supportive.

215 Rep. Roblan

		Inquires about managing the subpopulation of the birds in the Tillamook area.
219	Anglin	Responds that the population can be managed.
221	Chair P. Smith	Asks what the change would be to the scientific name of the bird.
222	Elicker	Answers that he has the correct name in his written testimony.
233	Justin Martin	Nature Conservancy of Oregon. Testifies in support of HB 2881. Submits prepared testimony in support of HB 2881 ( <b>EXHIBIT D</b> ).
261	Ed Johnston	Resident, Lane County. Testifies in support of HB 2881.
275	Steven Kafoury	Wildlife Society of Oregon. Agrees in substance with HB 2881. States that there is a problem with the process.
311	Chair P. Smith	Closes the public hearing and opens a work session on HB 2881.

#### **HB 2881 – WORK SESSION**

<b>316</b>	<b>Rep. Boquist</b>	<b>MOTION: Moves HB 2881 to the floor with a DO PASS recommendation.</b>
319	Rep. Roblan	States that a message needs to be sent to the Senate that the scientific name needs to be changed, and comments on Mr. Kafoury's suggestions.
335	Rep. Hass	Asks if there is a reason not to wait until the amendments are drafted.
344	Chair P. Smith	Answers that the only amendment that needs to be done is to change the scientific name.
347	Rep. Boquist	Comments on the need to quickly pass the bill. States that ODFW might want to have both names in HB 2881.
<b>366</b>		<b>VOTE: 7-0-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>

**Chair P. Smith**

**The motion CARRIES.**

**REP. JENSEN and REP. KRIEGER will lead discussion on the floor.**

373            Chair P. Smith            Closes the work session on HB 2881 and opens a public hearing on HB 2529.

**HB 2529 – PUBLIC HEARING**

386            Patrick Brennan            Committee Administrator. Summarizes HB 2529.

415            Ron Harder            National Rifle Association of America (NRA). Testifies in support of HB 2529. Reads Rep. Krieger's prepared testimony **(EXHIBIT A)** in support of HB 2529. Submits and reads prepared testimony in support of HB 2529 **(EXHIBIT F)**.

**TAPE 48, A**

028            Harder            Discusses the -1 amendments **(EXHIBIT G)**.

043            Rep. Hass            Asks for clarification on the problem that HB 2529 is addressing, asks if there are any facts to demonstrate that hunting is on the decline.

049            Harder            Responds that when areas are made inaccessible to hunters, HB 2529 would require that another area be made available to hunters.

058            Al Elkins            Oregon Hunters Association. Testifies in support of HB 2529 and the -1 amendments

072            Roy Elicker            Deputy Director, ODFW. Testifies in support of HB 2529. Submits prepared testimony in support of HB 2529 **(EXHIBIT H)**.

084            Ron Anglin            Wildlife Division Administrator, ODFW. Discusses the need for HB 2529. Gives an example of people asking for access for hunting in wildlife areas adjacent to new subdivisions.

109            Chair P. Smith            Asks if there will be a fiscal impact to HB 2529.

110            Elicker            Responds that he does not believe there will be a significant fiscal impact.

113	Rep. Hass	Asks how the department responds when they are told that people want access for hunting on wildlife areas closed.
117	Anglin	Answers by giving information on how the issue has been handled in the past.
128	Rep. Hass	Asks if the department has ever make the decision to close down an area from hunting.
131	Anglin	Responds that in recent times they have not made such a decision.
139	Elicker	States that people are concerned about illegal activities, so the department also cooperates with the State Police on these issues.
148	Rep. Hass	Wonders how big of a problem HB 2529 is seeking to address. Asks for statistics or facts to show that need for HB 2529.
153	Elicker	Responds that he cannot give statistics. Comments that ODFW supports hunting, and wants to make sure that hunting is a viable option on lands that the department manages.
166	Rep. Burley	Comments on taking his children hunting and the difficulty of finding land to hunt on. Summarizes what HB 2529 would do. Asks if Bridge Creek is closed to hunting.
183	Anglin	Responds that Bridge Creek is open, but there are times when it is closed for wildlife management.
185	Rep. Burley	Comments on how HB 2529 would affect Bridge Creek.
189	Elicker	Discusses other times when the department has closed Bridge Creek to hunting.
194	Rep. Beyer	Expresses the concern with restricting the department in the future, on being able to manage animals.
208	Elicker	Responds that his sense is that HB 2529 is asking the commission to keep close reporting on lands with hunting access. States that he does not see the measure having a big impact on the department.

220	Rep. Sumner	Asks where the department is going to get lands to replace the lands that they close.
237	Elicker	Answers that they would look to the Access and Habitat Program.
260	Rep. Sumner	Clarifies that this is not something the department dreads, rather it is considered an opportunity.
262	Elicker	Responds that the department does not have serious concerns about the bill and comments on how the department views HB 2529.
280	Anglin	Mentions that outside of migratory birds the federal government has no authority to regulate hunting.
287	Rep. Hass	Comments on the possibility of HB 2529 putting the agency in a bind in the future.
301	Elicker	Responds that that agency can work with HB 2529.
325	Ed Johnston	Resident, Lane County. Testifies in support of HB 2529.
387	Jerod Broadfood	Safari Club International "First for Hunters" (SCI). Testifies in support of HB 2529.

**TAPE 47, B**

014	Rep. Burley	Comments on Section 2 and ways the commission can work within the parameters of HB 2529.
024	Rep. Hass	Talks about why he has a problem with the section referred to by Rep. Burley.
037	Chair P. Smith	Closes the public hearing on HB 2529 and opens a public hearing on HB 2597.

**HB 2597 – PUBLIC HEARING**

049	Patrick Brennan	Committee Administrator. Summarizes HB 2597.
-----	-----------------	--

053	Rep. Mike Schaufler	House District 28. Testifies in support of HB 2597. Explains what the measure sets out to do. States that he supports the -1 amendments.
091	Rep. Jeff Kropf	House District 17. Testifies in support of HB 2597. Discusses how the minimum wage increase has affected farmers.
178	Rep. Kropf	States that the point of this bill is to make it easier for the farmers to compete despite the rising minimum wage.
191	Rep. Kropf	Testifies in support of the -1 amendments.
198	Rep. Schaufler	Discusses why he supports HB 2597.
216	Rep. Kropf	Comments on the increasing problem for farmers of wage adjustments as a result of the minimum wage adjustments.
244	Rep. Sumner	Discusses the fact that farmers are replacing hand labor with equipment, and that as a result of the purchase of the equipment they can write it off their taxes. States that if farmers are allowed to write off a portion of the labor expense it will encourage them to keep producing the products we need them to produce.
259	Rep. Kropf	States that Rep. Sumner is correct. Gives information on how the federal tax benefits have affected this situation.
312	Scott Ashcom	Oregon Agricultural Alliance. Testifies in support of HB 2597. Submits prepared testimony in support of HB 2597 <b>(EXHIBIT I)</b> . Gives information on the number of minimum wage jobs that have been lost as a result of the minimum wage change.
351	Chair P. Smith	Asks if Oregon and Washington are the two states with the highest minimum wage.
355	Ashcom	Concurs.
383	Don Schellenberg	Oregon Farm Bureau (OFB). Testifies in support of HB 2597. Submits and reads prepared testimony in support of HB 2597 <b>(EXHIBIT J)</b> .

014	Barry Bushue	President, OFB. Testifies in support of HB 2597. Discusses the problems that HB 2597 addresses.
042	Kathleen Femrite	Femrite Nursery Company. Testifies in support of HB 2597. Submits prepared testimony in support of HB 2597 <b>(EXHIBIT K)</b> . Discusses the consequences of the higher minimum wage on Femrite Nursery.
077	Rep. Beyer	Inquires what percentage of Femrite Nurseries employees earn minimum wage and what percentage are paid over minimum wage.
078	Femrite	Responds by giving information on their employees.
084	Rod Park	Parks Nursery Company. Testifies in support of HB 2597. Submits and reads prepared testimony in support of HB 2597 <b>(EXHIBIT L)</b> .
129	John McCulley	Tree Fruit Growers. Testifies in support of HB 2597.
153	Mark Krautmann	Heritage Seedlings Incorporated. Testifies in support of HB 2597.
192	Rep. Beyer	Asks about profit margins for nurseries.
200	Krautmann	Explains how they make their profit.
215	Rep. Beyer	Asks how many employees Heritage Seedlings has and how many are entry level employees.
220	Krautmann	Responds by giving numbers of how many employees they have, and how many of them are entry level. Discusses added costs for the business.
235	Rep. Beyer	Inquires if the entry level positions are seasonal.
238	Krautmann	Responds that Heritage Seedlings has no seasonal employees.
248	Shawn Miller	Pacific Northwest Christmas Tree Association. Testifies in support of HB 2597 with the -1 amendments.
260	Bob Schafer	Testifies in support of HB 2597. Gives information on how the minimum wage is affecting his company.



297	Rep. Boquist	Asks about foreign competition.
303	Schafer	Discusses companies that are growing Christmas trees in Mexico.
330	Pieper Sweeney	County Heritage Farm. Testifies in support of HB 2597. Gives information on how the rise in minimum wage has affected her farm.
387	Billy Townsend	Townsend Farms. Testifies in support of HB 2597. Gives information on how the minimum wage increase has affected his farm.
450	Chair P. Smith	Closes the public hearing on HB 2597 and adjourns the meeting at 10:57 a.m.

#### **EXHIBIT SUMMARY**

- A. HB 2881, prepared testimony, Rep. Wayne Krieger, 1 p
- B. HB 2881, informational material, Rep. Wayne Krieger, 2 pp
- C. HB 2881, prepared testimony, Roy Elicker, 2 pp
- D. HB 2881, prepared testimony, Justin Martin, 1 p
- E. Letter not used.
- F. HB 2529, prepared testimony, Rod Harder, 1 p
- G. HB 2529, -1 amendments, staff, 1 p
- H. HB 2529, prepared testimony, Roy Elicker, 1 p
  - I. HB 2597, prepared testimony, Scott Ashcom
  - J. HB 2597, prepared testimony, Don Schellenberg, 2 pp
  - K. HB 2597, prepared testimony, Kathleen Femrite, 1 p
  - L. HB 2597, prepared testimony, Rod Park, 1 p
- M. HB 2597, -1 amendments, staff, 2 pp

#### **EXHIBIT SUMMARY**

- 1. A. Climate Outlook, PowerPoint presentation, George Taylor, 28 pp
- 2. B. Climate Outlook, PowerPoint presentation, Tim Keith, 6 pp
- 3. C. Climate Outlook, prepared testimony, Jim Johnson, 2 pp
- 4. D. Climate Outlook, informational material, Jim Johnson, 17 pp
- 5. E. Climate Outlook, informational material, Jim Johnson, 13 pp
- 6. F. HB 2729, prepared testimony, Thomas Tuchmann, 5 pp

7. **G. HB 2729, prepared testimony, Mike Hayward, 2 pp**
8. **H. HB 2729, prepared testimony, David Morman, 20 pp**
9. **I. HB 2929, prepared testimony, Paul Rainey, 3 pp**
10. **J. HB 2929, prepared testimony, LeRon Howland, 1 p**
11. **K. HB 2929, prepared testimony, Glenn Summers, 1 p**
12. **L. HB 2929, prepared testimony, Bill McCormack, 1 p**
13. **M. HB 2929, prepared testimony, Al Elkins, 2 pp**
14. **N. HB 2929, prepared testimony, Ron Anglin, 2 pp**