

SENATE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

June 13, 2003
8:00 a.m.

Hearing Room B
Tapes 78 - 79

MEMBERS PRESENT: **Sen. Frank Shields, Chair**
 Sen. Roger Beyer, Vice-Chair
 Sen. Tony Corcoran
 Sen. Bill Fisher

STAFF PRESENT: **Judith Callens, Committee Administrator**
 Megan Jensen, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2473A Work Session**
 HB 2209 Public Hearing and Work Session
 HB 2468A Public Hearing
 SB 854 Work Session
 HB 3013 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.

TAPE/#	Speaker	Comments
TAPE 78, A		
003	Chair Shields	Calls meeting to order at 8:15 a.m. and opens work session on HB 2473A
<u>HB 2473A – WORK SESSION</u>		
007	Rep. Tom Butler	District 60 State Representative. Provides testimony in support of HB 2473A and –A3 amendments (EXHIBITS A and B).
050	Sen. Beyer	MOTION: Moves to ADOPT HB 2473-A3 amendments dated 5/28/03.
052		VOTE: 3-0 AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Corcoran
	Chair Shields	The motion CARRIES.
060	Sen. Beyer	MOTION: Moves HB 2473A to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.
063	Sen. Beyer	Speaks about the advisory committee.
070	Chair Shields	Comments on the wording of the –A3 amendments.

077

Chair Shields

VOTE: 3-0

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

EXCUSED: 1 - Corcoran

The motion CARRIES.

SEN. BEYER will lead discussion on the floor.

081

Chair Shields

Closes work session on HB 2473A and opens public hearing on HB 2209.

HB 2209 – PUBLIC HEARING

090

Judith Callens

Committee Administrator. Provides overview of HB 2209 and -3 amendments (**EXHIBIT C**).

113

Roy Elicker

Oregon Department of Fish and Wildlife (ODFW) Deputy Director. Provides testimony in support of HB 2209 and -3 amendments. Discusses benefits of utilizing aircraft in conducting wildlife management activities or protecting human safety.

150

Ron Anglin

ODFW Wildlife Administrator. Provides testimony in support of HB 2209. Talks about situations where using aircraft is necessary.

202

Chair Shields

Asks how the -3 amendments allow ODFW to protect property.

210

Anglin

Explains specific instances where ODFW would protect property.

236

Sen. Beyer

Asks if HB 2209 would include protection for timber companies affected by timber damage done by bears.

240

Anglin

Replies that HB 2209 would most likely cover the situation but would not be the most effective tool available for private timber damage.

279

Sen. Beyer

Asks about the term “necessary.”

281

Elicker

Discusses the use of “necessary” in the context of HB 2209.

284

Sen. Beyer

Asks about the inclusion of the wolf and states the wolf does not exist in Oregon.

295

Elicker

Agrees

298

Sen. Beyer

Inquires why all animals that don’t exist in Oregon are not included in HB 2209.

302

Elicker

Replies that HB 2209 is looking forward to when wolves will eventually come to Oregon.

330

Stephen Kafoury

Wildlife Society Oregon Chapter. Provides testimony on HB 2209 and states a neutral stance on the issue.

338

Warren Aney

Wildlife Society Wildlife Ecologist. Provides neutral testimony on HB 2209. Talks about the use of aircraft for wildlife management in other states.

372

Al Elkins

Oregon Hunters Association. States support for HB 2209.

390

Glen Stonebrink

Oregon Cattlemen Association. States support for HB 2209 and discusses the management of wolves.

The following prepared testimony is submitted for the record without public testimony for HB 2209:

Phil Donovan

Oregon Guides and Packers Association. Submits written testimony in opposition to HB 2209 (**EXHIBIT D**).

420

Chair Shields

Closes public hearing and opens work session on HB 2209.

HB 2209 – WORK SESSION

440

Sen. Corcoran

MOTION: Moves to ADOPT HB 2209-3 amendments dated 6/12/03.

442

VOTE: 3-0

EXCUSED: 1 - Fisher

Chair Shields

Hearing no objection, declares the motion CARRIED.

450

Sen. Corcoran

MOTION: Moves HB 2209 to the floor with a DO PASS AS AMENDED recommendation.

452

Chair Shields

VOTE: 4-0

Hearing no objection, declares the motion CARRIED.

SEN. SHIELDS will lead discussion on the floor.

455

Chair Shields

Closes work session on HB 2209 and opens public hearing on HB 2468A.

TAPE 79, A

HB 2468A – PUBLIC HEARING

010

Judith Callens

Committee Administrator. Provides overview of HB 2468A and –A5 amendments (**EXHIBIT E**).

070

Roy Elicker

Oregon Department of Fish and Wildlife (ODFW) Deputy Director. Provides neutral testimony on HB 2468A and –A5 amendments. Discusses the goals of the –A5 amendments.

095

Ron Anglin

ODFW Wildlife Administrator. Provides information on the –A5 amendments and discusses how HB 2468A will affect species management.

128

Stephen Kafoury

Wildlife Society Oregon Chapter. Provides neutral testimony on HB 2468A and –A5 amendments.

139

Warren Aney

Wildlife Society Wildlife Ecologist. Provides neutral testimony on HB 2468A and –A5 amendments. Remarks on the need for Oregon to have a list of species it can effectively manage.

168

Chair Shields

Asks about using objective versus subjective criteria.

170

Aney

Discusses non-scientific criteria.

179

Chair Shields

Comments on the subjectivity issue.

180

Aney

Agrees.

191

Glen Stonebrink

Oregon Cattlemen Association. Provides testimony in support of HB 2468A and –A5 amendments. Believes HB 2468A provides the flexibility to make appropriate decisions on species management.

230

Shields

Asks about the subjectivity of listing and delisting species.

233

Stonebrink

Believes that very few things can be determined to be completely factual.

250

Greg Addington

Oregon Farm Bureau. Provides testimony in support of HB 2468A and –A5 amendments. Discusses the recovery language and the benefits of the –A5 amendments.

320

Chair Shields

Believes HB 2468A and –A5 amendments require more work.

328

Stonebrink

Comments that HB 2468A should be passed and the Commission be allowed to work on the bill for two years.

362

Martin Taylor

Sierra Club. Provides testimony in opposition to HB 2468A and –A5 amendments (**EXHIBIT F**). Discusses the importance of species protection.

TAPE 78, B

005

Taylor

Continues testimony in opposition to HB 2468A. Talks about using scientific criteria in endangered species management. Questions whether the agencies are effectively implementing recovery plans in practice.

100

Taylor

Continues testimony in opposition to HB 2468A. Expresses concerns of Sierra Club members.

180

Chair Shields

Comments that other issues need to be addressed before working HB 2468A.

202

Sen. Beyer

Offers support for HB 2468A and –A5 amendments.

210

Chair Shields

Closes public hearing on HB 2468A and opens work session on SB 854.

SB 854 – WORK SESSION

220	Mike Dewey	Oregon Commodity Commission Consortium. Provides testimony in support of SB 854 and -5 amendments and discusses commodity commissions.
280	John McCulley	Oregon Commodity Commission Consortium. Provides testimony in support of SB 854. Explains the -5 amendments (EXHIBIT G AND EXHIBIT H) and the areas of compromise reached in SB 854: <ul style="list-style-type: none"> • Use of pesticides • Refunds • Use of remaining funds from an abolished commodity commission
395	Chair Shields	Brings up the issue of potential lawsuits.
411	Dewey	Talks about potential lawsuits.
TAPE 79, B		
018	Sen. Beyer	MOTION: Moves to ADOPT SB 854-5 amendments dated 6/12/03.
020		VOTE: 4-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Shields	The motion CARRIES.
030	Sen. Beyer	MOTION: Moves SB 854 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.
032		VOTE: 4-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Shields	The motion CARRIES.
		SEN. BEYER will lead discussion on the floor.
044	Chair Shields	Closes work session on SB 854 and opens work session on HB 3013.
<u>HB 3013 – WORK SESSION</u>		
046	Judith Callens	Committee Administrator. Submits HB 3013-4 amendments (EXHIBIT H).
049	Bob Rindy	Provides testimony in support of HB 3013 and explains -4 amendments (EXHIBIT I).
070	Chair Shields	Asks for explanations of specific sections of HB 3013.
076	Rindy	Explains the different proposals.
085	Chair Shields	Commends the participating parties and supports moving HB 3013 to a conference committee. Discusses the continuation of work on HB 3013.
128	Sen. Beyer	MOTION: Moves to ADOPT HB 3013-4 amendments dated 6/12/03.
130		VOTE: 4-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Shields	The motion CARRIES.
140	Sen. Beyer	MOTION: Moves HB 3013 to the floor with a DO PASS AS AMENDED recommendation.
142		VOTE: 4-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Shields	The motion CARRIES.
		SEN. SHIELDS will lead discussion on the floor.
The following prepared testimony is submitted for the record without public testimony for HB 3013:		
	Aileen Kaye	Provides written testimony in opposition to HB 3013 (EXHIBIT J).

	Roger Kaye	Provides written testimony in opposition to HB 3013 (EXHIBIT K).
	Suzanne Devlin	Provides written testimony in opposition to HB 3013 (EXHIBIT L).
	Elise Lynch	Provides written testimony in opposition to HB 3013 (EXHIBIT M).
	Ron Ball	Provides written testimony in opposition to HB 3013 (EXHIBIT N).
160	Chair Shields	Closes work session on HB 3013 and adjourns meeting at 9:50 a.m.

EXHIBIT SUMMARY

- A – HB 2473A, written testimony, Rep. Tom Butler, 1 p.**
- B – HB 2473A, HB 2473-A3 amendments dated 5/28/03, staff, 2 pp.**
- C – HB 2209, HB 2209-3 amendments dated 6/12/03, staff, 1 p.**
- D – HB 2209, written testimony, Phil Donovan, 1 p.**
- E – HB 2468A, HB 2468-A5 amendments dated 6/12/03, staff, 2 pp.**
- F – HB 2468A, written testimony, Martin Taylor, 4 pp.**
- G – SB 854, SB 854-5 amendments dated 4/25/03, staff, 78 pp.**
- H – SB 854, written testimony, John McCulley, 1 p.**
- I – HB 3013, HB 3013-4 amendments dated 6/12/03, staff, 5 pp.**
- J – SB 3013, written testimony, Aileen Kaye, 1 p.**
- K – SB 3013, written testimony, Roger Kaye, 1 p.**
- L – SB 3013, written testimony, Suzanne Devlin, 1 p.**
- M – SB 3013, written testimony, Elise Lynch, 1 p.**
- N – SB 3013, written testimony, Ron Bell, 1 p.**