

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

March 21, 2001
8:30 a.m.

Hearing Room E
Tapes 53 - 54

MEMBERS PRESENT: **Rep. Betsy Close, Chair**
 Rep. Laurie Monnes Anderson, Vice-Chair
 Rep. Susan Morgan, Vice-Chair
 Rep. Mark Hass
 Rep. Bob Jenson
 Rep. Deborah Kafoury
 Rep. Al King
 Rep. Jeff Kruse
 Rep. Jan Lee

STAFF PRESENT: **Megan Palau, Administrator**
 Shannon Relaford, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2049 Public Hearing**
 HB 2842 Work Session
 HB 3108 Public Hearing
 HB 3730 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.

TAPE/#	Speaker	Comments
TAPE 53, A		
004	Chair Close	Convenes meeting at 8:39 a.m. and opens public hearing on HB 2049.
<u>HB 2049 PUBLIC HEARING</u>		
008	Chuck Craig	Deputy Director, Oregon Department of Agriculture presents testimony in support of bill. (EXHIBIT A)
100	Chair Close	Asks if federal funds will continue.
104	Craig	Replies it is an annual struggle and recommends continuation by legislature to do whatever they can to continue that funding.
116	Chair Close	Continues by asking about habitat improvement money.
120	Craig	Continues with explanation of roles of federal and state agencies.
144	Rep. King	Asks how much General Fund money is from Measure 66 and how much is funded through fees.
152	Craig	States he can produce a more detailed breakdown.
174	Rep. King	Asks what WS stands for.
179	Craig	Responds US Wildlife Services.
182	Rep. Morgan	Asks if there is another entity that exists that the function could be joined with.
186	Craig	Responds not that he knows of.
191	Rep. Hass	Relays comments he has received that this is just another layer of government, and asks for response.

195 Craig Responds that these are efforts being made to get the most for the public dollars being spent and disagrees with the analysis.
 222 Rep. Hass States he can't see any elimination of something else, just the addition of this proposed committee.
 230 Craig Reiterates that you can't eliminate something until this group comes together and determines what can be eliminated.
 238 Rep. King Agrees there is an advantage in coordinating and reducing costs but are we saving and where is there a picture of that.
 247 Craig Responds that is to be determined, reiterates there is a range of options.
 272 Rep. King Follows with concerns for budget issues and goals.
 287 Chair Close Recesses hearing at 8:59 a.m., opens work session on HB 2842.

HB 2842 WORK SESSION

294 Megan Palau Presents overview of the bill which requires State Fish and Wildlife Commission to allow private hunting preserve operators to use plastic poultry leg bands to mark game birds.
 328 Rep. Smith District 59, presents testimony in support of the bill.
 359 Eric Rickerson Upland Game Bird Manager, Oregon Department of Fish and Wildlife presents a sample of plastic poultry leg bands.
 382 Chair Close Remarks on the humane issue with the birds being two years old.
 286 Rickerson Makes the correction that they are two days old.
 390 Rep. Monnes Anderson Asks if multiple violations on one day will count as one violation.
 414 Rep. Smith Replies multiple violations on one day a license could be revoked.
 431 Rep. Monnes Anderson Follows by stating her concern that there could be multiple violations on the same issue.
 440 Rep. Smith Speaking as a responsible hunter he would hope if there were multiple violations actions would be taken.
 446 Rep. Morgan Comments that they wanted to give latitude to the department to solve the problem before revoking licenses.
 461 Rep. Smith States that is truly the spirit of the legislation.
 465 Rep. Jenson Comments it is important to note the bill says shall be revocation of the license, there is latitude to provide the department to use good judgement.

TAPE 54, A

044 Rep. Jenson MOTION: Moves the -1 amendments dated 3/20/01 to HB 2842.
VOTE: 8-0
Chair Close Hearing no objection, declares the motion CARRIED.

046 Rep. Jenson MOTION: Moves HB 2842 to the floor with a DO PASS AS AMENDED recommendation.
VOTE: 9-0
AYE: 9 - Hass, Jenson, Kafoury, King, Kruse, Lee, Monnes Anderson, Morgan, Close
Chair Close The motion CARRIES.
REP. SMITH will lead discussion on the floor.
 055 Chair Close Closes the Work Session on HB 2842 and re-opens public hearing on HB 2049.

HB 2049 PUBLIC HEARING

074 Rep. Kafoury Expresses concerns for conflict between private hunting clubs and adjacent property owners in regards to wildlife damage.

079	Eric Rickerson	Oregon Department of Fish and Wildlife asks for clarification on the question.
083	Rep. Kafoury	Recounts some of the bills that have been proposed for hunting on private property and bills to help with wildlife damage and it appears to be a kind of conflict.
086	Chuck Craig	Department of Agriculture, explains elk farms do not permit hunting.
092	Rep. Kafoury	Continues by asking if the animals stray.
093	Craig	Continues that the farms are required to be fenced.
095	Rep. Monnes Anderson	Requests clarification of the current expenditures of \$5 million, it should be funded from that \$5 million.
110	Craig	Replies with who or what is going to be reduced to do this and what would be the reaction by the stakeholders.
126	Rep. Monnes Anderson	Follows with the comment that all the programs don't want to be cut and the agencies need to start re-evaluating their own programs.
134	Craig	Suggests they go through what the duties of the coordinator would be.
140	Rep. Lee	Asks why they don't have an RAC (advisory work groups) as other natural resources agencies have.
145	Craig	Agrees that is a possibility.
153	Roger Huffman	Oregon Department of Agriculture explains the duties of the coordinator. Acts proactively not reactively.
200	Rep. Jenson	Makes an observation on crop damage and lost revenue to the state.
217	Huffman	Comments the report does not include damages to timber production.
231	Eric Rickerson	Expands on support for the bill, which also allows public to have input to the programs.
250	Rep. Jenson	Comments on the funding issues, asks if the departments would be receptive to a sunset clause and an amendment that would give a cost analysis in relationship to the gained income.
264	Craig	Concurs.
266	Rep. Monnes Anderson	Asks who makes up the coordinating committee and ask for explanation of who is represented.
286	Craig	Explains the intention was to have substantial representation by the landowners.
298	Rep. Monnes Anderson	Follows by asking if there were significant environmental and wildlife impact concerns, they would just be out voted.
304	Craig	Responds they did provide for one member to represent professional wildlife conservation concerns.
311	Rep. Jenson	Comments that some think there is over representation by the environmental interests already.
318	Rep. Lee	Expresses her concern about cost and states most committees are not compensated. Continues with remarks about service and supply expenses and suggests a half time position from an existing agency.
330	Craig	Asks if that would be a direction from the chair and if they should come back with that proposal.
337	Chair Close	Suggest putting together a work group.
340	Craig	Concurs.
341	Richard Kosesan	Oregon Sheep Growers Association, presents testimony in opposition to the bill. (EXHIBIT C)
426	Rep. Jenson	Asks if there's been a failure to keep up with the general fund

		money spent in this area.
440	Kosesan	Concurs.
441	Rep. Jenson	Asks if 100% of the money were to be dedicated to just this fund would that catch it up.
442	Kosesan	Explains the formula used to project the figure of \$525,000.
466	Rep. Jenson	Follows with remarks about the case against the bill.
478	Kosesan	Explains general policy direction would be good but to develop another program and another expense would not be prudent for the program.
TAPE 53, B		
048	Rep. Morgan	States that the agriculture and timber communities have problems with wildlife damage and there would be a public purpose served with the agencies putting their heads together to find a solution but she has a problem with the price. Asks for suggestions to get the price down.
058	Kosesan	Suggest policy direction from this committee or a budget committee to have the group meet with no cost.
064	Chair Close	Refers to the graph in the testimony and asks about the loss of money due to damage from deer and elk. Wonders if there is a cross-purpose in that there is also a request for funds relating to forage for wildlife.
085	Kosesan	States perhaps. Continues with testimony.
093	Rep. Monnes Anderson	Reiterates her desire for clarification of charts and land use.
103	Kosesan	Gives explanation of sheep industry and predation and loses.
111	Rep. Morgan	Adds comments concerning predation including elk destroying crops.
119	Chair Close	Further demonstrates predation with the timber industry example.
124	Katy Cate	Oregon Cattlemen's Association presents testimony in support of the policy statement and increasing the funding, but at the county level not at the state level. (EXHIBIT D)
159	Rep. Lee	Asks if wild pigs are protected.
160	Cate	Replies if wild (feral) pigs are defined as predators they will be part of the wildlife program and landowners will be allowed to manage them.
167	Pete Test	Oregon Farm Bureau Federation, presents testimony neutral to the bill, supports the concept but not the costs.
216	Rep. Morgan	Comments on the problems in coordinating the existing efforts. Suggest this would be right for a work group.
241	Rep. Kruse	States agencies should be working and cooperating within the scope of their work, not building more bureaucracy.
266	Chair Close	States agencies can work together but when they are at cross-purposes and don't work together that is when the legislature comes forth and says you will work together.
271	Rep. Kruse	Reiterates that this is within their mission and they should be doing it.
277	Rep. Lee	Concurs that it is within agencies' work but it needs to have no fiscal impact or very little and they will need to report back to the committee.
286	Chair Close	Asks Rep. Lee to develop a work group.
290	Pete Test	Suggests changes to the language.
303	Chair Close	Closes public hearing on HB 2049, opens public hearing on HB 3108 and closes public hearing on HB 3108 and opens public

hearing on HB 3730

HB 3730 PUBLIC HEARING

305	Megan Palau	Presents overview of HB 3730, which extends the sunset clause to the year 2010 for the owner preference program.
310	Eric Rickerson	Presents testimony in support of HB 3730. (EXHIBIT E)
325	Rep. Morgan	Comments that this is an important tool for landowners to deal with damage to private property.
379	Rod Harder	Executive Director, Oregon Sportsman's Defense Fund presents testimony in support of the bill.
382	Chair Close	Closes public hearing on HB 3730 and opens a work session on HB 3730.

HB 3730 WORK SESSION

383	Rep. Kruse	MOTION: Moves HB 3730 to the floor with a DO PASS recommendation. VOTE: 8-0 AYE: 8 - Hass, Jenson, Kafoury, King, Kruse, Monnes Anderson, Morgan, Close EXCUSED: 1 - Lee
385	Rep. Kruse	Moves HB 3730 to the Consent Calendar VOTE: 9-0 AYE: Hass, Jenson, Kafoury, King, Kruse, Lee, Monnes Anderson, Morgan, Close The motion CARRIES.
390	Rep. Kafoury	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. LEE to BE RECORDED as voting AYE on the MOTION to Move HB 3730 to the floor with a DO PASS recommendation. The motion CARRIES.
395	Chair Close	
400	Chair Close	Adjourns meeting at 10.00 a.m.

Submitted By,

Reviewed By,

Shannon Relaford,
Administrative Support

Megan Palau,
Administrator

EXHIBIT SUMMARY

A – HB 2049, written testimony, Chuck Craig, 22 pp.
B – HB 2049, written testimony, Eric Rickerson, 1 p.
C – HB 2049, written testimony, Richard Koesan, 9 pp.
D – HB 2049, written testimony, Katy Cate, 3 pp.
E- HB 3730, written testimony, Eric Rickerson, 1 p.