

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

March 05, 2001
8:30 am

Hearing Room E
Tapes 34, - 36

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 2285 Work Session**
 HB 2842 Public Hearing
 HB 2733 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
TAPE 34, A		
003	Chair Close	Convenes meeting at 8:40 a.m., and opens work session on HB 2285.
<u>HB 2285 WORK SESSION</u>		
020	Megan Palau	Committee Administrator presents explanation of the bill, which adds walleye to black bass angling contest law.
050	Rep. Morgan	MOTION: Moves the -3 amendments to HB 2285. VOTE: 8-0 AYE: 8 - Hass, Jenson, Kafoury, Kruse, Lee, Monnes Anderson, Morgan, Close EXCUSED: 1 - King The motion CARRIES.
065	Rep. Morgan	MOTION: Moves HB 2285 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 8-0 AYE: 8 - Hass, Jenson, Kafoury, Kruse, Lee, Monnes Anderson, Morgan, Close EXCUSED: 1 - King The motion CARRIES.

REP. SCHRADER will lead discussion on the floor.

095 Chair Close Closes the work session on HB 2285 and opens a public hearing on HB 2842.

HB 2842 PUBLIC HEARING

102 Rep. Greg Smith District 59, presents testimony supporting HB 2842 which allows private hunting preserve operators to use plastic poultry leg bands to mark game birds.

140 Rep. Jenson Asks if the 10-day period of time is a reasonable amount.

149 Rep. Smith Replies yes.

156 Rep. Jenson Asks if the commission is the Fish and Wildlife Commission.

160 Rep. Smith Replies yes.

161 Rep. Jenson Inquires if the commission is not meeting in a ten day period of time could it cause a dilemma.

163 Rep. Smith Concurs.

164 Chair Close Questions if the plastic leg bands can cause a problem if they accumulate.

168 Rep. Smith Replies no and explains the use of the bands.

173 Roy Elicker Presents testimony in support of HB 2842. **(EXHIBIT A)**

186 Rep. Jenson Asks if the commission currently has rules that allow the director to make the decision or would the bill force the commission to meet within ten days of the violation.

187 Elicker Concurs and suggests changing the 10-day notice period to a 30-day notice period.

197 Rep. Morgan Suggests changing the focus of the commission from a management group to being a more policy oriented group. Suggest revising violation section of the bill.

205 Elicker Concurs.

209 Rep. Lee States her support for the concept.

232 Rep. Kafoury Questions the quantity of permits required.

235 Eric Rickerson Upland Game Bird Program Manager (ODFW) Explains resident and non-resident permits required.

240 Rep. Kafoury Further questions the process of obtaining permit.

243 Rickerson Continues with explanation of permit process.

262 Chair Close Questions how many states have the bands as opposed to the clipping.

270 Rickerson Responds he doesn't know for sure, but will get the information.

276 Chair Close Asks for a description of the clip.

290 Rickerson Gives description.

292 Chair Close Asks if the bands could create a problem with animals swallowing them.

297 Rickerson Responds it is not a concern for him.

300 Chair Close Asks if they would eventually be burned.

304 Rickerson Replies he doesn't know.

305 Chair Close Expresses her desire to see something that would degrade.

317 Rep. Morgan Asks for clarification on when banding is done and when the bird is released.

320 Rickerson Responds banding is done just prior to release when the bird is fully matured.

322 Rep. Smith Clarifies the less than 10 days-notice period.

330 Rep. Jenson Asks if there would be objections to an amendment that would replace the department with the commission.

342 Rep. Smith Replies no objection.

354 Chair Close Wants clarification about saving money on the plastic bands.

357 Rep. Smith Replies he doesn't know.

362	Elicker	Agrees with the preserve owners that its more economical to use the plastic leg bands.
371	Chair Close	Closes hearing on HB 2842. Opens public hearing on HB 2733.
<u>HB 2733 PUBLIC HEARING</u>		
375	Palau	Presents explanation of HB 2733.
393	Glen Stonebrink	Presents testimony in support of the bill.
TAPE 35, A		
043	Mitch Rohse	Oregon Chapter of the American Planning Association presents testimony in opposition to the bill. (EXHIBIT B)
130	Chair Close	Questions the notification process.
126	Rohse	Replies the time period for notification is not enough.
	Chair Close	Follows by asking if the copies of the rules being available for purchase won't help the local planners.
144	Rohse	Responds yes.
148	Rep. Morgan	Inquires how Rohse would deal with the situation.
158	Rohse	Replies the current law is adequate.
179	Rep. Morgan	Follows by asking if there will be any advance notice.
183	Rohse	Agrees they would not have advance notice by first class mail but states there is a great deal of communication that precedes any rule making.
186	Rep. Morgan	Emphasizes that the system breaks down because of the assumption that people pay attention to the Department of Land Conservation and Development.
193	Rohse	Agrees and wonders if this bill will resolve that issue.
203	Rep. Morgan	Questions the assumption that planning departments can't target the audiences.
207	Rohse	Agrees and adds it depends on the rules.
229	Harlan Levy	Oregon Association Realtors presents testimony in support of HB 2733. (EXHIBIT C)
250	Bob Oberlander	Oregon Realty realtor presents testimony in support of the bill.
387	Rep. Lee	Asks if there is any downside to changing the timing of the notice.
449	Levy	Replies no.
453	Chair Close	Questions how many notices would this be.
469	Levy	Replies it would depend on the scope of the rule.
TAPE 34, B		
051	Dave Hunicutt	Oregonians in Action presents testimony in support of the bill. Emphasizes the goal of the bill.
151	Bob Rindy	Department of Land Conservation and Development (DLCD) presents testimony in opposition to the bill. (EXHIBIT D)
240	Rep. King	Asks how many local governments are there in Oregon.
226	Rindy	Responds 277.
228	Rep. King	States he thought it was 2500.
231	Rindy	Responds 241 cites and 46 counties.
234	Rep. King	Asks if that includes local districts.
247	Rindy	Replies it depends on which statute you're in, this refers to cities and counties only.
258	Rep. King	Comments that with today's technology notice could be done by e-mail.
271	Rindy	Replies the agency does use e-mail for notices but can't rely on it because landowners need notice whether or not they have a computer.
280	Rep. King	Comments that his testimony refers to local governments not to landowners.

288	Rindy	Concurs and states DLCD doesn't have any cost in the notice but the local governments have a cost in notifying landowners.
295	Mike Collmeyer	1000 Friends of Oregon presents testimony in opposition to the bill. (EXHIBIT E)
330	Randy Tucker	1000 Friends of Oregon presents testimony in opposition to the bill.
359	Chair Close	Requests clarification of language in bill from Rep. Lee.
360	Rep. Lee	Responds and will provide the LC draft.
365	Chair Close	Asks when does she expect her bill to be printed.
370	Linda Ludwig	League of Oregon Cities states concerns and opposition to the bill.

TAPE 35, B

040	Jim Jacks	Planning Director for the City of Tualatin presents testimony in opposition to the bill.
150	Chair Close	Asks if 20 days is not enough what would be more realistic.
152	Jacks	Responds 30 days.
160	Doug Riggs	METRO presents testimony neutral to the bill. (EXHIBIT F)
235	Art Slack	Association of Oregon Counties expresses concerns of cost to local governments and the state.
350	Bob Clay	City of Portland Planner presents testimony in opposition to the bill. (EXHIBIT G)

TAPE 36, A

070	Rep. Lee	Asks for a copy City of Portland generic requirements.
078	Chair Close	Closes public hearing on HB 2733 at 10:30 a.m.
085	Rep. Kruse	States everyone likes notice and no one likes this.
095	Rep. King	Requests the Committee on E-Government's input on this.
100	Chair Close	Agrees to an extent except for the folks that don't have computers.
105	Rep. King	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. KING to BE RECORDED as voting AYE on the MOTION to move HB 2285 to the floor with a DO PASS AS AMENDED recommendation.
115	Chair Close	Adjourns the meeting at 10:30 a.m.

Submitted By,

Reviewed By,

Shannon Relaford,
Administrative Support

Megan Palau,
Administrator

EXHIBIT SUMMARY

A – HB 2842, written testimony, Roy Elicker, 1 p.
B – HB 2733, written testimony, Mitch Rohse, 2 pp.
C – HB 2733, written testimony, Harlan Levy, 3 pp.
D – HB 2733, written testimony, Richard Benner, 2 pp.
E – HB 2733, written testimony, Michael Collmeyer, 5 pp.
F – HB 2733, written testimony, Doug Riggs, 3 pp.
G – HB 2733, written testimony, Bob Clay, 3 pp.