

HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY

January 26, 1999 Hearing Room D

8:30 AM Tapes 7 - 8

MEMBERS PRESENT: Rep. Larry Wells, Chair

Rep. Jeff Kropf, Vice-Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ryan Deckert

Rep. Jim Hill

Rep. Elaine Hopson

Rep. Jerry Krummel

Rep. Judy Uherbelau

STAFF PRESENT: Judith Callens, Administrator

Stephen Kosiewicz, Administrative Support

MEASURE/ISSUES HEARD: HB 2333 Public Hearing and Work Session

HB 2334 Public Hearing and Work Session

HB 2372 Public Hearing

HB 2339 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 7, A		
004	Chair Wells	Calls the committee to order at 8:32 a.m.

008	Judith Callens	Committee Administrator. Reminds committee members to notify staff if they are unable to attend a committee meeting.
012	Chair Wells	Opens the public hearing on HB 2333.
<u>HB 2333 n PUBLIC HEARING</u>		
015	Callens	Explains the provisions of HB 2333.
025	Rep. Terry Thompson	House District 4. Testifies in support of HB 2333 and explains reasons for introducing the bill.
041	Kay Brown	Department of Fish and Wildlife (ODFW). Submits written testimony (EXHIBIT A) and explains how they license for commercial fishing.
067	Rep. Kropf	Asks for definition of delivery.
073	Rep. Thompson	Explains delivery.
081	Rep. Kropf	Asks for definition of landing.
083	Rep. Thompson	Explains landing.
087	Rep. Hill	Asks for clarification that if a vessel is an Oregon licensed vessel it can land as many times as it wants.
090	Rep. Thompson	Responds that this is correct if the vessel has a limited entry shrimp permit.
092	Rep. Uherbelau	Asks why the permit is being changed from the person to the vessel.
097	Rep. Thompson	Responds that traditionally the vessel makes the landing, and if the captain of the vessel were to change, the vessel could still land.
100	Rep. Uherbelau	Asks for clarification that if the ownership of a vessel changes, the permit will follow the vessel.
102	Rep. Thompson	Responds that this is correct.
104	Rep. Hill	Asks if in other states the license is to the person or to the vessel.
106	Rep. Thompson	Responds that he believes it is to the vessel.

109	Rep. Kropf	Asks the purpose for the slight change in the legislation.
111	Rep. Thompson	Responds that this puts them in line with other states.
123	Rep. Uherbelau	Asks where in the bill the single entry is limited to out-of-state fishermen.
128	Rep. Thompson	Responds that it doesn't, and that there are boats in the state that could operate under this license.
130	Rep. Uherbelau	Comments that it appears that the bill is restricting Oregon fishermen to one single delivery license.
132	Rep. Thompson	Explains that most Oregon fishermen that are shrimp fishermen already qualify, and that it is more likely to be a boat from another state that is already rigged.
137	Brown	Explains that there is no restriction on residency for someone who wants to purchase a limited entry permit.
144	Rep. Uherbelau	Asks for clarification that under this bill they would be saying that fishermen could only use their license to land once in a 12-month period, and that this would affect Oregon fishing.
150	Rep. Thompson	Responds that this is correct if you are a vessel that didn't already have a limited entry shrimp permit.
156	Rep. Beyer	Comments that people can fish for shrimp, and land as many times as they want, if they have the proper license, and this is restricting the people who don't have that license.
172	Chair Wells	Closes the public hearing on HB 2333 and opens the work session on HB 2333.
<u>HB 2333 ñ WORK SESSION</u>		
174	Rep. Hill	MOTION: Moves HB 2333 to the floor with a DO PASS recommendation.
		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Deckert
183	Chair Wells	The motion CARRIES. REP. THOMPSON will lead discussion on the floor.

187	Chair Wells	Closes the work session on HB 2333 and opens the public hearing on HB 2334.
<u>HB 2334 n PUBLIC HEARING</u>		
200	Callens	Explains the provisions of HB 2334.
227	Rep. Thompson	Testifies in support of HB 2334 and explains reasons for introducing this bill.
262	Brown	Submits and reads written testimony regarding HB 2334 (EXHIBIT B) .
294	Rep. Uherbelau	Asks if this requirement is listed, would it possibly destabilize the fisheries.
300	Rep. Thompson	Responds that it would not.
319	Rep. Uherbelau	Asks why we aren't doing this for the scallops and sea urchins.
325	Brown	Responds that sea urchin fishermen helped craft the administrative rule and they want to keep it in their industry, and there is not really a scallop industry in Oregon.
343	Rep. Thompson	Comments that in the scallop industry there are several fishermen who hold permits and that if the industry does come back they will pay the fee to maintain their permits.
356	Rep. Hill	Asks if the elimination of these sections of statute would allow ODFW to institute it by rule if they feel it becomes necessary again.
365	Brown	Responds that they currently do not have the authority to establish a requirement for a limited entry permit.
383	Chair Wells	Closes the public hearing on HB 2334 and opens the work session on HB 2334.
<u>HB 2334 n WORK SESSION</u>		
386	Rep. Kropf	MOTION: Moves HB 2334 to the floor with a DO PASS recommendation.
		VOTE: 9-0 AYE: In a roll call vote, all members present vote Aye.
398	Chair Wells	The motion CARRIES. REP. THOMPSON will lead discussion on the floor.

403	Chair Wells	Closes the work session on HB 2334 and opens the public hearing on HB 2372.
TAPE 8, A		
<u>HB 2372 n PUBLIC HEARING</u>		
002	Callens	Explains the provisions of HB 2372.
017	Chair Wells	Comments that ODFW has part of this issue in their fee bill, and explains why they are hearing this bill.
041	Rep. Roger Beyer	House District 28. Explains reasons for introducing this bill.
046	Wayne Van Dyke	Citizen, Mt. Angel. Testifies in support of HB 2372 and explains why he brought this idea to Rep. Beyer.
072	Chair Wells	Comments that this is a good time to bring this issue to the table.
076	Rep. Uherbelau	Asks how many people age 70 or over have applied for a free license.
081	Van Dyke	Responds that he has heard from ODFW that it is a substantial number.
084	Rep. Beyer	Comments on the limited opportunities he has to hunt and fish due to his work schedule.
097	Chair Wells	Comments that they don't have a fiscal impact statement on the bill yet.
103	Rep. Hill	Asks for clarification that if a senior citizen doesn't meet the proposed residency requirement they could pay \$12 and get a license.
106	Rep. Beyer	Responds that this is correct.
118	Rep. Hill	Asks when they are supposed to get ODFW's fee bill.
119	Chair Wells	Responds that when they get the fee bill, if they've done something with HB 2372, they'll cut the residency requirement part out of the fee bill.
121	Kay Brown	Department of Fish and Wildlife. Submits written testimony (EXHIBIT C) and testifies in opposition to HB 2372.
134	Chair Wells	Asks for clarification that ODFW's proposal is to leave the residency

		requirement at five years, but the licenses would be half-price.
136	Brown	Responds that this is correct.
137	Rep. Hill	Asks what process ODFW goes through today to determine if a senior citizen has met the five-year residency requirement.
140	Brown	Responds that all senior citizens are required to sign a certification that they are at least 70 years old and have lived in the state at least five years.
144	Rep. Hill	Asks if this process would continue if the residency requirement were increased.
146	Brown	Responds that this is correct.
147	Chair Wells	Asks for clarification that the process is based on the honesty of the individual.
149	Brown	Responds that this is correct.
151	Rep. Uherbelau	Comments on ODFW's funding shortfall and asks for clarification that this bill is going to impact the funding that is available to ODFW.
159	Brown	Responds that it does in a couple of ways.
166	Rep. Kropf	Asks how much federal funds could ODFW bring in with the half-priced licenses they are proposing in their fee bill.
173	Joe Rohleder	Department of Fish and Wildlife. Responds that the average is about \$6 per license from the federal government.
179	Rep. Krummel	Asks how seniors would directly benefit from an increase in fees that ODFW would collect.
189	Brown	Clarifies the figures Mr. Rohleder mentioned, and clarifies that senior citizens would pay half-price of whatever license they are purchasing.
197	Rep. Krummel	Asks what benefits seniors are getting at the cost of others.
200	Brown	Explains what benefits seniors are receiving.
211	Chair Wells	Comments that if they increase the residency requirement, more people who are over 70 will be buying licenses.

226	Brown	Responds that she has not done the math, but she feels that ODFW's proposal will generate more money.
236	Chair Wells	Asks for clarification that a half-price license allows ODFW full match from the federal government.
238	Brown	Responds that this is correct.
240	Rohleder	Comments on how their proposal was developed.
274	Rep. Hill	Comments that they should concentrate on the residency requirement now, and deal with the fee issue when they get the fee bill.
289	Chair Wells	Explains why the committee is hearing the bill.
323	Rep. Hopson	Comments that at the age of 70 and above, 15 years is considerably longer in terms of how long you're ultimately going to live.
333	Chair Wells	Explains that the language in the bill means that you must have resided in Oregon at least 15 years before you get to age 70.
337	Rep. Kropf	Asks what the average half-price hunting and angling license might be.
344	Brown	Responds that she doesn't have the numbers with her, but they would be looking at about \$20 for a half-price combination license.
352	Rep. Kropf	Asks if the combination license is what is currently being given away free.
372	Rohleder	Gives figures for the current cost of a resident hunting license, resident angling license, and resident combination license.
387	Rep. Uherbelau	Asks for clarification on the figures that Mr. Rohleder gave because the amounts listed in statute are different.
400	Brown	Responds that in addition to the fees there are a couple of surcharges that are established on their licenses.
TAPE 7, B		
002	Rohleder	Comments on the restoration and enhancement surcharge for an angler and the access and habitat surcharge for a hunter.

005	Rep. Uherbelau	Comments that these surcharges need to be clear in the statute.
006	Chair Wells	Asks for clarification that under the half-price license scenario it would be half of the total cost of the license, not what is it statute.
008	Rohleder	Responds that this is their intention.
009	Rep. Beyer	Comments that only the actual license fee should be half-price and that the surcharge should be tacked on in addition.
017	Rohleder	Comments that they hadn't considered this, but they will.
023	Ken Evans	Restoration and Enhancement Coalition. Testifies in support of HB 2372.
046	Chair Wells	Asks Mr. Evans if his group has considered all of the different proposals and if they've decided which is the best.
048	Evans	Responds that he is still waiting to hear back from a few people.
049	Chair Wells	Suggests that Mr. Evans come back at a later time and share his group's view on which way the committee ought to go.
053	Evans	Comments that he is just here today to speak to HB 2372.
054	Chair Wells	Asks for clarification that Mr. Evans' group is in favor of charging senior citizens.
056	Evans	Responds that they didn't look at this bill in terms of a fee increase.
062	Rep. Uherbelau	Asks which bill is Mr. Evans talking about.
069	Evans	Responds that he is speaking to HB 2372 in regard to raising the residency requirement.
077	Roger Martin	Lobbyist. Testifies in support of a fee increase for senior citizen licenses.
128	Chair Wells	Comments that they won't be moving the bill out today. Closes the public hearing on HB 2372 and opens the public hearing on HB 2339.
<u>HB 2339 - PUBLIC HEARING</u>		

142	Chair Wells	Comments that they have a proposed amendment to this bill, so they won't be moving the bill out today.
150	Callens	Explains the provisions of HB 2339.
176	Chair Wells	Asks for clarification that this bill extends the tax credit to a farmer who harvests the surplus himself.
180	Callens	Responds that this is correct.
199	Sharon Thornberry	Statewide Gleaning Coordinator, Oregon Food Bank. Testifies on the gleaning tax credit and how HB 2339 came about.
249	Thornberry	Submits and explains proposed amendments to HB 2339 (EXHIBIT D) .
275	Patti Whitney-Wise	Director, Oregon Hunger Relief Task Force. Testifies in support of HB 2339 and in support of expanding the bill to allow food that has already been picked or harvested from the field to be donated.
308	Chair Wells	Referencing section 2 of the bill, asks if the receipt process works.
319	Thornberry	Responds that they had NCR forms made that could be used on the spot.
331	Rep. Hill	Comments that the proposed amendments remove the definition of a gleaning cooperative.
342	Thornberry	Explains that they are adding gleaning cooperatives into the definition of food bank and charitable organizations.
354	Rep. Hill	Asks if gleaning will still go on if they delete the definition of a cooperative from statute.
369	Thornberry	Responds that it will continue to go on and it will mean that food banks and church organizations will also be organizing gleaners.
375	Chair Wells	Comments on where the gleaning cooperative language would be reinserted as proposed in the amendment.
380	Rep. Hill	States that section three in the proposed amendment eliminates the definition of gleaning cooperatives.
392	Callens	Explains that they're taking out the definition of gleaning in the bill, but the definition of gleaning cooperative remains in statute.

398	Rep. Hill	Comments that the proposed amendments eliminate the lines in the bill that define gleaning cooperative.
TAPE 8, B		
001	Thornberry	States that she can work with committee staff to keep the definition in and explains why they were proposing to eliminate it.
014	Rep. Hill	Comments that they may not need to have a definition of gleaning cooperative.
019	Whitney-Wise	Explains intention of the bill.
025	Rep. Uherbelau	Comments on why they should have a definition of gleaning in the bill.
037	Rep. Thompson	Notes that they used to have a group that processed seafood on the west coast, and asks if there are any more of these in existence.
041	Thornberry	Responds that there are not, due to the sunset of the fishing tax credit.
047	Rep. Thompson	Asks if they received part of the canned tuna that came from the federal government.
048	Thornberry	Responds that they received fresh catch tuna.
049	Rep. Thompson	Asks if they will receive some of the processed tuna.
050	Thornberry	Responds that they will.
053	Rep. Thompson	Explains the reason for his questions. Asks for clarification that in regard to the tuna situation, they were not qualified for the tax credit.
062	Thornberry	Responds that this was a separate bill and it sunset four years ago.
079	Rep. Hill	Asks if there are any gleaning cooperatives that are not 501(C)(3)s in the state.
081	Thornberry	Responds that there are not.
082	Chair Wells	Suggests that Ms. Thornberry and Ms. Whitney-Wise get together with committee staff and rework the proposed amendments.
092	Rep. Hill	Suggests making this a bill that refers to food and not just crops.

098	Chair Wells	Asks why the fish tax credit was allowed to sunset.
099	Thornberry	Replies that the gleaning tax credit sunset at the same time, but they had it removed, and they didn't pay attention to the fish one because fish weren't being recovered on the coast at that time.
110	Chair Wells	Suggests that they look at bringing back that language.
114	Rep. Uherbelau	Comments that the definition of qualified food could include beef or fish.
119	Thornberry	Responds that a 10% tax credit would not be enough of a motivation for the livestock industry.
129	Rep. Hill	States that they should include the livestock industry as a starting point.
134	Chair Wells	Closes the public hearing on HB 2339. Adjourns the committee at 10:05 a.m.

Submitted By, Reviewed By,

Stephen Kosiewicz, Judith Callens,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 2333, written testimony, Kay Brown, 1 p

B ñ HB 2334, written testimony, Kay Brown, 1 p

C ñ HB 2372, written testimony, Kay Brown, 1 p

D ñ HB 2339, written material, Sharon Thornberry, 1 p