

**HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY**

**February 11, 1999 Hearing Room D**

**8:30 a.m. Tapes 18 - 20**

**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**

**MEMBER EXCUSED:**

**STAFF PRESENT: Harrison Conley, Administrator**

**Samantha Demchak, Administrative Support**

**MEASURE/ISSUES HEARD: HB 2120 Work Session**

**HB 2469 Public Hearing and Work Session**

**HB 2531 Public Hearing and Work Session**

**HB 2100 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.

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TAPE/#	Speaker	Comments
<b>TAPE 18, A</b>		
003	Chair Wells	Opens meeting at 8:33 a.m.
<b><u>HB 2120 WORK SESSION</u></b>		
046	Rep Uherbelau	Inquires about dropping Veterinary Products Registration fee from \$65.00 to \$60.00 per year. Asks is this something that is established by rule.
051	Chuck Craig	Oregon Department of Agriculture (ODA). Answers it is set by rule. States ODA has already begun the process of lowering the fee.
057	Rep. Krummel	Asks about rates being dropped and if that will reduce the amount of money coming in.
063	Craig	Answers that was part of the error in the previous fiscal.
077	Rep. Krummel	Asks where the increase in funding for these positions will come from.
091	Craig	Responds ODA had to decide where the extra funds would come from if HB 2120 did not pass. ODA identified three positions that could be eliminated.
112	Rep. Beyer	States he will not support HB 2120 because of the inconsistencies between the first and second fiscal reports.
123	Craig	Acknowledges that ODA made mistakes in the first fiscal and worked hard to correct them for the second fiscal.
136	Rep. Krummel	Asks if there is a subsequent referral to Ways and Means. States that he has concerns about the way the numbers have come out.
142	Rep. Kropf	Suggested someone from Legislative Fiscal Office answer questions about the fiscal impact statements.
148	Rep. Uherbelau	States when the numbers were given to fiscal, they did not have all the information they needed to make correct statement.
158	Rep. Beyer	Expresses concern over the way the numbers from the first fiscal were so far off and the numbers on the second fiscal came out exactly the way they were needed.

161	Rep. Hill	<b>MOTION: Moves HB 2120 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-2</b> <b>AYE: 7 - Deckert, Hill, Hopson, Kropf, Thompson, Uherbelau, Wells</b> <b>NAY: 2 - Beyer, Krummel</b>
	Chair Wells	<b>The motion CARRIES.</b>  <b>REP. HILL will lead discussion on the floor.</b>
220	Chair Wells	Closes work session on HB 2120 and opens work session on HB 2496.
<b><u>HB 2496 PUBLIC HEARING</u></b>		
249	Mike Dewey	Oregon Potato Commission (OPC). Explains that the commission raises money and markets the crop. States that the fee is set by statute. To increase fees the voters must approve. States most of research dollars that are generated help fund research at Oregon State University.
277	Chair Wells	Asks what political connections the commissions have.
291	Dewey	States that the statute allows the commission to lobby the legislature. Continues that it is illegal for commissions to make monetary donations to ballot measures.
333	Chair Wells	Asks for an explanation of HB 2496.
338	Dewey	Answers that the decline in acreage has made it necessary to have only one member from central Oregon. States there will be one member in Central Oregon and one member at large.
353	Rep. Krummel	Inquires as to the cause of the decline in acreage.
357	Dewey	Answers that there is not much agriculture in Central Oregon. Continues that there have been ups and downs in the industry.
382	Thompson	<b>MOTION: Moves HB 2496 to the floor with a DO PASS recommendation.</b>

		<p><b>VOTE: 8-0</b></p> <p><b>EXCUSED: 1 - Deckert</b></p>
	Chair Wells	<p>Hearing no objection, declares the motion <b>CARRIED</b>.</p> <p><b>REP. KROPF will lead discussion on the floor.</b></p>
397	Chair Wells	Closes work session on HB 2496 and opens hearing on HB 2531
<b><u>HB 2531 Public Hearing</u></b>		
401	Rep. Bob Jenson	<p>District 57. Testifies that Oregon Wheat Growers League (OWGL) represents a substantial part of district 57. States mustard and canola are a large crop in district 57. Concludes he is here in support of</p> <p>HB 2531.</p>
<b>Tape 19, A</b>		
006	Mike Dewey	Oregon Wheat Growers League (OWGL) administers the Grain Commission. States it is not appropriate to put canola and mustard under the Wheat Commission. States canola and mustard are a good rotation crop. Supports paying fees to be in this commission.
028	Rep. Beyer	Asks about the Willamette Valley controversy because mustard and canola have invasive seeds. Adds growers need to prove no seeds are in the surrounding area.
042	Dewey	Answers OWGL may have a spread or spray which would assist in the growing of the crops.
052	Chair Wells	Announces there is a constitutional flaw in HB 2496. Recommends the committee finish HB 2531 before they reconsider HB 2469.
060	Rep. Krummel	Asks if a canola or mustard farmer will be added to the commission.
073	Dewey	States that OWGL has not request a seat on the commission.
079	Rep. Deckert	States he is concerned about the growth of government. Asks what is next for this committee.

104	Rep. Thompson	<b>MOTION: Moves HB 2531 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 9-0</b>
	Chair Wells	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. DECKERT will lead discussion on the floor.</b>
151	Chair Wells	Closes work session on HB 2531 and opens work session on HB 2496
<b><u>HB 2496 Work Session</u></b>		
160	Rep. Hill	<b>MOTION: Moves to SUSPEND the rules for the purpose of Reconsidering the vote on HB 2496.</b>
		<b>VOTE: 9-0</b>
	Chair Wells	<b>Hearing no objection, declares the motion CARRIED.</b>
168	Chair Wells	States the issue before the committee is "legislative council has discovered in line 6, it says a term of five years". Asks what it says in the statute.
174	Harrison Conley	Committee Administrator. Answers " The constitution article 15 section 2 states "The legislative assembly shall not create any office the tenure of which shall be longer than 4 years."".
183	Chair Wells	Asks if the statute has been wrong all this time.
194	Conley	Answers that yes it has, but the committee was fortunate to have Legislative Council there to correct the mistake.
200	Rep. Hill	Requests that Legislative Council draft the appropriate amendments, so that all the past actions are not unconstitutional and the problem is fixed correctly.
208	Chair Wells	Asks what happens to all the people who are currently part of the commission.
213	Rep. Hill	Replies that if Legislative Council crafts a solution they can use this as the

		vehicle.
239	Chair Wells	Closes hearing on HB 2496 and opens public hearing on HB 2100.
<b><u>HB 2100 Public Hearing</u></b>		
268	Janice Green	Oregonians for Fish and Fishing (OFF). Presents written testimony in favor of HB 2100 with consideration of some amendments.  <b>(EXHIBIT A)</b> . Expresses OFF feel the fee is unfair. Expresses that OFF needs to meet their responsibilities to fisherman. Stresses fisherman should not be charged more, for less fishing opportunity
301	Rep. Thompson	Asks how she feels about the stream restoration project.
314	Green	States OFF does not feel it is entirely fair. States OFF feels everyone should pay their fair share.
320	Rep. Krummel	Asks where the funds should come from.
326	Green	States the funds should come from fisherman paying fees not just the general fund. States that Oregon Department of fish and Wildlife (ODFW) does not have a silt biologist because of fund cuts.
360	Chair Wells	Asks what the bottom line is for OFF committee
370	Green	States she would like to see increased fishing opportunity. Explains the only way to do that is receive more money from measure 66 and the general fund.
387	Rep. Beyer	Comments ODFW is no longer going to put summer run steelhead in the lower river.
<b>Tape 18,B</b>		
003	Green	Asks committee to look into \$15.00 fee increase for combined tags. States fisherman in Eastern Oregon will not be happy about this.
014	Chuck Woosley	Oregon Division of the Izaak Walton League of America (ODIWL) Presents written testimony <b>(EXHIBIT B )</b> in full support of HB 2100.
075	Rep. Thompson	Asks how many members there are in the ODIWL.
079	Woosley	Answers there are 850 members with 11 chapters, all over Oregon.

093	Rep. Thompson	Asks what is the goal of ODIWL.
097	Woosley	Answers that ODIWL's concern is, as humans, we are using up our natural resources. One of the main concerns of ODIWL is human growth population. Stresses ODIWL thinks the sportsman should carry the load.
111	Rep. Uherbelau	Asks about people who use services, but do not pay a fee. Asks how the league would feel about a means test.
131	Woosley	Answers that those who get licenses for free need to "step up to the plate to help fund the resources."
143	Vern Strubbel	Benton Bowman and the Traditional Archers of Oregon. States that these rate increases are necessary. Concludes that his organization supports HB 2100.
187	Chair Wells	States he intends to move bill.
194	Marylou Beck	Association of Northwest Steelheaders. States her committee passed a resolution to support HB 2100 and the fee increases.
225	Rep. Thompson	Asks if they have had contact with other Steelhead associations.
243	Beck	States no she has not.
249	Al Elkins	Oregon Hunters Association (OHA). Indicates his association supports HB 2100. OHA is concerned about the decline in the number of State Troopers and the effect that will have on enforcement. States OHA will look for money anywhere they can in this building. The State Police and biologist are the OHA's main focus ( <b>EXHIBIT C</b> ).
296	Rep. Uherbelau	Asks whether everyone should pay fees no exceptions, except on a means test basis.
303	Elkins	Answers OHA would support that idea.
315	Sandy Sanders	President, Oregon Hunters Association. States this is more than necessary. OHA would like assurance that state troopers and biologists would benefit from the fee increase. States OHA has 6500 members in their organization.
325	Rep. Uherbelau	Asks Mr. Sanders to urge the Ways and Means Committee to follow up on this because the Agriculture and Forestry Committee can not assure OHA where the funds will be distributed.
344	Sanders	Agrees to do that. States the OHA will do everything in their power to follow up.

		OHA feels the hunting and fishing license is a very good value.
<b>Tape 19,B</b>		
020	Rod Harder	Executive Director. Oregon Sportsman Defense Fund (OSDF). Comments his organization disagrees with certain aspects of HB 2100 goes on to explain. Indicates OSDF would like to see money from sportpacks go to the vendor. OSDF does fully support the restoration of Oregon State Police Services. States OSDF does not support the increase of fees without improvement in customer service <b>(EXHIBIT D)</b> .
068	Rep. Kropf	Asks if the OSDF has documentation of funding ten positions in the Oregon State Police.
070	Harder	Indicates he does have that information and will furnish it to the committee.
072	Rep. Hopson	Asks why OSDF supports the department and money for the department and not the whole bill.
083	Harder	Responds hunters need better service. OSDF is opposing parts of HB 2100 because hunters are not getting the service they should. States he would like to see a change of attitude, make the agency more receptive to the needs of hunters.
113	Rep. Hill	Asks if there is a strategy for balancing the difference in the hunting and fishing tags.
134	Harder	Answers that OSDF has not reached that point in the committee and there is not a plan for that at this time.
150	Glen Stonebrink	Executive Director of the Oregon Cattlemanis Association (OCA). States the cattlemen have worked hard to preserve the Green Forage Program this is one issue OCA wants funded regardless of the fee increase. OCA is not asking for complete reimbursement, just help.
191	Lindsey Ball	Captain, Oregon Fish and Wildlife Division of the State Police (OFWDSP) <b>(EXHIBIT E)</b> .States some things happened last session that focused OFWDSP's attention on salmon recovery. <ul style="list-style-type: none"> <li>• Thirteen positions were funded in OFWDSP to enforce protective measures on Salmon restoration.</li> <li>• Five of those positions were moved from eastern Oregon to the coast.</li> </ul>
233	Chair Wells	Asks about controversy over that move.
236	Ball	Answers there was controversy over that move.



311	Rep. Hill	Asks about the 13 positions left vacant due to budget cuts, were personnel let go or moved.
319	Ball	Answers OFWDSP needed to cut positions. States people were reassigned, but not in the OFWDSP.
335	Rep. Hill	Asks why didn't ODFWSP address this issue earlier.
342	Ball	States that money is earmarked before the session starts. The only way to adjust funds is to eliminate personnel. States there was no way to come out even.
367	Rep. Uherbelau	Asks if funding was cut, how did the OFWDSP find money to move personal?
381	Ball	Answers there were 5 months where there was a shortage in personnel, so they were able to make the moves at that time.
395	Rep. Uherbelau	Asks if this is a juggling act for the ODFWSP.
<b>Tape 20, A</b>		
405	Ball	States ODFWSP found a time where there was no recruit school so there were vacancies. Personal was short in the recruit class because some were moved into patrol division.
003	Rep. Hill	Inquires if OFWDSP asked for emergency money through the Emergency Board.
004	Ball	Answers that OFWDSP did not ask for money. Their directive states, that it is prohibited to ask for a cost of living increase.
008	Chair Wells	States that the issues facing OFWDSP is similar to those facing schools.
022	Chair Wells	Asks what the original amount of money requested by the State Police was.
037	Ball	Answers, \$100 million dollars. States the Governor gave them \$1.7 million for 25 officers.
046	Chair Wells	Clarifies that the Governor did not give OFWDSP all the money they requested.
052	Ball	Answers that is correct.
063	Rep. Beyer	Asks why \$7 million dollars was shifted from the Fish and Wildlife Department to the Wildlife Enforcement Department.

085	Ball	Answers that shift was to make up for a loss in revenue due to fewer sales of licenses and tags. States it was a legislative decision.
107	Chair Wells	Closes Hearing at 10:35

Submitted By, Reviewed By,

Samantha Demchak, Harrison Conley,  
Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A - HB 2100, written testimony, Janice Green, 4 pp.**

**B - HB 2100, written testimony, Charles Woosley, 1 p.**

**C - HB 2100, written testimony, Al Elkins, 1 p.**

**D - HB 2100, written testimony, Rod Harder, 2 pp.**

**E - HB 2100, written testimony, Lindsey Ball, 20 pp.**