

HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY

February 25, 1999 Hearing Room D

8:30 a.m. Tapes 23 - 24

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: B. Harrison Conley, Administrator

Samantha Demchak, Administrative Support

MEASURE/ISSUES HEARD: HB 2496 Work Session

HB 2564 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 23, A		
005	Chair Wells	Opens meeting at 8:30 a.m.
<u>HB 2496 WORK SESSION</u>		
010	Chair Wells	Reports Legislative Council has drafted amendments for HB 2469.
020	Rep. Beyer	Inquires about repealing ORS 579050 Asks if that was part of the original bill.
029	Mike Dewey	Oregon Potato Commission (OPC). States ORS 579050 relates to the terms for the members of OPC. Adds in the provision that
033	Rep. Beyer	States that in the original bill 579030 contained the original language.

042	Dewey	States on line 6, delete the number 5, insert the number 4. Adds this corrects constitutional violation. Asks how to deal with two <ul style="list-style-type: none"> Has the commission been invalid over the last four years. How to reduce the terms of those on the commission who have a five year term.
066	Rep. Hill	MOTION: Moves to ADOPT HB 2469-1 amendments dated 02/15/99.
		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Rep. Uherbelau
	Chair Wells	The motion CARRIES.
094	Rep. Hill	MOTION: Moves HB 2496 to the floor with a DO PASS AS AMENDED recommendation.
	Chair Wells	VOTE: 9-0 AYE: In a roll call vote, all members present vote Aye.
103	Chair Wells	Closes work session on HB 2496. Opens hearing on HB 2564.
<u>HB 2564 PUBLIC HEARING</u>		
107	Harrison Conley	Committee Administrator. Explains provisions of HB 2564.
127	Rep. Ryan Deckert	District 08. States HB 2564 is not focussing on 99.9% of legitimate hunting activity. (EXHIBIT A).
163	Kelly Peterson	Resident of Marion County. Supports HB 2564. Adds that "canned hunts" are unethical hunting. Stresses lines are dawn in every not killed. (EXHIBIT B).
191	Peterson	Continues that exotic game ranches have caused serious problems in other states. Adds 12 states have banned the canned hunt. A
230	Rep. Kropf	Asks if she represents an organization that has a stake in HB 2564.
234	Peterson	Answers no.
240	Rep. Kropf	Asks if tying up animals to hunt is common in this state.
246	Peterson	States there was one example of tying up an animal to hunt in 1984. Adds there is only one known game ranch in Oregon that pr
259	Rep. Deckert	Stresses "canned hunting" is an obnoxious practice.
263	Rep. Uherbelau	Asks if HB 2564 will effect forest and range experiment of Oregon Department of Fish and Wildlife (ODFW).
271	Rep. Deckert	Answers there is a -1 amendment to HB 2564 that would take care of that concern.
282	Conley	States Section 4 of HB 2564 does contain five exemptions <ul style="list-style-type: none"> An animal trapped in compliance with the trapping laws Unprotected animals accidentally released from captivity An animal captured and released by the Fish and Wildlife Department

		<ul style="list-style-type: none"> • Animal slaughter for matters of food production • Domestic live stock or domestic fur bearing animals
301	Chair Wells	Asks why Fish and Wildlife Commission has not dealt with this problem in the past two years.
311	Peterson	States she has been involved with this issue since the fall. Notes the committee might be able to get a better answer from Dan Ed
324	Rep. Hill	Asks if HB 2564 gives the impression it is alright to kill the animal as long as it is stated you are going to eat it.
337	Peterson	Answers HB 2564 was meant to include people who raise cattle for food production.
358	Rep. Deckert	States HB 2564 is modeled after other states. Adds it is modeled to be narrowly drawn so it goes after one particular type of activ
367	Rep. Hill	Asks if claiming you are going to eat the meat creates an exemption under this statute.
377	Rep. Uherbelau	Indicates wording of HB 2564 can be cleaned up to make it easier to understand.
387	Rep. Beyer	Asks for a definition of normal movement.
409	Peterson	Answers it means confined from movement.
Tape 24, A		
007	Marsha Johnson	Executive Director, Humane Society of the Willamette Valley. Presents written testimony in support of HB 2564. (EXHIBIT C)
069	Chair Wells	Asks if she is aware of (ODFW) has not made a decision on HB 2564 yet.
077	Johnson	Adds she does not have the knowledge or background to make a judgement on why a decision has not been reached.
085	Rep. Hill	Asks how long ODFW has had the issue of canned hunting before them.
091	Chair Wells	Answers that it has been before the commission since last session. Adds last Friday it was on the agenda, but there was no action
098	Allen Tressider	Oregon Humane Society. Supports HB 2564. Adds canned hunts need to be stopped in Oregon (EXHIBIT D) .
100	Joe Rolator	Assistant to the Director, for Government Affairs, Department of Fish and Wildlife (DFW).
161	Rich Berry	Oregon Fish and Wildlife Department (OFWD). States the OFDW commission did work on the canned hunt issue. Adds the del
168	Rep. Krummel	Asks why the commission needs two years to debate an issue.
179	Berry	Answers the commission meets once a month. Adds he does not know why the commission did not vote.
188	Rep. Krummel	Asks how many times the canned hunt issue has been swept under the rug by the commission.
195	Berry	States the issue was not swept under the rug, the commission has worked with the proponents of this issue since the last legislati
201	Rep. Hill	Asks how canned hunting relates to trophies.
211	Berry	Answers last session there was a bill that adopted administrative rules that dealt with that issue.
218	Rep. Hill	Asks if the animals being hunted today fall within the category of wildlife.

	Berry	Answers there are definitions in statute, depending on the species, animals are classified as exotic or wildlife.
231	Rep. Hill	Asks if the classification has to do with taking the animal as a trophy.
236	Berry	Answers that after the animal has been killed, what you can do with the parts is covered by administrative rule. HB 2564 address
240	Rep. Hill	Asks if you could ban canned hunts under administrative rule.
250	Berry	Answers yes.
252	Rep. Uherbelau	Asks if the ODFW commission has had this issue discussed at every meeting. States is not unusual for commissions, such as this
265	Berry	Responds affirmatively. Reads prepared statement regarding HB 2564 (EXHIBIT E) .
301	Chair Wells	Asks if ODFW means to include wild free range animals.
310	Berry	Answers yes.
315	Chair Wells	Asks if there are ranchers who are installing fences.
317	Berry	Answers ODFW is not aware of any fencing that would prohibit the movement of an animal.
321	Rep. Deckert	Asks if the -1 amendments and the amendments provided by OFWD would satisfy the needs of the OFWD.
328	Berry	Answers yes.
340	Rep. Thompson	Asks if there is a concern about the slaughter of an animal on a reserve, would that sum up the committees concern.
344	Berry	Answers if you take the animal just to eat, HB 2564 would not apply.
386	Lindsay Ball	Captain, Fish and Wildlife Division Oregon State Police. Presents written testimony on HB 2564. (EXHIBIT F)
434	Rep. Kropf	Asks if the shortage of game enforcement officers has any bearing on this issue.
Tape 23, B		
020	Ball	Answers, this is not a concern.
033	Rod Harder	Executive Director, Oregon Sportsman Defense Fund (OSDF). States, conceptually OSDF is in favor of HB 1564. Indicates ther over the word fencing. States there are some watersheds which are fenced. OSDF does not think this law is necessary. States adn
060	Rep. Kropf	Implies there was information relating to game enforcement that was requested prior to today's meeting. States that information l
070	Harder	States he has asked his staff and they have not produced that information yet.
082	Rep. Uherbelau	Asks about line 10 in HB 2564, if he has any problem with he language up to the word "structure".
092	Harder	States the problem begins with the words "man made structure", which could mean a fence.
096	Rep. Uherbelau	States watershed fences keep animals out of the water. Asks if restrain from normal movement is too vague.
101	Harder	Responds affirmatively.

110	Harder	States last session he went to the bill sponsor to ask him not to hear this bill because it could be done under administrative rule. S
132	Rep. Deckert	Asks if Mr. Harder has seen the ODFW legalized hunting language.
137	Harder	States he would want to add another line in there, but it is workable.
145	Rep. Hill	Asks if he is aware of a game farm called Clover Creek Ranch.
151	Harder	Answers yes.
154	Rep. Hill	Asks what type of hunt occurs in this ranch.
165	Harder	States he is unsure of how this farm works.
174	Rep. Uherbelau	Asks if it is correct, a canned hunt is not how SDF wants hunting to be seen.
189	Harder	Answers yes.
193	Rep. Uherbelau	Asks if OSDF feels it is better to have administrative rules rather than laws.
198	Harder	States it would simplify the issue by using administrative rule.
204	Rep. Uherbelau	Indicates, to make it a law, finishes the issue.
222	Doug Stromberg	Hunter. States he is opposed to HB 2564. States a canned hunt is when an animal is released in the presence of an individual, to l the hunter. (EXHIBIT G)
260	Stromberg	Adds proper fences are needed to keep animals on property and keep predators out. Suggests the committee draft information th
340	Rep. Beyer	Asks how big the Clover Creek Ranch is.
362	Stromberg	Answers it is about 2,500 acres with 16 miles of fence.
376	Rep. Beyer	Asks how long it takes to walk the fence line.
377	Stromberg	Answers no one has done it because it too large an area. Adds he killed a boar on the property that weighed 902 pounds and that
382	Rep. Hill	Asks, did he kill the boar for meat or trophy.
396	Stromberg	Responds, both.
400	Rep. Uherbelau	Asks ODFW if the department worked with the owner of Clover Creek Ranch on the issue of canned hunts.
411	Berry	Answers that is not correct. Adds ODFW has been in litigation with the ranch owner for years.
418	Rep. Hill	Asks what the nature if litigation with the ranch owner is.
Tape 24, B		
013	Mr. Edwards	Answers Mr. Couch had applied for a permit for cervid holding or cervid propagating, then withdrew his application and sued, tl
039	Rep. Kropf	Adds his concern is proliferation of these "no kill, no pay" ranches. Recommends all stake holders get together to work out langu

054	Stromberg	Adds the reason Clark Couch has not been put out of business is he is bull headed and will fight the system.
085	Al Elkins	Oregon Hunters Association (OHA). OHA has concerns with the language in HB 2564 specifically the words "confined" and "re
104	Elkins	Adds ODFW manages game and that is the canned hunt issue belongs
111	Rep. Deckert	Asks if the amendments in line 10 would allow him to support HB 2564.
122	Elkins	States ODFW needs to look further at definitions.
127	Chair Wells	Closes public hearing at 10:10 a.m.

Submitted By, Reviewed By,

Samantha Demchak, Harrison Conley,
Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2564, Written testimony, Rep. Ryan Deckert, 1 p.

B - HB 2564, Written testimony, Kelley Peterson, 7 pp.

C - HB 2564, Written testimony, Marsha Johnson, 2 pp.

D - HB 2564, Written testimony, Allen Tressider, 1 p.

E - HB 2564, Written testimony, Rich Berry, 2 pp.

F - HB 2564, Written testimony, Lindsay Ball, 2 pp.

G - HB 2564, Written testimony, Doug Stromberg, 2 pp.