

## HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY

February 09, 1999 Hearing Room D

8:30 a.m. Tapes 15 - 17

**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 2099 Public Hearing and Work Session

HB 2100 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 15, A		

007	Chair Wells	Calls the committee to order at 8:34 a.m..
033	Chair Wells	Explains staff changes. Calls attention to Oregon Department of Wildlife booklet that members received.
<b><u>HB 2099 PUBLIC HEARING</u></b>		
064	Chair Wells	Opens public hearing on HB 2099.
077	Harrison Conley	Committee Administrator. Explains provisions of HB 2099.
091	Steve Williams	Deputy Director, Oregon Department of Fish and Wildlife, (ODFW). Submits written testimony ( <b>EXHIBIT A</b> ) and testifies in support of HB 2099.
201	Rep. Beyer	Asks if ODFW has done any studies as to how many people apply for disabled licenses.
217	Williams	Acknowledges there are no specific studies being done. Admits there many phone calls from people expressing interest in the disabled permits. Estimates 5,000 or more who would like to participate.
238	Rep. Thompson	Asks if this will create an enforcement problem since the number of people getting licenses will increase.
254	Williams	Expresses that this could be helped by an identification card, with the referral of a physician.
266	Rep. Thompson	Repeats question.
273	Lindsey Ball	Oregon Fish and Wildlife Division (OFWD) agrees that a card for identification will help with this problem.
287	Rep. Krummel	Asks about the OFWD definition of permanent disability. Emphasizes there is no provision for someone temporarily disabled by an injury or illness.
309	Williams	Admits that is correct. States OFWD was asked to focus on those individuals that are permanently disabled.
314	Rep. Krummel	Asks about arthritis, and persons lying on application to benefit from the disabled permit.
323	Williams	Explains that they will need certification from a physician to obtain a disabled permit for fishing and hunting.

346	Rep. Krummel	Reiterates concern about permanent verses non apparent disabilities, such as arthritis.
352	Williams	Describes how in several meetings OFWD tried to come up with a solution to the problem of identifying disabilities.
376	Rep. Krummel	Asks about those disabled persons that already have their licenses and have already paid the fee for the permit.
394	Williams	States that it is not clear to him whether or not they will need to wait until the temporary disability is gone before they can use these resources.
428	Rep. Krummel	Asks how many permits will be issued by one person in a day. Inquires about how much additional staffing will be needed.
<b>Tape16,A</b>		
023	Williams	Explains that is to difficult to know how many permits will be issued by a single person in one day.
040	Rep. Hill	Asks about the Americans with Disabilities Act and what is covered in relation to the disabled licenses.
048	Williams	Admits he is unclear on the answer to that question.
054	Rep. Hill	Asks if the committee addresses HB 2099and does not address other areas of disabilities such as injuries, will they still be in compliance with state and federal law.
060	Williams	Explains the issue is distinction between disabilities: what is apparent and what is not and therefore would meet the standard.
069	Rep. Uherbelau	Asks about arthritis being included in the list of disabilities for those who need assistance walking on uneven ground.
084	Williams	Answers that the intent was to give a resource for those with true disabilities.
097	Rep. Uherbelau	Concludes that this language needs to be more specific.
106	Williams	Explains they are trying to expand the usability. The limitations are not clear cut.
126	Rep. Beyer	Inquires about subsections 2, 3, and 4, Asks what restrictions are needed.

138	Williams	Answers that those subsections are for very severe disabilities. States OFWD have not had accommodations for these disabilities in the past.
157	Rep. Beyer	Asks how HB 2099 addresses severe disabilities, such as being blind or deaf.
166	Williams	Explains there was a bill in the house last year for visually impaired hunters. Indicates the issue to the blind and deaf was the hunting experience, not being able to see.
200	Chair Wells	Asks Williams to explain the new fees.
206	Williams	Explains the free license is permanent, and some other licenses are permanent, the fishing licenses are not permanent.
227	Williams	States some licenses will be grandfathered.
233	Chair Wells	Asks if this will increase revenue for the department
236	Williams	Answers yes.
243	Chair Wells	Asks if new applicants will have to pay.
250	Williams	Answers yes, the bill covers new hunters and anglers.
252	Rep. Uherbelau	Questions why not combine HB 2100 and HB 2099.
260	Williams	Answers that the license fees in HB 2099 were left here because OF&WD had such extensive discussions about it in the disabilities committee.
276	Rep. Uherbelau	Asks if there should be a means test to determine access to the activity.
286	Williams	Answers they did not ask about the means testing. OFWD was unsure of how many people they were going to have to test. OFWD will need to do more evaluation.
317	Rep. Kropf	Asks about when HB 2099 will become active, it is unclear in the handout.
341	Conley	Answers that it is standard legislative council language to establish necessary processes and procedures
353	Williams	Explains rules will need to be adopted before the 2000 date.

367	Rep. Kropf	Asks about the question of grandfathering in old licenses.
382	Williams	Answers that they will still need to buy a \$5.00 license for hunting. States the key change is for the anglers.
397	Rep. Hill	Asks how OFWD are going to distinguish between different disabilities.
418	Williams	Answers there will not be exclusions but adjustments. Explains individuals who meet the definitions of disabled will be able to benefit from all aspects of HB 2099.
<b>Tape15,B</b>		
020	Al Elkins	Oregon Hunters Association. States he is pleased with HB 2099, refers to <b>(EXHIBIT B)</b> .
051	Patrick Rogers	Government Relations and Advocacy Director for the Oregon Paralyzed Veterans of America.(OPVA) Express concern about wording <b>(EXHIBIT C)</b> .
077	Rep. Krummel	Asks about his feeling on the inclusion of more disabled persons.
086	Rogers	States that this is a bill OPVA can live with.
092	Rep. Hill	Asks if there needs to be special consideration for disabled hunters and anglers in regards to the either sex hunting tag.
099	Rogers	Agrees that time and ability limit the disabled so the either sex tag is a good idea.
111	Rep. Hill	Suggests OF&WD track this idea.
120	Chair Wells	Closes Public Hearing on HB 2099. Opens Work Session on HB 2099
<b>125</b>	<b>Rep. Thompson</b>	<b>MOTION: Moves HB 2099 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 9-0</b>

	Chair Wells	<p>Hearing no objection, declares the motion <b>CARRIED</b>.</p> <p><b>REP. UHERBELAU will lead discussion on the floor.</b></p>
140	Rep. Uherbelau	Expresses concern with moving the bill forward without further work.
150	Rep. Beyer	Expresses concern about depletion of resources. Asks who gets what kind of tag, moving vehicle and either sex.
163	Williams	Answers OFDW will deal with use or resources, licenses for hunting from a motor vehicle, and either sex tag will be determined at a later date.
196	Chair Wells	Asks to move HB2099 through so they can get amendments through.
225	Rep. Uherbelau	Supports vote to move HB2099 out of committee . States she would like to look into means testing.
241	Rep. Hill	Stresses he has a concern about definitions of disabilities in section 4. Indicates he has concern with who can shoot from a motor vehicle. States he will support HB 2099.
275	Rep. Beyer	Agrees with Rep. Hill and would like to look at section 8 of the bill.
296	Williams	Answers that would be a good idea.
319	Chair Wells	Closes Public Work session on HB 2099. Opens Public Hearing on HB 2100
<b><u>PUBLIC HEARING HB 2100</u></b>		
361	Conely	Explains provisions of HB 2100
414	Jim Greer	Director Oregon Department of Fish and Wildlife (ODFW). States HB 2100 addresses budget short fall and where they plan to make that up. Reports there is a small budget shortfall <b>(EXHIBIT D)</b> .
<b>Tape16,B</b>		
045	Greer	Continues addressing funding issues. States that increases will come into effect Jan 2000. Expresses that there was talk about where the money should come from. States that these programs are supported by other funds. Federal and

		general fund dollars cannot be used to make up budget losses.
080	Greer	References charts, (Exhibit D) states 71% of income comes from hunters and anglers a license. HB 2100 would address 7% of ODFW revenue shortage. States the fees are fair and inline with inflation. These are annual fees and not single day fees. States ODFW will lose money to fund staff.
131	Greer	States enforcement is on of the most important aspects of the program. ODFW is ready to work with the agriculture and forestry committee on the HB 2100.
143	Rep. Thompson	Asks how much money from Measure 66 will be used to fill the ODFW budget deficit.
147	Greer	Answers that ODFW will look at activities and items associated with salmon recovery and restoration.
159	Rep. Thompson	Asks if there is a chance of getting federal funds.
168	Greer	Answers ODFW might see money from the President's 20 million dollar budget plan.
172	Rep. Thompson	Asks how the public feels about what they get in return.
181	Greer	Answers the public will lose critical fish and wildlife services. Continues that ODFW will provide new activities such as Diamond Lake and hunting management to provide continued opportunities.
206	Rep. Thompson	States he is bothered by making a decision where the public will not understand what they are getting for their money.
224	Greer	Answers they are trying to let the public know they need to contribute money if they want the availability that they have now.
240	Rep. Uherbelau	Asks about the stability of fees.
259	Greer	Answers that the schedule will carry out several years and the general fund is so small, but that will have influence down the road.
280	Rep. Uherbelau	Asks about the number of permits sold and if there are any studies going on now.
298	Greer	Answers ODF&W have not lost many hunters but, have lost fisherman due to the depletion in resources.

310	Rep. Uherbelau	Asks about means testing.
317	Greer	Responds that he would support means testing.
322	Steve Beyerlin	Guides North West Steelheads. Board has voted to support ODF& W fully. States the money will probably come from fee increase not general funds.
377	Rep. Thompson	Asks about the sport fisherman funding rather than the recreational fisherman funding enhancement programs.
387	Beyerlin	Answers more endanger species petitions will be coming forward in the future.
<b>Tape 17,A</b>		
005	Jim Ricke	Owner, Ricky's Sporting Goods. Mentions that two sessions ago the committee added to the profit, then took it away. There is no profit making for a small business. States the sports package for hunters and fisherman is successful it currently sells for 50 cents.
041	Chair Wells	Asks for something in writing that states, from the agents view point, what they would like to see in HB 2100.
045	Ricke	Notes he hopes HB 2100 goes through so he can get his 25 cents.
104	Chair Wells	Adds Ricke should work with Rep. Kropf and get more information for the committee on HB 2100.
110	Rep. Uherbelau	Adds she is concerned about recovering cost for the vendors.
115	Ricke	States that vendors do recover the cost but, there is very little profit made.
122	Chair Wells	Adjourns meeting at 10:34.

Submitted By, Reviewed By,

Samantha Demchak, Harrison Conley,  
Administrative Support Administrator



## **EXHIBIT SUMMARY**

**A -HB 2099, Written information, Steve Williams, 3 pp**

**B - HB 2099, Written information, Al Elkins, 1p**

**C - HB 2099, Written information, Patrick E. Rogers, 1p**

**D - HB 2099, Written information, Jim Greer, 10 pp**