

HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY

April 1, 1999 Hearing Room D

8:30 a.m. Tapes 37 - 38

MEMBERS PRESENT: Rep. Larry Wells, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ryan Deckert

Rep. Elaine Hopson

Rep. Jerry Krummel

Rep. Judy Uherbelau

MEMBER EXCUSED: Rep. Jeff Kropf, Vice-Chair

Rep. Jim Hill

STAFF PRESENT: B. Harrison Conley, Administrator

Samantha Demchak, Administrative Support

MEASURE/ISSUES HEARD: HB 3295 Public Hearing and Work Session

SB 234-A Work Session

HB 2646 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
TAPE 37, A		
005	Chair Wells	Opens meeting at 8:40 a.m.
<u>HB 3295 PUBLIC HEARING</u>		
		Staff distributes material presented prior to hearing (EXHIBITS A, B, C, & D).
007	Harrison Conley	Discusses provisions of HB 3295.
016	Rep. Bob Montgomery	District 56. States he brought HB 3295 forward for the Oregon Wine Growers Association (OWGA Wine Growers). Indicates in his district there are 8 vineyards. Notes Oregon Department of Transportation (ODOT) does not have any problems with HB 3295. Indicates no public money will be used for signs.
043	Doug Tindall	Maintenance Engineer, ODOT. Notes ODOT does not have any problems with HB 3295. Indicates these are not the typical blue highway signs. Continues the signs would direct tourists to specific wine growing appellations in Oregon. Notes the signs are off highway rights-of-ways. Adds the reason for HB 3295 is that there is a committee that reviews applications for this type of sign. Continues under the current statute the language did not discuss a sign for this type of area.
071	Chair Wells	Asks what kind of signs will be installed.
076	Tindall	Answers the signs are 150 square feet maximum with no single dimension over 20 feet.
084	Chair Wells	Asks if the signs are erected on private property.
087	Tindall	Answers yes.
097	Chair Wells	Asks what type of control ODOT has over these signs and if they are on the right-of-way.
104	Tindall	Answers the billboard law is in federal and state statute. Indicates that ODOT can control anything visible from the highway. with the exception of on-premise signing.
117	Rep. Beyer	Asks where it is stated who will pay for these signs

120	Tindall	Answers that is in ORS 377.725.
124	Conley	Clarifies that ORS 377.725 discusses permit fees for entities authorized to erect signs.
133	Rep. Krummel	Asks about ODOT controlling signs from the highway even on private property.
140	Tindall	Answers that there are "on premise signs" which allows a sign if you own the property or if there is a business on the property. Indicates law does not allow individuals to put up advertisements off state highway right-of-way. Adds the state issues a permit for the sign. Notes, when signs are not permitted, ODOT writes a letter, but and does not go on the property and to remove the sign.
163	Conley	Indicates there is a basic policy statement in ORS 377.705 effecting highway rights-of-ways and adjacent areas. Notes there is also a set of exemptions in ORS 377.735 that includes churches and other local organizations.
191	Ivan Wells	Chair, Legislative Committee of the Wine Growers. Testifies in support of HB 3295 reading from written testimony (EXHIBITS E & F) .
225	Chair Wells	Asks where the word "appellation" comes from.
231	Bernie Lerch	President, Wine Growers. Testifies in support of HB 3295. States "appellation" is based on a system that has been in place in Europe for the last 150 years. Indicates the French try to control the type of fruit produced and the wine made from those grapes. Notes "appellation" is from the French, referring to where the fruit comes from. Adds that since Oregon wine is world famous, having the signs in place will promote tourism (EXHIBIT G) .
300	Lerch	Adds that education is an important part of the wine industry. Notes "appellations" help distinguish Oregon wine from the rest of the world.
311	Chair Wells	Asks why it took so long for Oregon to make good wine.
318	Lerch	Answers the University of California at Davis told growers in Oregon that the climate was not ideal for wine growing. Notes in the past two years Oregon has produced a higher quality Pinot noir than California.
337	Rep. Thompson	Asks about impurities in French wine.
344	Lerch	Answers that the concept has short-term possibilities. Indicates the impurities are from the weather system and from the region in which the fruit is grown.
360	Rep. Krummel	Asks about the differences in Western Oregon and Columbia Valley

380	Lerch	Answers there are five growing regions in Oregon. Notes semi-arid and desert conditions produce fruit that is highly extracted. Adds the Columbia Valley has a longer growing season than the Willamette Valley.
<u>TAPE 38, A</u>		
016	Chair Wells	Asks where zinfandel is grown.
019	Lerch	Answers it is grown in Columbia Valley
021	Rep. Beyer	Asks if the Willamette Valley should be split into two appellations.
025	Lerch	Indicates it is.
034	Jesse Lyon	Attorney, Davis Wright Tremaine, OWGA for Wine Growers. Notes increased awareness of the viticultural landscapes will help foster the growth of the wine industry in Oregon (EXHIBIT H).
073	Chair Wells	Asks what the signs will say and what they will look like.
079	Lerch	Answers OWGA would like to work with ODOT on that. Describes the wording on the sign as "You are now entering the Willamette Valley Appellation."
082	Chair Wells	Asks if drivers will be confused by the word "appellation"s on the signs.
086	Lerch	Indicates OWGA Wine Growers is still working on the wording of the signs.
093	Chair Wells	Closes Public Hearing on HB 3295. Opens Work Session on HB 3295.
<u>HB3295 WORK SESSION</u>		
096	Rep. Uherbelau	MOTION: Moves HB 3295 to the floor with a DO PASS recommendation.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Hill, Kropf
	Chair Wells	The motion CARRIES.

		REP. WELLS will lead discussion on the floor.
107	Chair Wells	Closes Work Session on HB 3295. Opens Work Session SB 234-A.
<u>SB 234-A WORK SESSION</u>		
122	Conley	Discusses provisions of SB 234-A.
125	Rep. Thompson	MOTION: Moves to ADOPT SB 234A-9 amendments dated 3/30/99.
		VOTE: 7-0 EXCUSED: 2 - Hill, Kropf
	Chair Wells	Hearing no objection, declares the motion CARRIED.
136	Rep. Thompson	MOTION: Moves to ADOPT SB 234A-10 amendments dated 3/30/99.
150	Rep. Beyer	States there is one "may to shall" that was not changed.
172	Chuck Taylor	Legislative Counsecil. Indicates this is one that was not supposed to be changed. Indicates Legislative Counsecil went with the language in the Form and Style Manual.
201	Chair Wells	States the language should be left as it is.
		VOTE: 7-0 EXCUSED: 2 - Hill, Kropf
	Chair Wells	Hearing no objection, declares the motion CARRIED.
222	Rep. Thompson	MOTION: Moves SB 234A to the floor with a DO PASS AS AMENDED recommendation.
226		VOTE: 7-0

		<p>AYE: In a roll call vote, all members present vote Aye.</p> <p>EXCUSED: 2 - Hill, Kropf</p>
	Chair Wells	<p>The motion CARRIES.</p> <p>REP. HILL will lead discussion on the floor.</p>
237	Chair Wells	Closes Work Session on SB 234-A. Opens Public Hearing on HB 2646.
<u>HB 2646 PUBLIC HEARING.</u>		
252	Rep. Terry Thompson	District 4. States HB 2646 is a "gut and stuff." Discusses provisions of HB 2646.
299	Joe Rohleder	Assistant to the Director, of Oregon Department of Fish and Wildlife (ODFW). Indicates if HB 2646 passes, the commission will set up a working group with the industries that will be eaffected.
314	Chair Wells	Asks if ODFW needs HB 2646 to set up the commission.
319	Rohleder	Answers ODFW needs the statutory authority to establishhave a limited entry date established. Notes the limited entry date is important because there needs to be a date in which time stops.
321	Rep. Thompson	States section 3 is the reason to pass HB 2646.
333	Rep. Beyer	Asks if there is a limit on crab fishing and if anyone can buy a license.
336	Rep. Thompson	Answers no. Adds there is a limit on boats but no limit on crab pot units.
348	Rep. Beyer	Asks if the commission can increase the amount of crab fishing.
354	Rep. Thompson	Answers yes, but it would defeat the purpose of HB 2646.
362	Rep. Beyer	States he is concerned about crab fisherman over-fishing the waters.
369	Rep. Thompson	States the male crabs need to be over 6 ° and a quarter inches. Adds 98 percent of

		legal crabs are caught so it would be difficult to over-fish.
378	Rep. Krummel	Ask why December 1, 1998 was selected as the cut-off date.
388	Rep. Thompson	Answers it will stop people from going out and buying a lot of additional crab pots.
398	Rohleder	Answers December 1, 1998 was the beginning of the current crab fishing season.
<u>TAPE 37, B</u>		
014	Rep. Thompson	Indicates this law has been around for 40 years.
020	Chair Wells	Asks how to tell the difference between male and female crabs.
025	Rep. Thompson	Answers the female has a heart shape on the underside and the male has an arrowhead shape on the bottom.
027	Chair Wells	Closes Public Hearing on HB 2646. Opens Work Session on HB 2646.
<u>HB 2646 WORK SESSION</u>		
029	Rep. Uherbelau	MOTION: Moves to ADOPT HB 2646-1 amendments dated 3/18/99.
		VOTE: 7-0 EXCUSED: 2 - Hill, Kropf
	Chair Wells	Hearing no objection, declares the motion CARRIED.
030	Conley	Notes there is not a fiscal statement, but ODFW indicates there will be no fiscal impact.
034	Rohleder	Indicates there is no impact, but a statement has not been delivered.
		VOTE: 7-0 EXCUSED: 2 - Hill, Kropf

	Chair Wells	Hearing no objection, declares the motion CARRIED .
		REP. THOMPSON will lead the discussion on the floor.
041	Chair Wells	Adjourns hearing at 10:07 a.m.

Submitted By, Reviewed By,

Samantha Demchak, B. Harrison Conley,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 3295, written material, pamphlet, staff, 1 p.

B ñ HB 3295, written material, booklet, staff, 12 pp.

C ñ HB 3295, written material, staff, 1 p.

D ñ HB 3295, written material, staff, 1 p.

E ñ HB 3295, written testimony, Ivan Wells, 2 pp.

F ñ HB 3295, written material, map, Ivan Wells, 1 p.

G ñ HB 3295, written testimony, Bernie Lerch, 1 p.

H ñ HB 3295, written testimony, Jesse Lyon, 2 pp.