

**HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY**

**April 27, 1999 Hearing Room D**

**8:30 a.m. Tapes 52 - 54**

**MEMBERS PRESENT: Rep. Larry Wells, Chair**

**Rep. Terry Thompson, Vice-Chair**

**Rep. Jeff Kropf, Vice-Chair**

**Rep. Roger Beyer**

**Rep. Ryan Deckert**

**Rep. Elaine Hopson**

**Rep. Jerry Krummel**

**Rep. Judy Uherbelau**

**MEMBER EXCUSED: Rep. Jim Hill**

**STAFF PRESENT: B. Harrison Conley, Administrator**

**Samantha Demchak, Administrative Support**

**MEASURE/ISSUES HEARD: HB 2425 Work Session**

**HB 3506 Work Session**

**HB 2100 Work Session**

**HB 3227 Public Hearing**

**HB 2372 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.

TAPE/#	Speaker	Comments
TAPE 52, A		

006	Chair Wells	Opens Hearing at 8:35 a.m. Opens public hearing on HB 2425.
<b><u>HB 2425 WORK SESSION</u></b>		
009	Chair Wells	Indicates that the ñ1 amendments were adopted in a previous hearing.
021	Teresa Miller	Oregon Humane Society. Notes ñ2 amendments were created to amend the ñ1 amendments.
032	Chair Wells	Discusses the provisions of the ñ2 amendments.
062	Judge Thomas Branford	Testifies in support of HB 2425. Indicates there is a problem with the wording in the ñ2, line 4 regarding a dog running at large.
079	Chair Wells	Asks about removing the language.
091	Branford	Indicates that it would be better not to mention a dog running at large.
124	Chair Wells	Notes subsection (2) of section (2) in the original bill is that was being amended. States HB 2425 would not address the issue of a dog in the back of a vehicle.
183	Rep. Uherbelau	Asks what amendments are in the hand engrossed version.
193	Harrison Conley	Committee Administrator. Notes the ñ2 amendments amend the ñ1 amendments. Adds both amendments are included in the hand engrossed version.
211	Chair Wells	Continues discussion on the hand-engrossed version of HB 2425.
216	Rep. Uherbelau	Notes she did research on the microchipping. Indicates she would be willing to leave that in the bill.
232	Chair Wells	Indicates the microchip issue will be left out.
236	Rep. Kropf	States he is unclear about lines 2-6 in the ñ2 amendments.
240	Conley	Notes that change is on page 1A of the hand-engrossed version of HB 2425.
245	Branford	Notes that provision is about a dog board taking action. Notes it allows the owner of the dog to seek judicial review before the dog can be killed.
263	Chair Wells	Asks if Rep. Beyer is satisfied with line 4 on the -2 amendments.

264	Rep. Beyer	Indicates he is satisfied.
268	Rep. Thompson	<b>MOTION: Moves to ADOPT HB 2425-2 amendments dated 4/23/99.</b>
274	Rep. Hopson	Asks if line 4C is left in or deleted from the -2 amendments.
280	Conley	Notes line 4 is left in. Indicates the motion was to adopt the ñ2 amendments as written.
		<b>VOTE: 8-0</b>
		<b>Chair Wells</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
300	Rep. Thompson	<b>MOTION: Moves HB 2425 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 8-0</b>
		<b>EXCUSED: 1 - Hill</b>
		<b>Chair Wells</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>REP. THOMPSON will lead discussion on the floor.</b>
325	Chair Wells	Closes work session on HB 2425. Opens public hearing on HB 3506.
<b><u>HB 3506 WORK SESSION</u></b>		
332	Chair Wells	Discusses provisions of HB 3506.
344	Rep. Tom Butler	District 60. Notes with the ñ2 amendments HB 3506 mirrors the weight allowed in Idaho. Adds this bill will assist the residents of Malheur County when they haul onions to the processing facility.
400	Rep. Krummel	Asks if HB 3506 includes trucks that are registered in Idaho.

**TAPE 53, A**

014	Rep. Butler	Indicates where the trucks are registered is not important because HB 3506 mirrors the weights allowed in Idaho.
019	Steve Johnston	Oregon Department of Transportation (ODOT). Indicates that issue is discussed on page 5, line 14 of the typed ñ2 amendments.
027	Rep. Thompson	<b>MOTION: Moves to ADOPT HB 3506-2 amendments dated 4/13/99.</b>
		<b>VOTE: 8-0</b>
Chair Wells		<b>Hearing no objection, declares the motion CARRIED.</b>
037	Rep. Thompson	<b>MOTION: Moves HB 3506 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 8-0</b> <b>EXCUSED: 1 - Hill</b>
Chair Wells		<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. BUTLER will lead discussion on the floor.</b>
045	Chair Wells	Closes public hearing on HB 3506. Opens work session on HB 2100.
<b><u>HB 2100 WORK SESSION</u></b>		
		Staff distributes proposed ñ1 amendments ( <b>EXHIBITS A, B &amp; C</b> ).
071	Jim Greer	Director, Oregon Department of Fish and Wildlife (ODFW). Notes ODFW will meet with Ways and Means to discuss budget details.
095	Rep. Beyer	Discusses the changes that will be made with the ñ1 amendments. Notes the -1

		amendments will deal with the sports-pack license.
107	Greer	Notes the increase was to go along with the tag fee increase.
130	Rod Harder	Oregon Sportsmeans Defense Fund (OSDF). Indicates he would like the tag price to remain the same. Notes OSDF would support an increase that will benefit the vendor.
147	Chair Wells	Asks where it is stated in the bill that the increase relates to sports-pack licenses.
152	Rep. Beyer	Answers that it is in the amendment.
161	Joe Rohleder	Oregon Department of Fish and Wildlife (ODFW). Stresses the public gets a price break by buying the sports package. Indicates the amendments make the bill less desirable, but ODFW will live with the changes.
197	Rep. Beyer	Notes the committee should decide the fees, not leave the decision to Ways and Means.
200	Chair Wells	Notes the problem is that the committee does not know how much money must be raised to fill the ODFW budget gaps.
211	Rep. Beyer	Indicates the Ways and Means would need to talk to the Chair Wells to change any numbers in the bill.
224	Rep. Beyer	<b>MOTION: Moves to ADOPT HB 2100-1 amendments dated 3/15/99.</b>
227	Rep. Hopson	Indicates she is opposed to moving the -1 amendments.
230	Rep. Deckert	Indicates he is opposed to moving the -1 amendments.
		<b>VOTE: 3-5</b> <b>AYE: 3 - Beyer, Krummel, Thompson</b> <b>NAY: 5 - Deckert, Hopson, Kropf, Uherbelau, Wells</b> <b>EXCUSED: 1 - Hill</b>
Chair Wells		<b>The motion FAILS.</b>

234	Rep. Beyer	Discusses provisions of the ñ3 amendments. Notes there have been fewer fishing opportunities in Oregon in the past years.
284	Rep. Thompson	Agrees with Rep. Beyer. Indicates there is less fishing in his district. Notes the money to fill the ODFW budget gap should come from the general fund.
311	Rep. Uherbelau	Notes right now ODFW is getting some money from the recovery funds.
323	Greer	Notes the public should help fund natural resources recovery.
356	Rep. Beyer	Notes ODFW has never lowered fees to see what would happen. Notes the fee for cougar tags was lowered last season and that generated more revenue from an increase in sales.
400	Rohleder	Notes he asked an economist about the fee increase. Indicates enough increase was put into this bill to make up for a decrease in sales.
409	Rep. Uherbelau	Asks about Oregonís tag fees in regards to other states.
<b><u>TAPE 52, B</u></b>		
016	Greer	Indicates Oregonís fees are right in line with other states. Adds the fees are in the mid to mid-high range.
<b>025</b>	<b>Rep. Beyer</b>	<b>MOTION: Moves to ADOPT HB 2100-3 amendments dated 4/20/99.</b>
		<b>VOTE: 1-5</b> <b>AYE: 1 - Beyer</b> <b>NAY: 5 - Deckert, Hopson, Thompson, Uherbelau, Wells</b> <b>EXCUSED: 3 - Hill, Kropf, Krummel</b>
<b>Chair Wells</b>		<b>The motion FAILS.</b>
<b>032</b>	<b>Rep. Deckert</b>	<b>MOTION: Moves HB 2100 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.</b>

052	Rep. Thompson	<b>VOTE: 5-3</b> <b>AYE: 5 - Deckert, Hopson, Krummel, Uherbelau, Wells</b> <b>NAY: 3 - Beyer, Kropf, Thompson</b> <b>EXCUSED: 1 - Hill</b>
	Chair	<b>The motion CARRIES.</b>
093	Chair Wells	Asks what would happen if HB 2100 failed.
099	Greer	Answers there would not be a fee increase.
100	Rep. Thompson	Notes that when the tax is paid by the people who are not benefiting it creates an unfair situation.
110	Rep. Uherbelau	Indicates she would support general funding. Reiterates the funds need to come from somewhere.
115	Chair Wells	Asks how much money this bill will generate.
120	Greer	Answers \$7 million dollars.
129	Chair Wells	Notes there is still a deficit in ODFW's budget of \$3 million.
134	Chair Wells	Recesses hearing waiting for a quorum. Reconvenes hearing.
156	Rep. Beyer	<b>MOTION: Moves HB 2100 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 5-3</b> <b>AYE: 5 - Deckert, Hopson, Krummel, Uherbelau, Wells</b> <b>NAY: 3 - Beyer, Kropf, Thompson</b> <b>EXCUSED: 1 - Hill</b>
	Chair Wells	<b>The motion CARRIES.</b>

		<b>Rep. BEYER will lead discussion on the floor.</b>
		Due to audio difficulties a portion of the hearing was not recorded on tape.
	Chair Wells	Closes work session on HB 2100. Opens public hearing on HB 3227
<b><u>HB 3227 PUBLIC HEARING</u></b>		
290	Ray Wilkeson	Oregon Forest Industries Council (OFIC). Testifies in support of HB 3227. Indicates OFIC supports statewide land use planning. Notes due to current state regulations seven percent of the private forestland base in Oregon is off limits to timber production ( <b>EXHIBIT D</b> ).
347	Rep. Kropf	States he strongly supports private property rights. Adds he is concerned about lawsuits by environmental groups.
400	Wilkeson	Answers the language in HB 3227 was taken directly from SB 160 that was in the legislature two years ago. Notes the burden would be on the land owner through an appraisal process.
<b><u>TAPE 52, B</u></b>		
012	Rep. Uherbelau	Asks about the language in subsection (2) of section 2.
027	Wilkeson	States that would need to be clarified by Legislative Counsel.
033	Rep. Uherbelau	Asks if this would apply to all parcels regardless of the acreage.
041	Wilkeson	Responds that is correct.
059	Chair Wells	Asks Wilkeson where he would like to see this issue go this late in the session.
070	Wilkeson	Indicates there are a couple months left in the session. Notes there is time to do more work on this issue.
		Staff distributes testimony received prior to hearing ( <b>EXHIBIT E</b> ).
111	Bob Rindy	Department of Land Conservation and Development. Testifies in opposition to HB 3227. Indicates that the state land use goals are very important for Oregon.



		Stresses how important it is to have citizen involvement.
124	Rep. Krummel	Asks who should absorb the \$35 million dollar "hit" the land owners could suffer.
142	Rindy	Indicates he is not qualified to answer that question. Notes there could be a bill that proposed remedies.
150	Ann Hanus	Assistant State Forester, Oregon Department of Forestry (ODF). Testifies in opposition to HB 3227. Notes there should be regulatory support for land owners. Indicates there are concerns that this bill would destabilize the present forestland base. Submits <b>(EXHIBIT F)</b> for Ted Lorenson.
193	Jeff Watkins	Sierra Club. Testifies in opposition to HB 3227. Notes this legislation would be harmful to forest management and forest land protection. Adds HB 3227 is an unfair attempt to shield the timber industry from its share of the burden to restore salmon and protect public resources <b>(EXHIBIT G)</b> .
222	Rep. Uherbelau	Asks about having financial impact information stated in a ballot initiative.
233	Watkins	Notes that is important information for the voters.
247	Rep. Kropf	Asks about the concept of the government compensating a farmer for regulations placed on him by the government.
266	Watkins	Notes if industry were to ask about tax credit it might work.
299	Charlie Swindells	1000 Friends of Oregon. Testifies in opposition to HB 3227. Indicates HB 3227 was drafted to remove any development restrictions under Statewide Planning Goal 4 <b>(EXHIBIT H)</b> .
374	Glen Spain	Pacific Coast Federation of Fisherman Association. Testifies in opposition to HB 3227. Notes most courts defer to states in regard to forestry. Adds HB 3227 is designed to undercut person property rights.
<b><u>TAPE 54, A</u></b>		
020	Spain	Notes this would lead to more initiatives.
		Staff distributes testimony presented prior to hearing <b>(EXHIBIT I)</b> .
024	Chair Wells	Closes public hearing on HB 3227. Opens work Session on HB 2372.

**HB 2372 WORK SESSION**

031	Rep. Beyer	Discusses provisions of HB 2372.
<b>040</b>	<b>Rep. Beyer</b>	<b>MOTION: Moves HB 2372 to the floor with a DO PASS recommendation.</b>
042	Conley	Notes HB 2372 would treat the senior licenses differently than HB 2100.
054	Rohleder	Indicates this is a different way to approach HB 2100. Indicates revenue for ODFW would be increased by 30-40 percent.
087	Rep. Beyer	Emphasizes if both bills were to pass residents who lived here more than 15 years would get 1/2 off a fishing license.
115	Rohleder	Notes HB 2372 deals with the licenses that are free. States HB 2100 deals with how much the license costs.
120	Chair Wells	Notes there is no conflict between the two bills.
134	Rep. Uherbelau	Notes seniors should not be given a price break because of age. Stresses she would approved of a means test to determine the ability to pay.
		<b>VOTE: 6-2</b> <b>AYE: 6 - Beyer, Kropf, Krummel, Thompson, Uherbelau, Wells</b> <b>NAY: 2 - Deckert, Hopson</b> <b>EXCUSED: 1 - Hill</b>
		<b>Chair Wells</b> <b>The motion CARRIES.</b>  <b>Rep. Beyer will lead the discussion on the floor.</b>
146	Chair Wells	Closes work session on HB 2372. Adjourns hearing.

Samantha Demchak, B. Harrison Conley,  
Administrative Support Administrator

**EXHIBIT SUMMARY**

- A - HB 2425, hand engrossed, staff, 9 pp.**
- B - HB 2100, proposed -1 amendments, staff, 1 p.**
- C - HB 2100, proposed -2 amendments, staff, 1 p.**
- D - HB 3227, written testimony, Ray Wilkeson, 4 pp.**
- E - HB 3227, written testimony, Paul Ketcham, 2 pp.**
- F - HB 3227, written testimony, Ted Lorensen, 3 pp.**
- G - HB 3227, written testimony, Jeff Watkins, 1 p.**
- H - HB 3227, written testimony, Charles Swindells, 2 pp.**
- I - HB 3227, written testimony, Richard Benner, 2 pp.**