

HOUSE COMMITTEE ON RULES, ELECTIONS, AND PUBLIC AFFAIRS

June 10, 1999 Hearing Room D

3:00 P.M. Tapes 86 - 89

MEMBERS PRESENT: Rep. Mark Simmons, Chair

Rep. Richard Devlin, Vice-Chair

Rep. Bruce Starr, Vice-Chair

Rep. Jason Atkinson

Rep. Chris Beck

Rep. Roger Beyer

Rep. Randall Edwards

Rep. Dan Gardner

Rep. Kevin Mannix

Rep. Kitty Piercy

Rep. Jim Welsh

Rep. Max Williams

STAFF PRESENT: Janet Adkins, Policy Analyst

Cara Filsinger, Policy Analyst

Cletus B. Moore, Jr., Administrator

Keith Putman, Policy Analyst

Brad Daniels, Administrative Support

MEASURE/ISSUES HEARD: SB 115A Work Session

HB 2989 Work Session

SJR 23 Public Hearing

SJR 7A Public Hearing

SJR 39A Public Hearing and Work Session

SB 1311 Public Hearing and Work Session

HB 2551 Public Hearing and Work Session

SB 404A 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 86, A		
004	Chair Simmons	Opens the meeting at 4:10 p.m. Opens the work session on SB 115A.
<u>SB 115A WORK SESSION</u>		
010	Cara Filsinger	Administrator. Introduces the SB 115AñA7, -A8, -A10 and ñA12 amendments (EXHIBITS A - D).
019	Rep. Starr	MOTION: Moves to ADOPT SB 115-A7 amendments dated 06/07/99.
		VOTE: 8-0 EXCUSED: 4 - Edwards, Gardner, Mannix, Piercy
Chair Simmons		Hearing no objection, declares the motion CARRIED.
022	Rep. Welsh	MOTION: Moves to ADOPT SB 115-A12 amendments dated 06/09/99.
025	Chair Simmons	Indicates that he does not intend to adopt the SB 115-A12 amendments.
026	Rep. Welsh	Retracts his motion.
028	Rep. Starr	MOTION: Moves to ADOPT SB 115-A8 amendments dated 06/07/99.
		VOTE: 8-0

		EXCUSED: 4 - Edwards, Gardner, Mannix, Piercy
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
031	Rep. Starr	MOTION: Moves to ADOPT SB 115-A10 amendments dated 06/07/99.
		VOTE: 9-0 EXCUSED: 3 - Edwards, Gardner, Mannix
	Chair Simmons	Hearing no objection, declares the motion CARRIED.
034	Rep. Starr	MOTION: Moves SB 115A to the floor with a DO PASS AS AMENDED recommendation.
036	Rep. Beck	Asks about the intention not to move the SB 115-A12 amendments.
037	Chair Simmons	Explains that the SB 115-A12 amendments would undo a carefully crafted compromise.
043	Rep. Beck	Asks if the SB 115-A12 amendments were presented in the Senate.
045	Rep. Devlin	Asks if Chair Simmons has communicated with the proponents of the SB 115-A12 amendments.
046	Chair Simmons	Replies yes.
052	Rep. Beck	Expresses willingness to vote on the SB 115-A12.
053	Chair Simmons	Responds that co-chairs of the Ways and Means Committee would like to move forward without the SB 115-A12 amendments.
056	Rep. Devlin	Notes that the outcome of SB 115-A12 amendments is already known.
061	Rep. Edwards	Asks who the bill is targeting.

066	Chair Simmons	Explains that the bill directs the Oregon Liquor Control Commission to adopt uniform standards for minor decoy operations.
070	Rep. Edwards	Asks if restaurants are involved in decoy operations.
073	Chair Simmons	Expresses uncertainty.
075	Rep. Edwards	Asks about the proposed income levels and the impact on smaller stores. Asks about the involvement of restaurants.
086	Chair Simmons	States that the SB 115ñA12 amendments do not impact decoy operations, but would prohibit liquor stores from selling beer and wine. States that an agreement was reached in Ways and Means to allow the limited sale of certain types of beer and wine at liquor stores.
106		<p>VOTE: 9-2</p> <p>AYE: 9 - Atkinson, Beyer, Devlin, Edwards, Mannix, Starr, Welsh, Williams, Simmons</p> <p>NAY: 2 - Beck, Piercy</p> <p>EXCUSED: 1 - Gardner</p>
	Chair Simmons	<p>The motion CARRIES.</p> <p>REP. SIMMONS will lead discussion on the floor.</p>
123	Chair Simmons	Closes the work session on SB 115A. Opens the work session on HB 2989.
<u>HB 2989 WORK SESSION</u>		
126	Rep. Beyer	MOTION: Moves to ADOPT HB 2989-2 amendments dated 06/04/99.
		<p>VOTE: 7-4</p> <p>AYE: 7 - Atkinson, Beyer, Mannix, Starr, Welsh, Williams, Simmons</p> <p>NAY: 4 - Beck, Devlin, Edwards, Piercy</p> <p>EXCUSED: 1 - Gardner</p>

	Chair Simmons	The motion CARRIES.
155	Rep. Beyer	MOTION: Moves HB 2989 to the floor with a DO PASS AS AMENDED recommendation.
		<p>VOTE: 7-5</p> <p>AYE: 7 - Atkinson, Beyer, Mannix, Starr, Welsh, Williams, Simmons</p> <p>NAY: 5 - Beck, Devlin, Edwards, Gardner, Piercy</p>
	Chair Simmons	<p>The motion CARRIES.</p> <p>REP. BEYER will lead discussion on the floor.</p>
175	Rep. Gardner	Serves notice of a possible minority report; he is joined by Rep. Devlin.
176	Chair Simmons	Closes the work session on HB 2989. Opens the public hearing on SJR 23.
<u>SJR 23 PUBLIC HEARING</u>		
179	Sen. Randy Miller	District 13. Supports SJR 23. Explains the resolution and its effects on term limits. Acknowledges the controversy surrounding term limits and the public's view of the issue. Reviews the history of the interest in term limits and the effect of term limits on legislators' level of experience.
240	Rep. Edwards	District 15. Supports SJR 23. States that term limits have created problems for the legislature. Introduces and explains the SJR 23 amendments. Indicates that the resolution should apply to future, not current or past, legislators. Stresses that the fundamental question is what is the best interest of Oregonians (EXHIBIT E).
299	Rep. Mannix	Asks about voter's perception of term limits and if it is necessary to limit the bill to future legislators.
308	Rep. Edwards	Replies that the amendment removes a potential argument from proponents of term limits.

321	Sen. Miller	Concurs with Rep. Edwards, but agrees with Rep. Mannix that it is not necessarily a liability if the bill does apply to current legislators.
337	Rep. Mannix	Asks if the lifetime provision should be eliminated to allow legislators to return after two years.
351	Sen. Miller	Acknowledges that he does not oppose term limits. Notes the dramatic turnover rate that existed even before term limits.
370	Rep. Edwards	States that legislators can be replaced already, noting that the amendment was offered to avoid a political hurdle. Discusses the integration of term limits and annual sessions.
396	Rep. Piercy	Opposes term limits. Asks about the probability of passage.
408	Sen. Miller	Replies that the likelihood is even at best. Reviews the opposition against changing the term limit law. Indicates that National Federation of Independent Business, which did support term limits, will change its position. Acknowledges that much of the pressure for term limits occurred at the federal level.
TAPE 87, A		
007	Rep. Piercy	Notes the low approval ratings of legislators and the lack of public willingness to keep legislators around.
018	Rep. Devlin	Comments that, of the state's population, many people could do a good job as legislators. Agrees with the analysis of the impacts of term limits, but notes the public's lack of motivation to address term limits. Inquires if the legislature is prematurely trying to adjust the term limit law.
047	Rep. Edwards	Questions when a better time will come; now is as good as any other time.
060	Sen. Miller	States that SJR 23 continues to impose term limits and only offers a small workable adjustment to the law.
076	Rep. Beck	Supports annual sessions and eliminating term limits. Reports that the millennial election is symbolic and offers an opportunity to focus on improving the process. Opposes the lifetime ban, but supports term-limiting the current legislators as a necessary gesture.
115	Chair Simmons	Closes the public hearing on SJR 23. Opens the public hearing on HB 2551.
<u>HB 2551 PUBLIC HEARING</u>		

125	Moore	Introduces and explains the ñ2 amendments (EXHIBIT F).
131	Rep. Ron Sunseri	District 22. Supports the HB 2551ñ2 amendments. Notes that a copy of the bill was sacrificed in the charter schools process and is being reintroduced as a "gut and stuff."
143	Chair Simmons	Closes the public hearing on HB 2551. Opens the work session on HB 2551.
<u>HB 2551 WORK SESSION</u>		
145	Rep. Mannix	MOTION: Moves to ADOPT HB 2551-2 amendments dated 05/26/99.
147	Rep. Gardner	Opposes the HB 2551ñ2 amendments because they mirror an earlier bill that was vetoed.
152	Rep. Sunseri	Replies that the Senate made some minor alterations.
158	Rep. Edwards	Opposes the ñ2 amendments.
163		VOTE: 8-4 AYE: 8 - Atkinson, Beyer, Devlin, Mannix, Starr, Welsh, Williams, Simmons NAY: 4 - Beck, Edwards, Gardner, Piercy
	Chair Simmons	The motion CARRIES.
176	Rep. Mannix	MOTION: Moves HB 2551 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-4 AYE: 8 - Atkinson, Beyer, Devlin, Mannix, Starr, Welsh, Williams, Simmons NAY: 4 - Beck, Edwards, Gardner, Piercy
	Chair Simmons	The motion CARRIES.

		REP. SUNSERI will lead discussion on the floor.
193	Chair Simmons	Closes the work session on HB 2551. Opens the public hearing on SJR 7A.
<u>SJR 7A PUBLIC HEARING</u>		
198	Sen. Neil Bryant	District 27. Supports SJR 7A. Stresses that the bill is not intended to be partisan. Reviews the history of the debate over confirmations in 1977. Discusses the method of judicial appointments in Oregon and their status as <i>de facto</i> lifetime appointments. Acknowledges the opposition of judges and the Oregon State Bar, the political nature of the current process, and the need to involve the legislature in the process.
267	Sen. Gene Derfler	District 16. Explains that the power of one person to make judicial appointments circumvents the checks and balances system.
298	Rep. Edwards	Asks about the precedent for changing the appointment process.
305	Sen. Derfler	Lists the states that have different methods of confirmation.
316	Rep. Beyer	Asks why the sponsors did not propose a bill establishing a Senate confirmation plan.
319	Sen. Derfler	Replies that there were not enough votes to pass a confirmation plan.
325	Rep. Edwards	Asks if they are looking for legislators with legal backgrounds to serve on the commission.
328	Sen. Derfler	Replies yes.
337	Wally Carson	Chief Justice, Oregon Supreme Court. Describes W. Michael Gillette's background.
352	W. Michael Gillette	Senior Associate Justice, Oregon Supreme Court. Questions whether or not the proponents of the bill have replaced the current system with one of value. Describes the current appointment process. Acknowledges the political nature of the process, but notes that governors have often chosen justices from opposing parties.
TAPE 86, B		

012	Gillette	Underlines that justices will continue to offend and to please people, but are not thinking about these effects in light of their decisions' legal, societal, or judicial consequences. Discusses the nature of a justice's work and interpretation of the law. Addresses arguments in favor of SJR 7A, noting that mandatory elections provide a strong check to a judge's position.
057	Gillette	States that the proposed system does not exist anywhere. Emphasizes that, if people are convinced of the necessity of change, an interim study should be done to ensure that any proposed change has wide support. States that the executive committee of the judicial conference opposes all versions of SJR 7A.
114	Rep. Mannix	Asks if the problem with SJR 7A is that it institutionalizes something that is not already institutionalized and does not look at holistic change.
126	Gillette	Agrees with Rep. Mannix's analysis.
134	Gail Meyer	Chair, Oregonians for Justice. Opposes SJR 7A. Stresses that all lawyers she contacted also opposed the resolution. Notes the lack of local input and control that would result from SJR 7A. States that, according to the American Juridical Society, there is no precedent for the system proposed in the resolution. Underscores the concern sparked by the development of one unilateral commission.
182	Meyer	Refers to the appointment process in Multnomah County, the use of a large commission of members of the bar to interview candidates for two positions, and the thorough work done by this committee. Questions the ability of a five-member committee to engage in the same level of work. Underlines that a five-member commission, removed from the particular location, will be unable to get the same type of intimate information about candidates.
232	Meyer	Comments on the current system using the local screening committees. Reiterates her opposition to SJR 7A.
252	Rep. Starr	Asks if the screening committees could do the same work, but instead send their results to the five-member commission.
254	Meyer	Replies that, in theory, yes, but the committees will probably not be willing to engage in the work simply to submit a list to another commission that may or may not influence the final appointment.
273	Rep. Starr	Asks if the Governor can appoint judges who are not recommended.
276	Meyer	Replies yes, but the Governor is politically accountable for the choices he/she makes if they are not from the suggested list. Stresses the broad range of interests reflected on the screening committee.
290	Rep. Mannix	Comments on the importance of perception, the negative view of attorneys, and the need to emphasize the public's, not just the lawyers', concern with changing

		the current process. Asks if the interim study is a good idea.
338	Meyer	Replies yes. Underscores that lawyers are doing a complete job right now.
357	Rep. Piercy	Asks about the presence of bias or other proof of problems in the current process that SJR 7A is trying to address.
371	Meyer	Replies that lawyers do not perceive a problem with the current process.
392	Rep. Mannix	States that the problem is the number of appointments within a system that uses elections.
413	Meyer	Replies that the small number of contested elections may be indicative of the good job that appointees are doing.
421	Chip Lazenby	Legal Counsel, Governor's Office. Opposes SJR 7A. Comments that the number of appointments is not indicative of a broken system. Stresses the importance of local control and involvement in decisions as well as the nature of the legal environment in small communities (EXHIBIT G).
TAPE 87, B		
028	Lazenby	Cites three instances of possible contested judicial appointments and the Governor's decision to allow the public to decide in these cases. Acknowledges the concern about the exclusive involvement of lawyers, but emphasizes that judges have a specialized job best evaluated by other members of their professional community.
063	Rep. Edwards	Notes that the judicial branch is as political as the other branches.
079	Lazenby	Agrees with Rep. Edwards, noting that the politics of the judiciary are a different matter. Underlines that the proposed mechanism is even more political and does not improve on the current process.
102	Fred Granum	Attorney. Opposes SJR 7A. Emphasizes the independence of the judiciary, the danger of tinkering with the present system of appointments, and the speed and efficiency of the Oregon judicial system. Concedes that improvements should be considered, but SJR 7A is not a good option.
150	Granum	Stresses that no other state has a similar process. Cites the importance of local control.
169	Chair Simmons	Closes the public hearing on SJR 7A. Opens the public hearing on SJR 39A.

SJR 39A PUBLIC HEARING

178	Bob Cantine	Association of Oregon Counties. Supports SJR 39. Reviews the history of HJR 85, which was passed in the 1995 session, and the sunset included in the Constitution, Article XI, Section 15a. States that SJR 39 retains the body of the section while repealing the sunset (EXHIBIT H).
223	Rep. Piercy	Asks about changes in public support since Ballot Measure 30.
232	Cantine	Replies that the Governor's office has been very cooperative in implementing the measure. Notes the increasing focus on partnerships.
251	Mike McCarthy	Judge, Sherman County. Relates that property tax reductions and limitations have added weight to this issue.
258	Lynn McNamara	League of Oregon Cities. Supports SJR 39.
270	Chair Simmons	Closes the public hearing on SJR 39. Opens the work session on SJR 39.

SJR 39 WORK SESSION

272	Rep. Starr:	MOTION: Moves SJR 39A be sent to the floor with a BE ADOPTED recommendation.
274	Rep. Beyer	Asks why a sunset was placed on a constitutional amendment.
277	Cantine	Replies that the sunset was a response to the state's wariness about the program.
286	Rep. Beck	Notes the sunset provision in Measure 66.
289		VOTE: 10-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Mannix, Williams
	Chair Simmons	The motion CARRIES. REP. DEVLIN will lead discussion on the floor.

307	Chair Simmons	Closes the work session on SJR 39A. Opens the public hearing on SB 1311.
<u>SB 1311 PUBLIC HEARING</u>		
310	Cantine	Explains SB 1311, which mirrors the language in the ballot measure.
331	Chair Simmons	Closes the public hearing on SB 1311. Opens the work session on SB 1311.
<u>SB 1311 WORK SESSION</u>		
335	Rep. Starr	MOTION: Moves SB 1311 to the floor with a DO PASS recommendation.
339	Rep. Beck	Asks about the effect of the voters' decision.
344	Cantine	Replies that a no vote by the voters would implement the sunset clause.
350	Rep. Beck	Asks if not referring SJR 39A would have the same effect.
353	Cantine	Replies yes.
355	Rep. Beck	Asks about the ramifications if the measure was not referred to the voters.
357	Cantine	Replies that failure to refer the measure to the voters would prompt groups to push for a referral.
365		VOTE: 10-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Mannix, Williams
	Chair Simmons	The motion CARRIES. REP. STARR will lead discussion on the floor.

381	Chair Simmons	Closes the work session on SB 1311. Opens the public hearing on SB 404A.
<u>SB 404A PUBLIC HEARING</u>		
397	Moore	Introduces and explains the amendments (EXHIBIT I).
TAPE 88, A		
016	Kelly Peterson	Opposes SB 404A, which attempts to overturn the Oregon Department of Fish and Wildlife (ODFW) ban on "canned" hunting. Notes the impossibility of enforcing the amendments, the support of the ban and the specific focus of the amendments (EXHIBIT J).
027	Chair Simmons	Disagrees that the amendments only focus on protecting Clark Couch and Clover Creek Ranch.
035	Peterson	Reviews the process undergone to decide on the ban. Outlines the reasons for her opposition: the risk to native wildlife, the conditions at Clover Creek Ranch and loss of habitat for native wildlife. Questions the wisdom of overturning an administrative rule that was decided with thorough consideration and participation.
072	Chair Simmons	Asks if Peterson is a hunter.
073	Peterson	Replies no.
074	Chair Simmons	Asks if Peterson has ever tried hunting in an enclosure.
075	Peterson	Replies no.
077	Rep. Beyer	Asks if Peterson is opposed to the canned hunt sponsored by the state of Oregon every year.
079	Peterson	Replies yes. Notes that 73% of Oregonians are opposed to canned hunts.
086	Rep. Devlin	Agrees with Peterson's position.
096	Rep. Edwards	Asks where Clover Creek Ranch is.
098	Peterson	Replies that it is in Ashwood.
100	Rep. Edwards	Asks if more than one ranch engages in canned hunting.

102	Chair Simmons	Relates that, currently, there are not any. Discusses the need for economic development in rural Oregon and how canned hunts may meet that need.
115	Rep. Beyer	Supports the amendment.
124	Rep. Atkinson	Cites lines 8-9 of the SB 404AñA3 amendments. Asks about the definition of mammal, if fowl are included in this definition, and if the amendment will change the practice of planting pheasants.
137	Rep. Piercy	Stresses that the amendment deals with non-indigenous animals.
142	Rep. Beyer	Explains a problem with Section 3 (3).
150	Jeff Watkins	Sierra Club. Opposes the practice of canned hunts, citing its unsportsmanlike character. Expresses concern about introducing exotic species to Oregon. Discusses the extensive hearing process engaged in by the ODFW.
176	Chair Simmons	Requests more information concerning the surveys about canned hunts.
186	Rep. Starr	Asks if the bill refers to hunting preserves rather than canned hunts.
187	Watkins	Replies that it is a matter of semantics, but the reference is to an enclosed area where the intent is to keep the animals within the enclosure
191	Rep. Starr	Asks if the size of enclosure matters.
192	Watkins	Replies that the issue is an enclosure designed to keep animals in a certain location. Notes other mechanisms that limit animalsí movement.
202	Rep. Starr	Stresses that a hunting preserve and a canned hunt are two different things. States that a person with a significant amount of land who wishes to use it for a hunting preserve has that right as a property owner.
213	Watkins	Concedes that there are degrees in the nature of these facilities. States that wildlife are public, not private, property.
225	Rep. Beyer	Asks if the Sierra Club and the Humane Society are opposed to Oregonís canned hunt (Starkey).
229	Watkins	Expresses uncertainty. Notes that some hunters are uncomfortable with this practice.
235	Rep. Beyer	Comments that the amendment is dealing with non-indigenous animals and that

		he does not know any hunters who are opposed to Starkey.
244	Chair Simmons	Inquires about the difference between an enclosed animal and one with limited range.
255	Watkins	Replies that the problem is the combination of a confining enclosure with the ability to manipulate where animals congregate.
275	Dana Campbell	Attorney, Animal Legal Defense Fund. Describes the actions of animals who were tame and easily filmed on the Clover Creek Ranch as an example of animals who are not fearful of people. Stresses the lack of any regulatory power (EXHIBIT K).
344	Rep. Beyer	Asks if Campbell believes everything she sees on television.
346	Campbell	Replies that she can make her own decisions.
349	Rep. Beyer	Comments that network news television spots can be manipulated.
356	Rep. Devlin	Asks if she could identify the animals in the film.
359	Campbell	Replies that the animals were identifiable. Notes that the bill has no method of funded enforcement. Outlines the problems with the amendment.
402	Eileen Stark	Echoes the opposition of the earlier witnesses. Cites line 16 of the amendment and the lack of a fair chase in an enclosed space. Refers to the definition of fair chase in <u>Beyond Fair Chase</u> . Underlines that ODFW should have the power to ban canned hunting (EXHIBIT L).
TAPE 89, A		
006	Meg Miller	In Defense of Animals. Opposes SB 404A. Stresses that the ODFW decision should be supported. Expresses concerns about the reemergence of this issue in the legislature (EXHIBIT M).
036	Susan Mentley	Oregon Humane Society. Reviews the action of ODFW and the negative response of the hunting community to the grandfathering clause, which ODFW rejected (EXHIBIT N)
057	Chair Simmons	Observes that hunting inside an enclosure is difficult.
061	Mentley	Acknowledges this testimony, but notes that the canned hunts have also been advertised as a good opportunity for handicapped, overweight or underage hunters.

066	Chair Simmons	Explains that the amendment was sponsored by Rep. Ben Westlund. States that the amendment represents the protection of a basic property right.
075	Rep. Welsh	Asks if the groups represented oppose hunting of any kind.
077	Mentley	Replies no.
079	Rep. Welsh	Asks if they only oppose canned hunts.
080	Mentley	Replies that the canned hunt seems unfair.
083	Miller	Adds that her organization does oppose all forms of hunting.
085	Rep. Welsh	Asks if their groups oppose the use of guns or bows and arrows in hunting.
087	Miller	Replies that they oppose all forms of hunting.
089	Rep. Welsh	Notes that many proponents for animal rights oppose all forms of hunting.
094	Rep. Piercy	States that non-hunters can have valid opinions about hunting and levels of hunting.
103	Rep. Devlin	States that a range of opinions exists about hunting.
111	Al Elkins	Oregon Hunters Association (OHA). Notes that the Association voted to support ODFW's ban on canned hunts. Opposes the amendments because they conflict with the ODFW decision.
130	Rep. Beyer	States that OHA does not reflect his views on this issue.
133	Rep. Starr	Asks if OHA differentiates between different forms of hunting.
137	Elkins	Replies that they oppose any hunting that involves tied, tethered or caged animals, but did not discuss the issue beyond these distinctions.
147	Rep. Starr	Asks if hunters were asked for their opinions.
150	Elkins	Replies that the board felt as though they represented the opinions of the members.
157	Rep. Beyer	Cites a positive article from Oregon Hunters Magazine about Clover Creek

		Ranch.
165	Elkins	Replies that the board supported ODFW and respected their expertise.
174	Chair Simmons	Asks about if the board discussed private property rights.
178	Elkins	Replies no.
180	Rich Berry	ODFW. Expresses concerns about the lack of clarity in the amendments, including the use of "hunting preserve," the unknown scope of the commission's authority, and the reference to mammals. Expresses concern about the lack of regulatory power. Inquires about the definition of fair chase. Questions whether or not free-ranging wildlife should be confined on a hunting preserve.
242	Chair Simmons	Acknowledges the need for further definition.
247	Rep. Beyer	Asks if hunting a tied, tethered or penned animal is unethical.
250	Berry	Replies yes.
253	Dan Edwards	Game Program Manager, ODFW. Replies yes.
254	Rep. Beyer	Asks if it is unethical to abuse the ODFW system in order to gain points in an official hunting capacity.
258	Edwards	Replies that he made a mistake in judgement in this regard. Reiterates his opposition to canned hunting.
273	Rep. Beyer	Repeats his question.
276	Edwards	Replies that he made an error in judgement.
282	Rep. Beyer	Underlines the hypocrisy of this opinion.
292	Rep. Welsh	Asks if ODFW is mostly concerned about involvement of exotic animals.
297	Berry	Replies that administrative rules do limit the possession of certain animals. States that the commission has frowned upon canned hunting.
315	Rep. Devlin	Asks for a definition of canned hunt.

322	Berry	Replies that the commission did not banned canned hunts, but hunting privately held animals (EXHIBIT O).
342	Rep. Devlin	Asks about the effect of changes in habitat and food sources on non-indigenous animals.
373	Berry	Replies that these changes do change the way an animal behaves.
381	Rep. Devlin	Mentions the opposition of his brother to the ban on bear and cougar hunting as well as canned hunting.
393	Chair Simmons	Asks about fallow deer and axis deer.
398	Edwards	Reviews the decision process for the adoption of administrative rules dealing with the policy toward cervids. States that the commission decided that the unrestricted raising of cervids was not appropriate. Explains the reasoning behind the allowance of reindeer and fallow deer.
030	Edwards	Describes the allowance of the sale of other type of cervid meat.
035	Berry	Adds that the courts have upheld ODFW's authority to regulate.
044	Chair Simmons	Adjourns the meeting at 7:10 p.m.

Submitted By, Reviewed By,

Brad Daniels, Cletus B. Moore, Jr.,
Administrative Support Administrator

Reviewed By, Reviewed By,

Cara Filsinger Janet Adkins

Policy Analyst Policy Analyst

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Policy Analyst

EXHIBIT SUMMARY

A ñSB 115A, -A7 amendments, staff, 1 p.

B ñSB 115A, -A8 amendments, staff, 2 pp.

C ñSB 115A, -A10 amendments, staff, 1 p.

D ñSB 115A, -A12 amendments, staff, 2 pp.

E ñSJR 23, -3 amendments, staff, 2 pp.

F ñHB 2551, -2 amendments, staff, 1 p.

G ñSJR 7, written testimony, Chip Lazenby, 3 pp.

H ñSJR 39A, written testimony, Bob Cantine, 5 pp.

I ñSB 404A, -A3 amendments, staff, 1 p.

J ñSB 404A, written testimony, Kelly Peterson, 8 pp.

K ñSB 404A, written testimony, Dana Campbell, 2 pp.

L ñSB 404A, written testimony, Eileen Stark, 1 p.

M ñSB 404A, written testimony, Meg Miller, 3 pp.

N ñSB 404A, written testimony, Susan Mently, 1 p.

O ñSB 404A, written testimony, Rich Berry, 4 pp.