

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

June 16, 1999 Hearing Room C

8:00 AM Tapes 207 - 208

MEMBERS PRESENT: Rep. Jim Welsh, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Jason Atkinson

Rep. Deborah Kafoury

Rep. Jeff Kruse

Rep. Jeff Merkley

MEMBER EXCUSED: Rep. Susan Morgan

STAFF PRESENT: Cara Filsinger, Administrator

Harrison Conley, Administrator

Stephen Kosiewicz, Administrative Support

MEASURE/ISSUES HEARD: SB 778A Public Hearing

SB 156 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 207, A		
004	Chair Welsh	Calls the committee to order at 8:24 a.m. Opens the work session on SB 156.
<u>SB 156 n WORK SESSION</u>		

005	Rep. Kruse	MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on SB 156.
		VOTE: 6-0 EXCUSED: 1 - Morgan
007	Chair Welsh	Hearing no objection, declares the motion CARRIED.
010	Rep. Kruse	MOTION: Moves to RECONSIDER the vote by which SB 156 was sent to the floor with a DO PASS recommendation.
		VOTE: 6-0 EXCUSED: 1 - Morgan
014	Chair Welsh	Hearing no objection, declares the motion CARRIED.
015	Rep. Kruse	MOTION: Moves to ADOPT SB 156-1 amendments dated 6/15/99.
026	Cara Filsinger	Committee Administrator. Explains the ñ1 conflict amendments.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Morgan
038	Chair Welsh	The motion CARRIES.
040	Rep. Kruse	MOTION: Moves SB 156 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Morgan
046	Chair Welsh	The motion CARRIES. REP. TAYLOR will lead discussion on the floor.

049	Chair Welsh	Closes the work session on SB 156 and opens the public hearing on SB 778A.
<u>SB 778A n PUBLIC HEARING</u>		
058	Rep. Ken Messerle	House District 48. Testifies on the work the Joint Stream Restoration and Species Recovery Committee did on SB 778A.
089	Rep. Messerle	Continues testimony by discussing his concerns with the nA4 amendments. Notes that there is a proposed change to the nA4 amendments.
111	Rod Harder	Executive Director, Oregon Sportsmen's Defense Fund. Submits written material (EXHIBIT A) and testifies in support of SB 778A. Explains why he is proposing the nA4 amendments.
143	Rep. Merkley	Objects to Mr. Harder's characterization of the ODFW director.
152	Harder	Apologizes for his remark. Continues explaining why he is proposing the nA4 amendments. Suggests a change to the nA4 amendments.
204	Chair Welsh	Comments on the seriousness of the situation regarding ODFW.
230	Rep. Taylor	Asks Mr. Harder if he is suggesting that the 15 people involved in this situation be fired.
239	Harder	Responds that this is not what he is suggesting.
251	Rep. Taylor	Comments that this should not just apply to ODFW.
265	Harder	States that he does not have a vehicle to address any other agency at this point except ODFW.
268	Rep. Messerle	Notes that there are two issues raised by this situation.
284	Chair Welsh	Recesses the committee at 8:45 a.m. to allow members who sit on the House Revenue Committee to cast votes in that committee's hearing.
286	Chair Welsh	Calls the committee back to order at 8:53 a.m.
297	Jim Greer	Director, Department of Fish and Wildlife. Testifies on how ODFW views the intent of SB 778A.
340	Greer	Continues testimony by testifying on how the ODFW situation was resolved.

404	Greer	Continues testimony on how the ODFW situation was resolved.
TAPE 208, A		
013	Rep. Kafoury	Asks for an explanation of the preference point system for hunting.
015	Greer	Explains how ODFW's preference point system for hunting works.
048	Chair Welsh	Asks if there were members of the public that sent ODFW letters stating that they did not know about this.
052	Greer	Responds that they had letters from people saying they were aware of the strategy and some that were not aware.
057	Rep. Merkley	Asks how the information regarding this strategy or that the hunts were canceled is distributed to the public.
060	Greer	Responds that ODFW sends out letters to people who have applied for a canceled hunt in the past. Notes that there is some reference in ODFW's synopsis relative to canceled hunts and there is a group that publishes a book that identifies the canceled hunt strategy.
081	Rep. Merkley	Asks for clarification that the cancellation information is available to the public in April.
085	Greer	Explains when and how the canceled hunt information is made available to the public.
098	Rep. Merkley	Questions whether there is a way to address this issue structurally.
103	Greer	Notes that the task force is set up to look at suggestions such as this.
113	Rep. Merkley	Asks Mr. Greer how he would enforce the language in the 4A amendments.
124	Greer	Notes that the language is very broad. Responds that he does not know how they would enforce this language.
145	Rep. Kruse	Asks why preference points are given if someone is getting their second hunt choice when their first is canceled.
152	Greer	Responds that the reasoning behind this is that the department impacted a person's ability to get their first hunt preference.

175	Rep. Kruse	Asks how many points a person gets if they do not draw a tag for their first choice hunt.
180	Greer	Responds that they would get one point annually.
182	Rep. Kruse	Notes that this system could lead to a quick accumulation of points.
189	Greer	Clarifies that a person would only get one preference point if their first hunt choice is canceled and they do not draw a tag for their second hunt choice.
194	Rep. Kruse	Notes that a person can get a hunt and all the advantages of not getting a hunt at the same time. Asks if this is logical.
199	Greer	Responds that it is in the sense that ODFW took the preferred hunt opportunity away from them.
209	Rep. Kruse	States that he has problems with how the preference point system works. Questions how a person could unknowingly take advantage of this system.
231	Greer	Clarifies how the three individuals unknowingly took advantage of the preference point system.
244	Rep. Taylor	Referencing sections 5 and 6 of the bill, asks whether the Fish and Wildlife Commission is involved in administrative rule making.
267	Greer	Responds that the Commission is involved in all the rules that ODFW makes right now.
303	Chair Welsh	Asks Mr. Greer if he thinks his actions regarding the preference point situation were adequate to restore public trust in the department.
312	Greer	Respond that this situation can be looked at as a significant wake-up call for ODFW.
331	Chair Welsh	Notes that the language in the ñA4 amendments comes from one of ODFWís policies and that there is support for the amendments with the suggested changes.
345	Rep. Kafoury	Asks what the implications are if they adopt the ñA4 amendments versus just using ODFWís policies.
354	Greer	Responds that he does not know what the punishment would be if this becomes law.

371	Harrison Conley	Committee Administrator. Explains that this language would be added to ORS Chapter 496 and that violations of wildlife laws in chapter 496 are Class A misdemeanors unless otherwise stated.
381	Rep. Kafoury	Asks what the penalties are for a Class A misdemeanor.
384	Conley	Responds that they are up to one year in jail and/or up to a \$5000 fine.
392	Rep. Taylor	Expresses concern about the ñA4 amendments and states that she would like more input on the implications of adopting the amendments.
TAPE 207, B		
002	Rep. Merkley	Expresses concern about the ñA4 amendments.
040	Chair Welsh	Notes that they are trying to address the preference point situation that occurred in ODFW to prevent future incidents.
059	Rep. Kruse	States that anybody would be hard pressed to disagree with the language in the ñA4 amendments.
066	Chair Welsh	Closes the public hearing on SB 778A. Adjourns the committee at 9:33 a.m.

Reviewed By, Reviewed By,

Cara Filsinger, Harrison Conley,
Administrator Administrator

Submitted By,

Stephen Kosiewicz,

Administrative Support

EXHIBIT SUMMARY

A ñ SB 778, written material, Rod Harder, 26 pp.