

JOINT COMMITTEE ON STREAM RESTORATION
AND SPECIES RECOVERY

April 6, 1999 Hearing Room 50

4:30 PM Tapes 76 - 77

MEMBERS PRESENT: Sen. Ted Ferrioli, Co-Chair

Rep. Ken Messerle, Co-Chair

Sen. Joan Dukes, Vice-Chair

Rep. Bob Jenson, Vice-Chair

Sen. David Nelson

Sen. Frank Shields

Sen. Veral Tarno

Rep. Al King

Rep. Jeff Kruse

Rep. Randy Leonard

Rep. Lynn Lundquist

Rep. Susan Morgan

Rep. Bruce Starr

Rep. Terry Thompson

STAFF PRESENT: Judith Callens, Administrator

Stephen Kosiewicz, Administrative Support

MEASURE/ISSUES HEARD: Committee Discussion on Measure 66 Workgroup

HB 3225 Public Hearing

SB 131 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.

TAPE/#	Speaker	Comments
TAPE 76, A		
004	Chair Ferrioli	Calls the committee to order at 4:49 p.m. Opens the public hearing on HB 3225.
<u>HB 3225 ñ PUBLIC HEARING</u>		
025	Lucie La Bonté	Chair, South Coast Coordinating Watershed Council. Comments on the success of the Oregon Plan in the south coast area. Submits written testimony (EXHIBIT A) and testifies in support of the current GWEB process and the proposed 3225-2 amendments.
073	La Bonté	Continues testimony in support of the current GWEB process.
090	Walt Schroeder	Member, Lower Rogue Watershed Council. Submits written testimony (EXHIBIT B) and testifies on the enhancement work of the Lower Rogue Watershed Council.
145	Schroeder	Testifies in support of the HB 3225-2 amendments.
153	Dr. Bruce Follansbee	Coordinator, Lower Rogue Watershed Council. Submits written testimony (EXHIBIT C) and testifies in support of the current GWEB process.
211	Chair Ferrioli	Asks Dr. Follansbee what his previous occupation was.
213	Follansbee	Responds that he was the senior scientist for the Tillamook Bay National Estuary project.
218	Chair Ferrioli	Asks Dr. Follansbee what his current occupation is.
219	Follansbee	Responds that he is the coordinator for the Lower Rogue Watershed Council. Explains why he left California to take this position in Oregon.
230	Harry Hugasacker	Coordinator, South Coast Watershed Council. Testifies on the Hubbard Creek culvert replacement project.
281	Hugasacker	Continues testimony on the Hubbard Creek culvert replacement project. Testifies in support of the current GWEB process.
337	Jan Perttu	Coordinator, Applegate River Watershed Council. Testifies in support of the current GWEB process.

393	Perttu	Comments on the proposed OWEB created in the HB 3225-2 amendments and on the geographic scale that watershed councils should encompass. Continues testimony in support of the current GWEB process.
TAPE 77, A		
022	Joseph McAleavey	Applegate River Watershed Council. Testifies in support of the volunteer effort in watershed councils.
055	Rep. Messerle	Comments that the committee's intent in establishing the Measure 66 structure is to try and improve the process for watershed councils. States that he wants to hear whether the cash flow to watershed councils is a problem.
067	Perttu	Comments on her Council's experience in working with GWEB and DEQ grants.
089	Rick Sohn	Chair, Umpqua Basin Watershed Council. Introduces members of the Council in the audience. Notes that he has looked at the current statute and reviewed the OBC proposal.
131	Sohn	Submits and reviews written material on the Umpqua Basin Watershed Council and the HB 3225-2 amendments (EXHIBIT D).
184	Sohn	Continues reviewing submitted material on the ñ2 amendments.
229	Sohn	Continues testimony by commenting on the importance of there being an equitable distribution of money, and on the need for technical support.
274	Ken Ferguson	Vice-Chair, Umpqua Basin Watershed Council. Comments on the need for funding for watershed coordinators and technical staff positions.
306	Rep. King	Asks why factors like degree of need or cost benefit of projects were not included in the priority formula.
314	Sohn	Responds that they considered this question when they came up with their priority formula.
351	Lu Anthony	Little Butte Watershed Council. Submits written material (EXHIBIT E) and reads written testimony in support of the current GWEB process.
398	Anthony	Continues reading written testimony.
TAPE 76, B		

008	Anthony	Continues reading written testimony.
063	Carol Fishman	Coordinator, Upper Rogue Watershed Council. Submits written testimony (EXHIBIT F) and testifies on the enhancement activities of the Upper Rogue Watershed Council.
118	Fishman	Continues testimony by commenting on the Council's purpose and mission statement.
161	Deborah Boone	Coordinator, Necanicum Watershed Council. Testifies in support of the HB 3225-2 amendments.
198	Mark Sytsma	Portland State University. Submits written testimony (EXHIBIT G) and testifies on proposed changes to HB 3225.
209	Chair Ferrioli	Notes that the committee has discussed the issue of invasive plant species.
214	Sen. Nelson	Asks Mr. Sytsma if he studies invasive plant species on land.
220	Sytsma	Responds that his specialty is aquatic plants.
229	Chair Ferrioli	Closes the public hearing on HB 3225.
Written testimony regarding ODFW's concerns with the HB 3225-2 amendments submitted by Joe Rohleder, Assistant to the Director, Department of Fish and Wildlife (EXHIBIT H) .		
<u>COMMITTEE DISCUSSION ON MEASURE 66 WORKGROUP</u>		
234	Chair Ferrioli	Discusses the issue of creating a HB 3225 workgroup.
265	Rep. Thompson	Asks if the Chair is suggesting that part of the HB 3225 consideration be handed over to the HSP.
267	Chair Ferrioli	Responds that this is an option that is being considered. Notes that the idea of creating a workgroup is not as attractive as using the HSP.
288	Rep. Thompson	Comments on the groups that would be excluded if the committee just used the HSP for working on HB 3225.
299	Chair Ferrioli	States that the options for the committee to consider will be circulated among the members.

306	Rep. Thompson	Asks the Chair when he plans on having the work on the Measure 66 structure done.
312	Chair Ferrioli	Notes that the HB 3225-2 amendments were introduced this week. Responds that they should have a workgroup review these and come back to the committee.
320	Rep. Thompson	Asks what the timeframe is for having HB 3225 finalized.
322	Chair Ferrioli	Responds that the committee has to have the bill ready in a three to four week timeframe.
330	Rep. King	Comments on his lack of knowledge about the HSP membership. Expresses support for creating a workgroup instead of using the HSP.
351	Rep. Messerle	Comments that there is no intent to exclude anyone from the process.
364	Chair Ferrioli	Comments on what input is needed from certain groups.
382	Rep. Thompson	Expresses concern about the lack of input from the commercial fishing industry in the process.
395	Chair Ferrioli	Notes that the committee needs to get this input into the process.
TAPE 77, B		
006	Rep. King	Notes that he was trying to include more commercial fishing industry representation on the HSP in the amendments he proposed to SB 132.
Committee at ease while waiting for staff to return to explain the provisions of SB 131.		
022	Chair Ferrioli	Opens the public hearing on SB 131.
<u>SB 131 n PUBLIC HEARING</u>		
024	Chair Ferrioli	Notes that there are no witnesses signed up in opposition to SB 131 and the proposed n2 amendments. Reviews the work of the committee on the bill and n2 amendments
045	Ken Bierly	Manager, Governor's Watershed Enhancement Board. Submits written testimony (EXHIBIT I) and comments in support of SB 131 and the n2 amendments.
049	Dan Hartman	Risk Division Administrator, Department of Administrative Services. Comments

		in support of SB 131 and the ñ2 amendments.
053	Chair Ferrioli	Notes that the ñ2 amendments have a minimal fiscal impact.
062	Rep. Messerle	Asks what the proposed coverage is.
065	Hartman	Responds that it is tort liability coverage to provide protection to the officers, directors, associate directors, employees, coordinators, and volunteers of watershed councils.
083	Rep. King	Notes that the workgroup discussed the possibility of putting limits on the liability coverage. Asks whether this discussion was incorporated into SB 131.
091	Hartman	Notes that some of the watershed councils already have commercial coverage, and SB 131 would address those that do not.
107	Rep. Messerle	Questions whether insurance is only being provided to watershed councils that do not have their own insurance now.
118	Bierly	Notes that the intent was to establish a base level of coverage that was available to all. Clarifies that this coverage would be available to all watershed councils.
126	Rep. King	Asks for clarification that this policy the state would provide would be the watershed councilís first coverage.
131	Hartman	Responds that if there is already an insurance policy in place at the time of a loss, and the state policy is also in place, he envisioned that the state coverage would be in excess of the other policy.
137	Rep. King	States that watershed councils may be buying commercial insurance on the basis of it being subsequent coverage to the state policy.
140	Chair Ferrioli	Notes that there will be a transition phase as councils move under this program. Identifies those individuals who were signed up to testify in support of SB 131.
152	Rep. Thompson	Asks if there is anybody present who is not in support of SB 131.
153	Chair Ferrioli	Responds that no one has signed up in opposition to the bill.
Written testimony in support of SB 131 submitted by Hilary Abraham, Oregon Environmental Council, and the Clackamas River Basin Council (EXHIBITS J and K , respectively).		
158	Chair Ferrioli	Opens work session on SB 131.

SB 131 ñ WORK SESSION

160	Rep. Thompson	MOTION: Moves to ADOPT SB 131-2 amendments dated 4/1/99.
		VOTE: 11-0 EXCUSED: 3 - Dukes, Kruse, Lundquist
163	Chair Ferrioli	Hearing no objection, declares the motion CARRIED.
165	Rep. Thompson	MOTION: Moves SB 131 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 11-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 3 - Dukes, Kruse, Lundquist
175	Chair Ferrioli	The motion CARRIES. SEN. SHIELDS will lead discussion on the floor.
180	Chair Ferrioli	Closes the work session on SB 131. Adjourns the committee at 6:34 p.m.

Submitted By, Reviewed By,

Stephen Kosiewicz, Judith Callens,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 3225, written testimony, Lucie La Bonteí, 1 p

B ñ HB 3225, written testimony, Walt Schroeder, 1 p

C ñ HB 3225, written testimony, Bruce Follansbee, 2 pp.

D ñ HB 3225, written material, Rick Sohn, 17 pp.

E ñ HB 3225, written material, Lu Anthony, 11 pp.

F ñ HB 3225, written testimony, Carol Fishman, 1 p

G ñ HB 3225, written testimony, Mark Sytsma, 2 pp.

H ñ HB 3225, written testimony, Joe Rohleder, 2 pp.

I ñ SB 131, written testimony, Ken Bierly, 1 p

J ñ SB 131, written testimony, Hilary Abraham, 1 p

K ñ SB 131, written testimony, Clackamas River Basin Council, 1 p