

JOINT COMMITTEE ON STREAM RESTORATION
AND SPECIES RECOVERY

May 6, 1999 Hearing Room 50

7:00 AM Tapes 116 - 117

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: HB 3225 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 116, A

004

Sen. Ferrioli

Calls the committee to order at 7:13 a.m. Opens the work session on HB 3225.

HB 3225 n WORK SESSION

022

Rick Sohn

Chair, Umpqua Basin Watershed Council. Testifies in support of the hand-engrossed n5 amendments submitted by the natural resources work group.

060

Eric Carlson

Coordinator, Clackamas Watershed Council. Submits written material **(EXHIBIT A)** and comments on what they are prepared to do to present a watershed council position to the committee.

073

Rep. Morgan

Notes that there is value to hearing a coordinated response from the watershed councils, but the committee does not have the time to hold up the process to wait for this response.

079

Sohn

Comments that having input on a single set of amendments from this point forward will greatly simplify the organizational process.

090

Dana Erickson

Coordinator, Long Tom Watershed Council. Comments in support of having the 12-day timeframe to coordinate a response from the watershed councils.

099

John Runyon

McKenzie Watershed Council. Comments in support of having the 12-day timeframe to coordinate a response from the watershed councils.

101

Rep. Thompson

Notes that the committee has come to agreement on a lot of areas, but there are a couple of areas that they may not get agreement on unless they had a vote.

115

Chair Ferrioli

Comments that the committee needs to have a discussion about logistics [comments inaudible at times].

122

Judith Callens

Committee Administrator. Explains that May 21 is the deadline for consideration on HB 3225. Notes that Ms. Holman would need time to draft any amendments in order to drop the bill. Recommends getting the amendment concepts in for drafting a week before the deadline.

139

Rep. Messerle

Notes that the committee already has an extended deadline to be deliberating HB 3225.

149

Sen. Nelson

States that the watershed councils are an important part of this process and the committee should consider giving them the 12-day period they are asking for.

159

Rep. Thompson

Notes that he could start making motions on existing amendments and this would

		give the watershed councils the 12 days.
165	Sen. Tarno	Asks if the watershed councils could get together and get back to the committee a week from Monday.
168	Sohn	Responds that they could do this. Explains why they could not do it in 10 days.
187	Sen. Tarno	States that the committee does need some time on this issue.
191	Rep. Jenson	Notes that in addition to the 12 days, the committee would also need time to review whatever the watershed councils come up with.
212	Sen. Shields	States that they need to have the watershed councils' input.
216	Rep. Kruse	Comments in support of giving the watershed councils time to get back to the committee with input.
238	Rep. King	Comments in support of giving the watershed councils time to get back to the committee with input.
248	Rep. Thompson	Suggests moving out a simplified version of the bill so the watershed councils have something to look at.
265	Rep. Lundquist	Expresses concern that the watershed councils could come back with recommendations based on a particular set of amendments that the committee is not in agreement on.
285	Erickson	Notes the effort the watershed councils are making to be able to meet.
293	Sohn	Comments that they want to have a stable document to work with. Notes that they do not see anything that encompasses the range of concepts better than the hand-engrossed 5 amendments.
307	Chair Ferrioli	States that if the committee had the authority to give the watershed councils the 12 days they would. Comments on the need to keep moving with the deliberations on this bill [comments inaudible at times].
325	Rep. Thompson	MOTION: Moves to ADOPT HB 3225-6 amendments dated 4/23/99.
Discussion among committee members and staff as to whether the committee is in work session or not. Rep. Thompson withdraws his previous motion.		

369	Rep. Thompson	MOTION: Moves to ADOPT HB 3225-7 amendments dated 4/23/99.
382	Callens	Explains the provisions of the ñ7 amendments.
TAPE 117, A		
009	Rep. Jenson	Recommends that the committee look at Chapter 263 of the Internal Revenue Code (IRC) for a definition of capital expenditures.
021	Rep. King	Expresses support for the definition of capital expenditures in the ñ7 amendments. Motion to conceptually amend ñ7 amendments to insert "or projects" on page 1, line 15.
028	Rep. King	MOTION: Moves to AMEND HB 3225-7 amendments on page 1, in line 15, after "project," insert "or projects".
036	Rep. Messerle	Notes that when the Co-Chairs met with the Governor's office yesterday they looked at the IRC definition of capital expenditures. Asks Ms. Holman to explain what they found in looking into this.
051	Jeannette Holman	Legislative Counsel Office. Expresses concern that the IRC definition of capital expenditures is for a different purpose. Notes that the Attorney General is also looking at this issue.
067	Chair Ferrioli	Asks Ms. Holman for clarification that she is in the process of reviewing some concepts with the Attorney General and other staff about the parameters of definition and they do not have agreed upon language yet.
072	Holman	Responds that this is correct. Notes that the inclination they are getting from the Attorney General is that it will be a narrow definition.
078	Rep. Lundquist	Comments that they are going to have to get this definition created.
096	Sen. Nelson	States his opposition to the ñ7 amendments. Suggests the committee pass the ñ5 amendments.
105	Rep. Thompson	Withdraws his previous motion. Explains why he made the motion.
117	Rep. King	Withdraws his previous motion.
125	Sen. Dukes	Comments that they need to move forward with their deliberations on the Measure 66 structure.

144	Chair Ferrioli	Comments that there are still some issues they have to come to closure on with leadership and the Governor's Office [comments inaudible at times].
167	Sen. Dukes	Asks the Co-Chairs which set of amendments they were referring to when they said that they were going write a letter to the watershed councils to get their input on the draft.
170	Chair Ferrioli	States that he was referring to the ñ5 amendments.
171	Sen. Dukes	Asks the Co-Chairs to ask the watershed councils to look at the ñ2 amendments as well.
181	Callens	Notes that she provided copies of the ñ2 and ñ5 amendments to the watershed councils on disk. Suggests that the watershed councils start with the original ñ5 amendments rather than the hand-engrossed version.
198	Rep. Thompson	Asks if the watershed councils have received copies of the other HB 3225 amendments.
200	Callens	Responds that at the time she provided the disk to the watershed councils they had only asked for the ñ2 and the ñ5 amendments. Notes that the other amendments were not available at that time.
206	Rep. Thompson	Asks if the watershed councils will be able to have access to other amendments as they come out.
208	Callens	Responds that staff can provide copies to them.
210	Chair Ferrioli	States that it is his desire to have the watershed council people work with staff to communicate via e-mail.
224	Rep. Lundquist	Comments on where the committee is headed with HB 3225.
269	Sen. Dukes	Comments that the different amendments have become somewhat politically charged, and she does not want to put watershed councils in the middle of this political debate.
291	Rep. King	Suggests that the committee work with something simple like the ñ6 amendments.
317	Rep. Morgan	Comments on having the watershed councils use the hand-engrossed ñ5 amendments as their platform for input [comments inaudible at times].
356	Rep. Kruse	Comments on having the watershed councils use the hand-engrossed ñ5

		amendments as their platform for input.
385	Sen. Nelson	MOTION: Moves to ADOPT the hand-engrossed HB 3225-5 amendments.
TAPE 116, B		
006	Rep. Jenson	Comments in support of the motion.
024	Rep. Messerle	Expresses concern about the direction the committee is going and the signals they are sending out.
052	Sen. Dukes	Notes that adopting the hand-engrossed ñ5 amendments sends the signal that this is the direction the committee wants to go and this has not been decided yet.
056	Rep. Messerle	Expresses his opposition to extending the timeframe for deliberation on HB 3225.
069	Rep. Morgan	Comments that moving the hand-engrossed ñ5 amendments is a way to keep the watershed councils involved in the process [comments inaudible at times].
084	Rep. King	States his opposition to the motion. Notes that the committee will need time to process the input from the watershed councils.
096	Rep. Lundquist	Comments that the committee needs to be getting input from everyone. Notes that if the committee moves the ñ5 amendments it will be perceived that this is the structure the committee supports.
111	Rep. Jenson	Expresses concern about moving the ñ5 amendments.
132	Sen. Nelson	Withdraws his previous motion, but notes that they need to move this process forward.
145	Sen. Shields	Questions why the watershed councils cannot take a look at all of the amendments and comment on whatever they want.
150	Rep. Morgan	Comments that the set of 10 amendments does not give the watershed councils a comprehensive picture to look at.
160	Sen. Shields	Notes that the watershed councils know that the amendments are not a comprehensive picture.
167	Rep. Kruse	Notes that it is not the watershed council people present that they have to worry

		about, it is all of the other watershed councils.
173	Chair Ferrioli	States that the watershed councils will be given copies of all the HB 3225 amendments, and asks them to get back to the committee as soon as possible with input. Announces that Rep. King will carry SB 131A, Rep. Kruse will carry SB 132A, Rep. Thompson will carry SB 834A, Sen. Nelson will carry HJM 1A, Sen. Tarno will carry HJM 7A, and Sen. Ferrioli will carry HJM 11A.
204	Rep. Thompson	MOTION: Moves to ADOPT HB 3225-4 amendments dated 4/20/99.
207	Callens	Explains the provisions of the ñ4 amendments.
		VOTE: 11-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 3 - Leonard, Nelson, Starr
240	Chair Ferrioli	The motion CARRIES.
241	Chair Ferrioli	Reiterates that the watershed councils will review the hand-engrossed ñ5 amendments and get back to the committee with input.
252	Sen. Dukes	Suggests that the watershed councils also look at the 10 "go home" principles developed by the larger work group.
258	Carlson	Notes that if the committee continues to move forward on HB 3225, the watershed councils will probably not move forward with the process they outlined this morning.
266	Chair Ferrioli	Notes that the committee only needs closure on definitions, appointments, and the final form and structure. Adjourns the committee at 8:27 a.m.

Submitted By, Reviewed By,

Stephen Kosiewicz, Judith Callens,
Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 3225, written material, Eric Carlson, 4 pp.