

**SENATE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES**

**March 31, 1999 Hearing Room 50**

**4:30 p.m. Tapes 83 - 84**

**MEMBERS PRESENT: Sen. Gary George, Chair**

**Sen. Thomas Wilde, Vice-Chair**

**Sen. Joan Dukes**

**Sen. Ted Ferrioli**

**Sen. Bill Fisher**

**MEMBER EXCUSED: Sen. Tony Corcoran**

**STAFF PRESENT: Brad Harper, Administrator**

**Kristal Hatton-Nease, Administrative Support**

**MEASURES HEARD: SB 179 Public Hearing and Work Session**

**SB 727 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
<b>TAPE 83, A</b>		
003	Chair George	Convenes meeting at 4:57 p.m. Opens public hearing on SB 179.
<b><u>SB 179 PUBLIC HEARING</u></b>		
010	Brad Harper	Committee Administrator. Explains SB 179 increases licenses and indorsement fee limits for forest and farm labor contractors.

015	Jack Roberts	Commissioner, Oregon Bureau of Labor and Industries (BOLI). Testifies in support of SB 179. States the reason BOLI is asking for this fee increase is because the program currently only recovers the cost of the licensing paperwork. Adds the enforcement part of the program is paid for out of General Fund money. Says the industry supports the fee increase. Acknowledges the percentage increase in licenses and indorsement fees are large, but points out it is the first increase since 1983.
042	Sen. Wilde	Asks how much the current fees cover for licensing.
043	Roberts	Replies they cover roughly 60 percent, now. States BOLI recovers approximately \$70,000 and that SB 179 will increase that to the full \$110,000.
046	Sen. Wilde	Comments BOLI is recovering 60 percent currently and the fee is being increased from \$20 to \$100. Says the increase more than makes up for the additional 40 percent. Asks how this is possible.
049	Roberts	Responds there are two fee categories. States one ranges from \$20-\$100 and the other from \$100 to \$250. Says BOLI anticipates participants taking the combined license.
056	Chair George	Asks what the industry's sentiment is in regards to the fee increases.
061	Roberts	Responds he has not heard any opposition to SB 179. Says most industry groups are staying neutral so they do not want to get their members riled. Says the industry supports this purpose.
064	Chair George	Comments on the living conditions of some farm worker residences. Asks if there is anything that may do a better job of watching that problem.
069	Roberts	Answers the increase does not increase BOLI services. States the money will go to the paperwork side of the program and not the enforcement side. Adds BOLI is trying to improve enforcement.
086	Sen. Wilde	Asks what the other three programs were.
092	Roberts	<p>Responds there are three programs, which include:</p> <ol style="list-style-type: none"> <li>1. Television and radio repair</li> <li>2. Court reporters</li> <li>3. Private employment agencies</li> </ol> <p>Explains BOLI eliminated licenses requirements for these three programs.</p>
104	Sen. Fisher	Asks what is "forestation" and "reforestation" and why they are different in SB 179.

110	Roberts	Responds to forestation and reforestation concern tree planting. Says the reason for the higher license is because of the more transit nature of the work force.
127	Sen. Fisher	Asks if forestation is maintaining what is already established and if reforestation is replanting forests.
134	Roberts	Replies that is correct.
140	Chair George	Closes public hearing on SB 179. Opens work session on SB 179.
<b><u>SB 179 WORK SESSION</u></b>		
150	Sen. Wilde	Comments SB 179 is a good bill even though there is an increase in fees.
155	Sen. Wilde	<b>MOTION: Moves SB 179 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 3-1</b> <b>AYE: 3 - Fisher, Wilde, George</b> <b>NAY: 1 - Ferrioli</b> <b>EXCUSED: 2 - Corcoran, Dukes</b>
	Chair George	<b>The motion FAILS.</b>
160	Sen. Ferrioli	<b>MOTION: Moves to TABLE SB 179.</b>
187	Sen. Fisher	Asks Sen. Ferrioli for a vote explanation on the motion to move SB 179 to the Senate floor.
190	Sen. Ferrioli	Explains he voted no because he thinks the percentage increase is too high. Says licensees do a number of volunteer activities to make worker's living conditions better. Says the fee increases seem more like a penalty for doing the right things.
210	Sen. Fisher	Comments he did not want to be critical, but thinks the vote explanation should be part of the discussion.
219	Sen. Ferrioli	Says tabling SB 179 gives the committee another chance to hear SB 179.
223	Chair George	Says the committee rescinds the prior vote. Points out there is a motion to table SB 179.

		<b>VOTE: 4-0</b>  <b>EXCUSED: 2 - Dukes, Corcoran</b>
	Chair George	Hearing no objection, declares the motion <b>CARRIED</b> .
226	Chair George	Closes work session on SB 179. Opens public hearing on SB 727.
<b><u>SB 727 PUBLIC HEARING</u></b>		
247	Harper	Explains SB 727 establishes a bounty system for northern squawfish on Willamette and lower Santiam Rivers. Says the fiscal impact indeterminable.
257	Joe Roheleder	Assistant Director, Oregon Department of Fish and Wildlife (ODFW). Testifies in SB 727 and introduces Charlie Corrarino.
268	Charlie Corrarino	Steelhead Species Coordinator, ODFW. Submits <b>[EXHIBIT A]</b> and testifies in regards to SB 727. Says ODFW believes that, based on the existing evidence the biological benefits from the proposed program would be minimal. Points out the northern squawfish was officially changes to northern pikeminnow by the American Fisheries Society in 1998.
305	Sen. Fisher	Asks how long northern pikeminnow are disorientated after they go through a dam.
316	Corrarino	Responds he is not sure how much time it takes the northern pikeminnow to recover from disorientation.
327	Sen. Fisher	Asks where the research was conducted.
332	Corrarino	Replies on the John Day portion of the Columbia River.
334	Sen. Fisher	Comments his understanding was that the squawfish were a problem between the Bonneville Dam and the mouth of the Columbia River. Asks if this is correct.
342	Corrarino	Says the squawfish are a problem at each of the dam facilities.
344	Sen. Fisher	Asks if squawfish are a problem at McNary Dam.
345	Corrarino	Answers they are.
347	Sen. Fisher	Asks if squawfish can be found that far up the river.

348	Corrarino	Replies they can be found that far up the river.
350	Sen. Fisher	Discusses problems with the study conducted on the Willamette River. Asks what time of year the study was conducted.
359	Corrarino	Responds there were significant numbers of fish available in the 1970s and mid-1980s.
372	Sen. Fisher	Expresses concern about the research study. Comments on studies conducted on seals and says people are finding those studies wrong.
392	Corrarino	Says squawfish are widespread throughout the northwest, even as far up as Idaho.
396	Sen. Fisher	Asks if the 15 percent is descending.
407	Corrarino	Responds it is.
409	Rohleder	Comments according to the report, the time of the year in 1976-77 was April through June. Points out the study discusses hatchery releases during the time of the study.
<b>TAPE 84, A</b>		
024	Chair George	Asks if ODFW is suggesting it is not a good idea to reduce the squawfish population.
030	Corrarino	Replies he is suggesting that, in the Willamette Basin, it would unlikely provide biological benefits to the salmonids that are migrating out as juveniles.
043	Chair George	Says it seems that if the population was reduced in one area then it would be beneficial.
046	Corrarino	Answers there are two identical sets of creatures in the Willamette Basin and the Columbia River. Says the Willamette does not have as many impoundments for migrating juvenile salmonids. Says this enables them to move more quickly and does not disorient the salmonids.
052	Chair George	Asks if salmonids accumulate beneath the Willamette waterfalls.
055	Corrarino	Replies there is a small accumulation beneath waterfalls. Says the proposed legislation is far above the Willamette Falls. Suggests extending the Columbia River northern pikeminnow program up to Willamette Falls. Adds water temperature is cooler in the in Willamette River Basin.

068	Chair George	Asks if Corrarino had finished giving testimony.
070	Corrarino	Says he did want to make one more final point. Says the tributaries of the Columbia River are not included in the current Columbia River bounty system for the same reasons as the Willamette.
085	Rohleder	Says that, in addition to being concerned about the biological aspects, ODFW is concerned about where the money to implement SB 727 will be found.
095	Sen. Fisher	Comments squawfish must be rare and hard to catch because fishermen are given up to \$6 per fish.
096	Corrarino	States that to encourage anglers to catch large numbers of fish Bonneville Dam pays \$4, \$5, or \$6 per fish depending upon how many fish anglers catch. Says it is difficult to recruit anglers.
126	Chair George	Asks if ODFW knows the total population of squawfish.
127	Corrarino	Responds he does not.
1289	Chair George	Asks if Bonneville has studied the population and would know.
129	Corrarino	Responds he is not sure. Says he can find out and report back to the committee.
133	Sen. Wilde	Comments the data is very interesting. Says only five percent of the fish were found to have more than one major food item.
145	Sen. Marylin Shannon	Senate District 15. Explains she sponsored SB 727 at the request of the Salem Fishing Buddies. Explains the fishermen fish up the Santiam River. Says they told her that they catch squawfish that have significant numbers of smolt inside. Says the Salem Fishing Buddies were supposed to have a representative at this meeting.
191	Corrarino	Acknowledges anglers may have encountered squawfish that did eat smolt. Adds that according to the study, it is not a serious enough problem. Says the occurrences are not limiting the population of salmon and steelhead in the Willamette Basin.
212	Sen. Shannon	Comments the Salem Fishing Buddies believe this happens a lot. Asks if there is a way to thin out the fish.
223	Corrarino	Responds the hook-and-line method has proved to be the most effective on the Columbia River.

225	Chair George	Says he is curious as to why ODFW would dump the fish instead of dribbling them out.
229	Corrarino	Says most fisheries have implemented program called volition of release, which allows the fish to dribble out.
235	Sen. Wilde	Comments on the way fish move through the dams on the Columbia River. Says there is a temporary period that leaves the fish in a state of disorientation and makes them easy to prey upon.
273	Sen. Dukes	Asks if it is possible to take money from the Bonneville Power Administration (BPA) and make it available.
278	Rohleder	Responds ODFW is trying to figure out where the money for the program would come from. Speculates ODFW could approach the federal government for some of the money. Comments he has read enforcement reports where people have taken squawfish and reported them as being caught on the Columbia. Says he can have ODFW's fish representatives discuss it with BPA.
304	Sen. Dukes	Comments that if not as many are being caught because of selective harvest then maybe this program would work. Suggests applying several thousand dollars to see what happens.
319	Corrarino	Speculates the program may cost more than first believed. Discusses the differences between the Willamette River Basin and Columbia River.
333	Chair George	Asks if there is any more recent research than the 1970s study.
342	Rohleder	Says ODFW will conduct a literature review and will report back to the committee. Acknowledges the problem discussed by the Salem Fishing Buddies.
355	Sen. Dukes	Asks if that could be part of the Oregon Trout study, which will determine what effects northern pikeminnow have on native wild fishery sources.
363	Rohleder	Responds that would be part of any scientific study.
366	Sen. Dukes	Comments fishermen could catch the fish, instead of agency representatives.
371	Sen. Fisher	Asks how many times fishermen can turn in a fish.
378	Corrarino	Understands people were going to areas with large numbers of squawfish (example: John Day River) and catching them in at the check station. Says ODFW wants anglers to focus on the areas that have the problems.

396	Sen. Fisher	Asks what would stop a squawfish from migrating down from the John Day River to the John Day Dam.
401	Corrarino	Replies once squawfish is in the Columbia River they are not as migratory.
410	Sen. Shannon	Comments SB 727 is worth the effort. Urges committee to try it.
415	Chair George	Asks if the check stations keep a running tally of what is inside the checked in squawfish.
428	Corrarino	Answers he does not know.
429	Chair George	Asks Rohleder to find out if the check stations do keep a tally.
<b>TAPE 83, B</b>		
019	Sen. Fisher	Asks what the check stations do with the checked in fish and if the fish are big.
022	Corrarino	Responds the fish length is up to 15-18 inches. Add that for the bounty, they need to be in excess of 12 inches.
028	Chair George	Asks if BPA did any research on the commercial harvest of squawfish.
030	Corrarino	Explains there were a variety of techniques were tested. Says the most effective technique was hook-and-line.
034	Sen. Fisher	Expresses concern about the program of hook-and-line release. Says if a person want to get rid of something that is preying on other animals, he/she exterminates the predator.
049	Corrarino	Replies the nature of the creature is to eat on the juvenile salmonids until they exceed 12 inches in length. Says the goal of this program is not to eradicate, but to change the structure of the population and reduce the number of older fish causing problems.
067	Sen. Wilde	Comments on squawfish diets and wonders if they are having an impact on the ecology of the area.
076	Sen. Fisher	Asks what salmonids eat.
078	Corrarino	Responds salmonids primarily eat insects.



079	Sen. Fisher	Asks if the salmonids eat crawfish.
080	Corrarino	Answers not usually because when the salmonids are migrating out as smolts, they are in the mainstream of the current and not near the edges where such creatures are.
084	Sen. Fisher	Comments it seems that if the smaller squawfish that are eating the salmonids were eliminated, they would have more food.
096	Ken Evans	States ODFW is right. Says he would like to see SB 727 pass because the impacts of it would be beneficial. Comments the south Santiam river can get warm and explains the study depends on the sites involved.
132	Chair George	Comments SB 727 looks like a good way to obtain data.
137	Evans	Agrees it would be a great way to obtain data on squawfish.
146	Chair George	Asks Evans to talk with his members and see if they would come testify before the committee. Adds the committee will try to have the Salem Fishing Buddies give testimony as well.
150	Sen. Fisher	Asks if the season or time of year the study is done can be controlled.
170	Rohleder	Says that if SB 727 were passed in current form and the money for the program was found, ODFW could write rules. Says ODFW would try to write rules that would make the program cost effective.
207	Sen. Fisher	Says he does not see cutthroat as a problem for the fishermen.
211	Evans	Answers the Upper Willamette has cutthroat. Acknowledges there is a challenge to catch non-targeted fish.
215		Staff submits <b>[EXHIBIT B]</b> on behalf of Jim Myron.
219	Chair George	Comments SB 727 shows the desperation of the fishing and agricultural communities to come up with an answer. Closes public hearing on SB 727. Adjourns meeting at 6:03 p.m.

Submitted By, Reviewed By,

Kristal Hatton-Nease, Brad Harper,  
Administrative Support Administrator

**EXHIBIT SUMMARY**

**A ñ SB 727, written testimony, Charlie Corrarino, 7 pp.**

**B ñ SB 727, written testimony, Jim Myron, 1 p.**