

HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

January 28, 1997 Hearing Room D

08:30 AM Tapes 09 - 10

MEMBERS PRESENT:

Rep. Charles Starr, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Dennis Luke

Rep. Ken Messerle

Rep. Kurt Schrader

Rep. Judith Uherbelau

Rep. Larry Wells

MEMBER EXCUSED:

STAFF PRESENT:

Judith Gruber, Administrator

Linda Kowal, Administrative Support

MEASURE/ISSUES HEARD:

HCR 2 Public Hearing

HB 2219 Public Hearing

LC 1503 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 |
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| TAPE 09, A | | |
| 018 | Chair Starr | Calls meeting to order at 8:31 am. Calls Rep. Thompson to introduce HCR 2 |
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| <u>HCR 2</u> <u>PUBLIC</u> <u>HEARING</u> | | |
| 032 | Rep. Thompson | Gives an overview of HCR 2. |
| 081 | Rep. Uherbelau | Summarizes, that the Marine Mammal Act gives authorization for research but that they are requesting funding. |
| 088 | Rep. Thompson | Responds that some research has been blocked. |
| 098 | Rep. Messerle | Asks how the seal predatory impact compares with other predators. |
| 103 | Rep. Thompson | Responds with the findings of a Canadian study he heard about. |
| 113 | Rep. Messerle | Asks for a percentage of the predators. |
| 114 | Rep. Thompson | Responds that the data varies from estuary to estuary. |
| 118 | Rep. Luke | Asks if HCR 2 is for the removal or capture of these mammals. |
| 119 | Rep. Thompson | Responds that it is intended to get research. |
| 122 | Rep. Luke | Asks what is the natural balance of predators. |
| 126 | Rep. Thompson | Responds that historically man was their predator. |
| 131 | Rep. Luke | Asks about their natural predators. |
| 134 | Rep. Thompson | Responds that it is mainly killer whales. |
| 141 | Rep. Wells | Refers to the Federal Marine Mammal Protection Act 1994, Sec 120. |
| 149 | Rep. Thompson | Responds that their role has been towards enforcement not research. |
| 159 | Chair Starr | Calls Rep. Tim Josi |
| 163 | Rep. Josi | Tim Josi, State Rep. House District 2 states his support of HCR 2. Expresses his viewpoint, refers to line 20 of the first page. |
| 217 | Chair Starr | Referring to the witness list calls members of the Northwest Steelheaders: Norman Ritchie, Larry Beaver, Mike Huddleston and Robert Blensly to testify together. |
| 243 | Norman E. Ritchie | Member of the Association of Northwest Steelheaders, is the Sandy River Chapter President and Resource Director for the Association. States strong support for HCR 2 and describes personal experiences. |
| 262 | Ritchie | Refers to written testimony (EXHIBIT A) |
| 298 | Chair Starr | |

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| | | Thanks the Steelheaders for coming forth and states that this bill has good support. Invites the other members of the Steelheaders to testify. |
| 330 | Larry Beaver | Member of the Sandy River Steelheaders endorses what Ritchie has said and refers to written testimony. (EXHIBIT B). |
| 335 | Robert Blensly | Member of the Salem Chapter of the Steelheaders. Testifies his experience last summer. |
| 358 | Mike Huddleston | Director of the Salem Chapter of Steelheaders. Testifies his experience in Newport, OR. |
| 371 | Chair Starr | Thanks the Steelheaders. Calls Steve Beyerlin, Oregon Outdoors Association. |
| 381 | Steve Beyerlin | President of the Oregon Outdoors Association, lives in Gold Beach, has a touring business. Refers to history and his experience with the intelligence of these mammals. |
| TAPE 10, A | | |
| 019 | Beyerlin | Continues with testimony. Refers to a letter by Rudolph A. Rosen |
| 048 | Rep. Wells | Refers to a note he has received. |
| 056 | Rep. Thompson | Discussion regarding the bird problem. |
| 059 | Beyerlin | Responds with regard to how serious a bird problem can be. |
| 060 | Rep. Wells | Inquires why this is not addressed in HCR 2. |
| 068 | Rep. Thompson | Responds HCR 2 addresses the Mammal Marine Act only and the need for research. |
| 075 | Beyerlin | States he has seen seals and sea lions 400 to 800 in number at the mouth of the river. |
| 086 | Chair Starr | Thanks Beyerlin. Calls Rod Ingram. |
| 116 | Rod Ingram | Deputy Director of the Oregon Department of Fish and Wildlife (ODFW). With him is Robin Brown. Refers to written testimony (EXHIBIT C) and the letter from Rudolph A. Rosen, addressed to Mr. Schmitten, National Marine Fisheries Service, (NMFS) that was referred to earlier by Beyerlin. |
| 127 | Ingram | Makes a suggestion with regard to wording that references to marine mammals be substituted with seal or sea lion. |
| 131 | Rep. Wells | Refers to the letter addressed to Mr. Schmitten, NMFS, regarding deterrents. |
| 154 | Beyerlin | Refers question to Robin Brown. |
| 157 | Robin Brown | Oregon Department of Fish and Wildlife, describes some non-lethal deterrents that have been tried. |
| 183 | Rep. Wells | Asks if lethal deterrents are an option. |
| 189 | Brown | Responds that Section 120, added in 1994 to the Marine Mammal Act is currently in law. |
| 202 | Beyerlin | Comments on visible and non-visible predators. |

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| 213 | Chair Starr | Closes the public hearing on HCR 2 |
| <u>HCR 2 WORK SESSION</u> | | |
| | Rep. Luke | Asks if the sponsor of HCR 2, Rep. Thompson, wants to make the proposed changes to HCR 2. |
| 229 | Rep. Thompson | Responds affirmatively, refers to section 1 of the proposed change, asks there be language to specify California Sea Lion. |
| 234 | Rep. Luke | Makes a suggestion that Rep. Thompson and ODFW get amendments and return this to the committee. |
| | Rep. Thompson | Refers to 5272, sub-title 1, states he wants all reference to marine mammals e changed to pinnipeds, or to all reference of seals and sea lions, put the word California in front of sea lions. |
| 247 | Chair Starr | Instructs Rep. Thompson to have the changes drafted as amendments for a future work session. |
| 251 | Chair Starr | Closes work session on HCR 2 |
| <u>HB 2219 PUBLIC HEARING</u> | | |
| 263 | Chair Starr | Opens public hearing on HB 2219, calls Rep. Thompson to introduce. |
| 297 | Rep. Thompson | Gives an overview of the bill. Asks that the Department of Fish and Wildlife to give their proposed changes. |
| 323 | Rep. Wells | States these are resources that are owned and paid for by the public, yet these are private contests. |
| 340 | Rep. Thompson | Responds he sees no problem as long as the contest is open to the public. |
| 351 | Chair Starr | Introduces Rod Ingram. |
| 360 | Rod Ingram | Deputy Director for the Oregon Department of Fish and Wildlife (ODFW) has Kay Brown from the fish division accompanying him. States that their concern is the effect on other species that are not in good shape. (EXHIBIT E) |
| TAPE 9, B | | |
| 008 | Ingram | Continues with testimony, discusses how tournaments can be useful, but suggests the need for rules or restrictions on permits. States their support for the bill. |
| 024 | Rep. Thompson | Asks for a description of the Chinook population. |
| 028 | Brown | Responds there are healthy stocks of Chinooks along the coast. |
| 031 | Rep. Thompson | Asks if the public perception that all salmon are in decline is wrong. |
| 034 | Brown | Responds there are areas where there are healthy stocks and there are areas where they are limited. |
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| 038 | Rep. Uherbelau | How does the amount of the prize affect how many people turn out. |
| 047 | Ingram | Responds that the prizes attract different types of people. |
| 054 | Rep. Luke | Comments that the higher the prize, the higher the quality of the contestants. |
| 059 | Rep. Luke | Asks are there limits on big game. |
| 061 | Ingram | Responds there are no major contests on game. |
| 060 | Rep. Luke | Confirms that the limits on prizes is limited to fish. |
| 069 | Rep. Luke | Asks would the ODFW set rules for any prizes offered over the limit. |
| 074 | Ingram | Responds they are restricted to the limit. |
| 077 | Rep. Luke | Asks would the bill have to state something to that effect. |
| 087 | Ingram | Responds affirmatively. |
| 089 | Rep. Schrader | Asks how unlimited prizes would affect commercial and sport fishing for the same species. |
| 090 | Ingram | Responds would be restrictions on commercial species. |
| 099 | Brown | Responds that the commercial fisheries and sport fishermen are allocated a certain amount. |
| 108 | Rep. Schrader | Comments on personal experience with tournaments and the pressure it can put on a species. |
| 116 | Ingram | States the language is broad and can include ocean stock and bottom fish. |
| 120 | Rep. Wells | Asks are the contests from non-profit or profit sponsors. |
| 130 | Brown | Responds that most are for profit. |
| 142 | Joe Rohleder | Lobbyist for the Association of Northwest Steelheaders, Northwest Sport Fishing Industry Association and Oregon Outdoors Association. Describes the types of groups that are members of these associations. Explains why these groups are interested in this bill. |
| | Rep. Luke | Asks if he has any number in mind for the limit. |
| | Rohleder | Responds that \$1000 would be a reasonable number. |
| 218 | Rep. Luke | Asks whether he has any objections to the ODFW developing rules. |
| 226 | Rohleder | Responds that it may provide protection for some species. |
| 226 | Rep. Messerle | States that he supports an increase but asks why a limit is needed. |
| 236 | Steve Beyerlin | President of Oregon Outdoors Association, past president and founder of Curry Guides Association. Offers insight into the operation of derbies. |
| 301 | Rep. Messerle | Asks why a limit, why wouldn't economics set the limit. |
| 309 | Beyerlin | States it could injure a derby with unfair competition. |

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| 317 | Rep. Wells | States concerned with profits being made with a public resource. |
| | Beyerlin | States the groups he represents would support non-profits running these tournaments. |
| 343 | Chair Starr | Asks if there is any opposition from the audience. Closes public hearing on HB 2219. |
| <u>HB 2219</u> | | |
| <u>WORK</u> | | |
| <u>SESSION</u> | | |
| | Chair Starr | Opens works session on HB 2219 |
| 360 | Rep. Luke | Comments there appears to be a need for more work to be done on this. |
| 365 | Rep. Schrader | Suggests that the committee amend the bill with two amendments: a limit on the prize value and some language that allows ODFW to monitor these contests. |
| 376 | Rep. Thompson | States the focus is to change the prize value from a limit of \$50 to \$1000 and to come up with wording to mandate permits. Asks Rod Ingram to come forward for suggestions. |
| 394 | Ingram | Asks Kay Brown from the fish division to answer. |
| 398 | Kay Brown | ODFW, suggests that the committee authorize ODFW to adopt rules and issue permits if necessary. |
| <u>TAPE 10, B</u> | | |
| 018 | Rep. Luke | Suggests that anyone who wants to exceed the prize limit would need a permit. |
| 027 | Rep. Schrader | Concern with the costs of processing a lot of permits. |
| 031 | Chair Starr | Instructs Rep. Thompson and the ODFW to bring language in the form of an amendment for a future work session. Closes work session on HB 2219, opens work session on LC 1503. |
| <u>WORK</u> | | |
| <u>SESSION LC</u> | | |
| <u>1503</u> | | |
| 040 | Rep. Luke | MOTION: MOVES LC 1503 dated 12/23/96 be introduced as a committee bill. |
| 049 | Chair Starr | Declares the motion to introduce LC 1503 as a committee bill. Asks if there is any discussion. Reiterates the bill is being introduced without prejudice and as a courtesy. Asks "is there any opposition to doing that" VOTE: Hearing no objection, declares the motion CARRIED. Adjourns meeting. |
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Submitted By, Reviewed By,
Linda Kowal, Judith Gruber,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HCR 2, written testimony, Norman E. Ritchie

B - HCR 2, written testimony, Larry Beaver, Sandy River Chapter of the Association of Northwest Steelheaders

C - HCR 2, written testimony, Rod Ingram, Oregon Department of Fish and Wildlife

D - HCR 2, written testimony, Harry B. Harrison

E - HB 2219, written testimony, Rod Ingram, Oregon Department of Fish and Wildlife