

HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

February 11, 1997 Hearing Room D

08:30 AM Tapes 19 - 21

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:

HB 2189 Public hearing

HB 2188 Public hearing

HB 2121 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 19, A		
013	Chair Starr	Opens meeting at 8:35 am. Changes order of agenda. Opens public hearing on HB 2189.

<u>HB 2189</u>		
<u>PUBLIC</u>		
<u>HEARING</u>		
028	Rep. Tim Josi	District 2. States his support for HB 2189, reauthorizing the Fish Restoration and Enhancement Act. Briefs the committee on the purpose of the program, how it's funded and states how this works with the Governor's Coastal Salmon Restoration Initiative.
070	Rep. Wells	Asks if they are considering the original bill or with the amendments.
087	Rep. Josi	States this is the first he's heard of amendments and predicts the authors will surface in later testimony.
090	Mark Labhart	Member of the Restoration and Enhancement Board. Representing the sport fishing clientele in the Tillamook area. (EXHIBIT A)
127	Rep. Larry Sowa	District 26. Gives background information on the formation of the Restoration and Enhancement Board (R & E board). Refers to amendments that are in Legislative Counsel (LC). Gives background information on the Access and Habitat Board.
199	Rep. Luke	Confirms that Rep. Sowa has amendments in process that affect both HB 2188 and HB 2189.
203	Rep. Sowa	Affirmative. The amendment on access and habitat is HB 2499 and the other has not come from LC yet.
206	Rep. Luke	Asks if the proposed amendments increase fees.
207	Rep. Sowa	Affirmative, would raise the surcharge from \$2 to \$5.
227	Rod Ingram	Deputy Director, Oregon Department of Fish and Wildlife. Refers to his written testimony (EXHIBIT B). States the department would not be able to support an amendment for a fee increase because it is outside the Governor's budget.
275	Jim Bussard	Member of the R & E board since it's inception in 1989. The commercial and sportfishing groups are working together on these efforts.
325	Rep. Messerle	States it has come to their attention there is not a lot of documentation on what has been accomplished and what the effect has been, not only in this program, but including the watershed association, landowner projects, and timberland projects.
344	Bussard	Responds that in the beginning they neglected to publicize their efforts and accomplishments, however, in the last 1.5 years they have made major efforts to bring this to the public attention.
372	Rep. Luke	States for the record he doesn't need that.
376	Bruce Hanson	Gillnet industry representative, member of the R & E board since it's inception in 1989. Talks about the accomplishments and efforts of all those involved in the various projects.
TAPE 20, A		

011	Rep. Luke	Asks Bussard which is more important, having the landowners do paperwork or the projects.
013	Hanson	Responds that he believes Rep. Luke is referring to proposed amendments that require landowners to keep records. States he feels it is unrealistic.
021	Rep. Luke	Asks that he talk about fishing access.
027	Bussard	Responds that a high percentage of coastal streams and lakes have access. With private landowners, building partnerships and trusts is the most successful way to gain access.
040	Rep. Luke	Asks how many fees are added on to the fishing license.
041	Ingram	Answers there is a \$1 agent fee, 25 cents for screening and \$2 for the R & E board.
044	Rep. Luke	Asks is the number of fishing licenses down when compared to previous years.
048	Ingram	Affirmative, probably due to the salmon related licenses. States there is a \$4 million deficit in their budget this year.
056	Rep. Luke	Referring to the amendment, do they have a projection on the numbers of licenses if the fee is raised.
056	Ingram	Responds if the fee is not substantial, there is an initial drop off in the beginning than later sales come up to normal levels.
068	Rep. Wells	Refers to lines 26 through 29 on the bill changing "poundage" to "ad valorem" and asks what that means.
079	Rep. Thompson	Clarifies that "ad valorem is a percentage of the dollar value of the fish, poundage fee is where there is a direct price associated to the number of pounds of the fish. "
084	Rep. Thompson	States the change was about six to eight years ago. Discussion with Rep. Wells about language in line 28 regarding an additional 5 cents per pound.
089	Rep. Luke	Clarifies it is in addition to the ad valorem fee and goes specifically to this program.
096	Chair Starr	Confirms he heard someone say this is on salmon only.
097	Rep. Thompson	Asks are Chinook at their highest number in years
099	Rod Ingram	Affirmative. Coho salmon and Fall Chinook are at high cycles on most of the Oregon coast.
117	Rep. Thompson	States wouldn't it be feasible to stimulate more interest in the Fall Chinook. Asks why a decision was made to restrict the catch of Chinooks.
130	Ingram	Responds he doesn't know the rational that led to reducing the catch limit from 40 to 20 for steelhead and salmon, including Chinook.
146	Rep. Messerle	Refers back to access and asks how have they reached their goals in the past and what are they projecting for future goals regarding private landowners.

152	Hanson	Responds, by mutual agreement.
170	Rep. Messerle	Asks where are the projects located.
179	Hanson	Some in eastern Oregon and the Willamette Valley. They did a special project where they installed fencing on Long View Ranch which was the first place to give public access to the John Day River.
186	Ingram	States they have had a long history of trying to improve bank access and unless there is an agreement it gets very expensive to purchase and maintain.
204	Rep. Messerle	Comments on personal experience, states landowners are now responsible for the riparian zone and access is an issue.
236	Joe Rohleder	Registered lobbyist for the Northwest Sportfishing Industry Association, Oregon Outdoors Association, Association of Northwest Steelheaders and small guide groups. Refers to written testimony and the amendments. (EXHIBIT C)
296	Rohleder	Continues with testimony regarding fee increases to a dedicated fund.
323	Rick Wren	Oregon Outdoors Association, reads written testimony. (EXHIBIT D)
377	Larry Beaver	Association of Northwest Steelheaders, Director, Sandy River Chapter. Reads from written testimony. (EXHIBIT E)
TAPE 19, B		
011	Janice Green	Umpqua Fishermen's Association, a step program. Submits written testimony. (EXHIBIT F) Emphasizes that the priority of the funds should be to improve fishing so licenses can be sold. Makes a second point regarding representation of sportfishermen on the R & E board.
066	Rep. Thompson	Discusses with Green her point regarding the representation of sportfishermen and commercial fishermen.
087	Rep. Messerle	Asks Green to speak about the effect on the attitudes and energy of their group since the listing of the Umpqua.
090	Green	Responds that the fishermen have be cut out of all trout fishing. States the biology and science was poor and they don't feel it should have been listed.
110	Grant Brown	Umpqua Fishermen's Association. States they are strictly a volunteer group which use very little of the state's money. Points out there is no fishing allowed in streams they have stocked for fifteen years and that there is no shortage of fish in Douglas County.
150	Rep. Thompson	Ask if the Cutthroat is really endangered in the Umpqua.
153	Brown	Responds in the tributary streams, no. States that Winchester Dam was used as a basis for these issues.

167	Rep. Thompson	Asks Ingram what scientific procedures were used to establish this as an endangered species.
172	Ingram	States it was a federal listing. Offers to provide information at a later time.
172	Green	Responds to Rep. Thompson's question by referring to the fish ladder at Winchester Dam.
213	Liz Hamilton	Executive Director of the Northwest Sportfishing Industry Association. Reads from written testimony. (EXHIBIT G)
276	Jim Berl	Property owner on the McKenzie River, Vice President for Oregon Outdoors Association. States on a personal note he doesn't mind paying a little extra on his license to support restoration and enhancement.
319	Jim Myron	Summarizes written testimony (EXHIBIT H). Refers to and suggests that HB 2209 be used to co-ordinate and prioritize the various projects.
355	Steve Beyerlin	President of Oregon Outdoors Association. Refers to the amendments that were introduced by Joe Rohleder.
399	Rep. Thompson	Asks if he knows how the general fisherman views the increase.
405	Beyerlin	Responds that the general public pays a low price for access when compared to other countries.
TAPE 20, B		
008	Charles Woosley	Submits written testimony. (EXHIBIT I)
024	Rep. Luke	States he would like to know the costs to notify people that free licenses are no longer valid and the cost to issue new licenses.
033	Rep. Wells	Asks if there is a way to issue the license without paying the \$1 fee.
047	Ingram	Responds that the \$1 is an agent fee required by statute.
055	Rep. Uherbelau	Asks if this will be brought back after the amendments are provided by LC.
058	Chair Starr	Affirmative. Closed public hearing on HB 2189. Opens public hearing on HB 2188.
<u>HB 2188</u> <u>PUBLIC</u> <u>HEARING</u>		
068	Rod Ingram	Deputy Director, Oregon Department of Fish and Wildlife (ODFW). Gives a brief overview of written testimony.(EXHIBIT J)
127	Jim Bussard	States he would like to see the program reauthorized in exact form.
195	Rep. Luke	Asks if too much paperwork is required of the landowners would it kill this program.

200	Bussard	Affirmative. Gives examples of how it would be discouraging.
212	Rep. Messerle	Comments he is encouraged with the attitude presented.
222	LL Stub Stuart	Representative from the 1951, 1953, and 1955 sessions. Seconds what Bussard said.
282	Scott Stouder	Access and Habitat board member, Oregon Hunters Association board member. Talks about concerns relating to access from vehicles and hunters.
313	Kelly Smith	Oregon Hunters Association board member. States the board has had to struggle with decisions to balance fund allocations for access and habitat.
384	Smith	States based on feedback from the landowners they hear from, a limiting factor is paperwork.
400	Monty Montgomery	Access and Habitat board member. States he agrees with all he's heard so far. Points out that in Oregon, 62 percent of the winter range for deer and elk is in private ownership. Refers to amendments requiring more paperwork from the landowners and states this would be a serious detriment to the program.
TAPE 21, A		
021	Theo Moore	Landowner and member of the Southeast Regional Counsel. States the Access and Habitat program as they have run it in Malheur county has been successful with access and damage management
071	Charles Woosley	Reads from written testimony. (EXHIBIT K) States for the record he strongly opposes the amendments as he understands them to be.
102	Harold Sturgis	Member of the Oregon Hunter's Association. States that landowners don't need hunters but may have a willingness to tolerate them. Urges adoption of HB 2188 as is.
133	Ivan Sanderson	President of Capitol Chapter of Oregon Hunters Association. States this program has provided a good working relationship with recreational users and landowners.
166	Rod Klawitter	Oregon United Sporting Dog. States one concern is balancing what is spent between access and habitat. Another concern is a need for more documentation on the success of the projects.
205	Rod Harder	Executive Director, Oregon Sportsmen's Defense Fund, Inc. Reads a portion of his testimony, from four years ago, on HB 3470, which eventually evolved into HB 2538-A, and states his position remains the same. States that this program has been "astounding in what it has done for sportsmen and landowner relations." Refers to HB 2499 and asks for the opportunity to doctor the bill up to state it's intent clearly.
284	Rep. Uherbelau	States that HB 2188 forwards the date. States it sounds like HB 2499 affects the program, asks should they be considered together.

291	Harder	Responds affirmatively
301	Rep. Luke	Asks is he bringing amendments to this bill or does he want the committee to wait until the other bill comes.
303	Harder	States preference is to wait.
313	Jim Ebert	Oregon Hunters Association, Portland Chapter and also the Oregon Gun Owners. States the Oregon Hunters Assoc. Portland Chapter would like to see more funds for the projects. Offers amendments. (EXHIBIT L)
375	Rep. Uherbelau	Asks if there is support from other hunter organizations.
376	Ebert	Responds that the president of the Portland Chapter had a discussion with the Portland Chapter of the Rocky Mountain Elk Foundation, the indication was supportive.
378	Chair Starr	Comments the Chair's intention is to bring this measure back after HB 2499 is re-worked.
399	Rep. Uherbelau	Asks that future testimony on the increase in acres that was accessed be presented when it returns. Closes public hearing on HB 2188 and opens work session on HB 2121.
<u>HB 2121</u> <u>WORK</u> <u>SESSION</u>		
400	Judith Gruber	Policy Analyst. Refers to the hand engrossed version of HB 2121-1.
423	Rep. Wells	MOTION: Moves to ADOPT HB 2121-1 amendments dated 02/10/97.
	Chair Starr	Hearing no objection, declares the motion CARRIED.
	Rep. Wells	MOTION: Moves HB 2121 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 - Rep. Schrader
	Chair Starr	The motion CARRIES. REP. WELLS will lead discussion on the floor.
	Chair Starr	Closes work session on HB 2121 and adjourns meeting.

Submitted By, Reviewed By,

Linda M. Kowal, Judith Gruber,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2189, Restoration & Enhancement Program brochure, Mark Labhart, 8 pp.

B - HB 2189, statement, Rod Ingram, 4 pp.

C - HB 2189, written testimony, Joe Rohleder, 4 pp.

D - HB 2189, written testimony, Rick Wren, 2 pp.

E - HB 2189, written testimony, Larry Beaver, 1 p.

F - HB 2189, written testimony, Janice Green, 1 p.

G - HB 2189, written testimony, Liz Hamilton, 3 pp.

H - HB 2189, written testimony, Jim Myron, 1 p.

I - HB 2189, written testimony, Charles W. Woosley, 1 p.

J - HB 2189, statement, Rod Ingram, 7 pp.

K - HB 2188, written testimony, Charles W. Woosley, 2 pp.

L - HB 2188, written testimony, Jim Ebert, 1 p.

M- HB 2188, written testimony, Pete Test, 3 pp.

N - HB 2121, hand engrossed bill including -1 amendments, staff, 2 pp.

O - HB 2189, follow up correspondence, Rod Ingram, 2 pp.

P - HB 2189, brochures, Liz Callison, 3 pp.

HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

February 11, 1997 Hearing Room F

03:00 PM

MEMBERS PRESENT:

Rep. Charles Starr, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Ken Messerle

Rep. Kurt Schrader

MEMBER EXCUSED: Rep. Dennis Luke

Rep. Judith Uherbelau

Rep. Larry Wells

STAFF PRESENT:

Judith Gruber, Administrator

MEASURE/ISSUES HEARD:

Salmon issues from the federal perspective:

National Marine Fisheries Service

William Stelle, Northwest Region Administrator

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Tape/#	Speaker	Comments
Joint meeting with Senate Agriculture and Natural Resources Committee, Senate Committee on Water and Land Use, and House Committee on Water Policy. Please see the Water Policy Committee meeting minutes dated February 11, 1997.		

Submitted By, Reviewed By,

Linda Kowal, Judith Gruber,

Administrative Support Administrator