

**HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**March 25, 1997 Hearing Room D**

**08:30 AM Tapes 47 - 49**

**MEMBERS PRESENT:**

**Rep. Charles Starr, Chair**

**Rep. Terry Thompson, Vice-Chair**

**Rep. Dennis Luke**

**Rep. Ken Messerle**

**Rep. Judith Uherbelau**

**Rep. Larry Wells**

**MEMBER EXCUSED: Rep. Kurt Schrader**

**STAFF PRESENT:**

**Judith Gruber, Administrator**

**Linda Kowal, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 2555 Work Session**

**HB 3160 Public Hearing**

**HB 3352 Public Hearing**

**HCR 9 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 47, A</b>		
<b>009</b>	<b>Chair Starr</b>	<b>Calls the meeting to order at 8:35 am and opens the work session on HB 2555.</b>

<b><u>HB 2555</u></b>		
<b><u>WORK</u></b>		
<b><u>SESSION</u></b>		
012	Judith Gruber	Policy Analyst. Refers to (EXHIBIT A). States the amendment language will not significantly change the fiscal and revenue impacts. Reminds the committee that the original fiscal impact statement indicated the approximate cost of this study was estimated at \$100,000.
022	Rep. Thompson	States that the last time this was discussed it was determined that Oregon State University (OSU), Oregon Department of Fish and Wildlife (ODF&W), and Oregon Trout would discuss the practicality of this study.
034	Rep. Messerle	Inquires whether it was resolved who will conduct this study.
035	Kay Brown	Oregon Department of Fish & Wildlife. States they've discussed it with OSU and it will be a combined effort. Describes the types of things a graduate student would do and states that ODF&W would do the writing.
044	Rep. Thompson	Asks what do they anticipate the literature work to be.
046	Doug Markel	Professor of Fisheries at Oregon State University (OSU). Answers the scope of what is being discussed can be done for this amount of money. Interactions can be discovered but <u>all possible</u> interactions can't be investigated.
056	Rep. Uherbelau	Asks if it is correct that ODF&W would require additional money outside their budget.
062	Brown	Affirmative.
063	Rep. Uherbelau	Addresses Chair Starr and inquires if there has been a decision to send this as a subsequent referral to Ways and Means.
063	Chair Starr	Affirmative.
065	Rep. Messerle	Asks if the issue of credibility was discussed since some of the exotic species were introduced by ODF&W.
068	Kay Brown	States they would be satisfied with OSU doing the work, however, she feels there's a need for their involvement because they are the managing agency.
070	Jim Myron	Oregon Trout. States he feels it's appropriate for ODF&W to be the main player.
085	Rep. Luke	Asks where is the \$100,000 going to coming from.
086	Committee	Discusses with Brown and Myron funding sources and Ways and Means referral.
120	Rep. Uherbelau	Confirms this idea should be pursued and inquires about what the study will bring.
134	Myron	Responds a focused study like this could provide important answers and discover unknown effects on fish.

140	Rep. Messerle	Comments that the salmon fund should be a last resort as a funding source.
152	Rep. Thompson	<b>MOTION: Moves to ADOPT HB 2555-1 amendments dated 03/14/97.</b>
	Chair Starr	<b>Hearing no objection, declares the motion CARRIED.</b>
158	Rep. Thompson	<b>MOTION: Moves HB 2555 with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.</b>
167	Chair Starr	<b>VOTE: 6-0</b> <b>AYE: Thompson, Luke, Messerle, Wells, Uherbelau, Starr</b> <b>EXCUSED: 1 - Schrader</b>
	Chair Starr	<b>The motion CARRIES.</b>
174	Chair Starr	<b>Closes the work session on HB 2555 and opens the public hearing on HB 3160.</b>
<b><u>HB 3160</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
185	Rep. Judith Uherbelau	<b>District 52. States this bill enlarges the definition of disabled. It includes not only those who are wheel chair bound, but also those who are eligible to receive social security disability benefits. Fishing can be a form of therapy for some types of disabilities. (EXHIBIT B)</b>
225	Rep. Wells	<b>Asks are there degrees of disability under social security?</b>
232	Rep. Uherbelau	<b>Responds she's not sure but doesn't think so.</b>
239	Rep. Luke	<b>Comments there are special ramps built for wheelchairs. Asks if it is intended that anyone with this license would be able to use these facilities.</b>
251	Rep. Uherbelau	<b>Responds the facilities can be used to the extent of who it is currently used by. This bill only broadens the definition of disabled.</b>
256	Kay Brown	<b>Oregon Department of Fish &amp; Wildlife. (EXHIBIT C) Speaks from personal experience.</b>
326	Rep. Uherbelau	<b>Discusses tightening the language. Asks since the passage of the American Disabilities Act, has there been discussions about possible discrimination by categorizing disabled groups.</b>
332	Brown	<b>Responds it is their understanding the main issue is reasonable accommodation.</b>
340	Rep. Luke	<b>Asks how the facilities are funded and who builds them.</b>
348	Brown	<b>Answers there's a variety of funding sources, gives examples.</b>

355	Rep. Luke	Asks if ODF&W contributes to any of the projects.
356	Brown	Affirmative.
362	Rep. Messerle	Adds the Marine Board does also.
369	Rep. Thompson	Asks how many groups a year ask for exceptions.
374	Brown	Responds there's a variety of requests, gives examples.
380	Rep. Thompson	Asks would this increase the number of people in those gray areas.
385	Brown	Responds that this is a specific group. All this will do is reduce their license fee, it does not allow for other benefits.
TAPE 48, A		
015	Rep. Luke	Comments about this bill having no restrictions on income.
020	Rod Ingram	Acting Director, Department of Fish and Wildlife. Discusses the definition of disabled. Talks about groups that have come forward with regard to fee and opportunity structures.
051	Rep. Uherbelau	Comments on the possibility of matching the names of people who have applied for fishing licenses with those who are collecting social security disability benefits.
057	Rep Luke	States that information is privileged and not for public record.
064	Chair Starr	States that work needs to be done outside chambers . Closes the public hearing on HB 3160 and opens the public hearing on HB 3352.
<u>HB 3352</u> <u>PUBLIC</u> <u>HEARING</u>		
080	Darrell Beers	(EXHIBIT D) Begins testimony by providing some background. * current law requires you shoot your own animal * have been trying to do this for six years
124	Rep. Peter Courtney	District 33. (EXHIBIT E) States that Washington, California, and Idaho have similar legislation. This is an American Disabilities Act (ADA) issue so the bill was introduced through Judiciary. States his support for the efforts of the committee to look at this and work legislation in this area.
165	Rep. Uherbelau	Asks if there have been any discussions with ODF&W with regard to a free hunting license.
178	Beers	Answers this measure is not just for the blind. The amendments try to address misconceptions about disabilities such as:  * the misconception that a disabled person is in a wheelchair

		<b>* that there are other conditions that can cause severe mobility complications such as severe heart or lung conditions and amputees.</b>
<b>193</b>	<b>Beers</b>	<b>States the purpose of the bill is to change the definition to include people who are mobility disabled and to provide access to ADA qualified.</b>
<b>222</b>	<b>Beers</b>	<b>Continues that these amendments include a larger group of people, provides for assistance in firing and recovery, personal identification issues, and defines disabled with regard to hunting and fishing.</b>
<b>250</b>	<b>Beers</b>	<b>Concludes that this bill deals with mobility and safety to the public. Refers to the amendment regarding the costs to the game commission.</b>
<b>266</b>	<b>Rep. Thompson</b>	<b>Comments that the money received by the ODF&amp;W from licenses is leveraged against federal funds which make access points for all types of disabled people. If the license funds are reduced, the federal funds will be reduced and that will reduce some of the access points.</b>
<b>280</b>	<b>Beers</b>	<b>Responds that they stated every time they gave away a license they lost \$5.50. The game commission recovers the audited cost for issuing a free license so the amendments say recover the audited costs plus \$1.00. The feds said if they recover the audited costs alone they will pay the matching funds. Most disabled people who would be out hunting or fishing don't want a hand out, they want access.</b>
<b>323</b>	<b>Beers</b>	<b>Gives a closing statement with regard to meetings with ODF&amp;W and states that the disabled community would like to see something done this session.</b>
<b>368</b>	<b>Rep. Luke</b>	<b>Asks if the fee reduction wasn't considered would he have a problem with that.</b>
<b>377</b>	<b>Beers</b>	<b>Negative.</b>
<b>380</b>	<b>Rep. Luke</b>	<b>Asks how he feels about hunter education.</b>
<b>368</b>	<b>Beers</b>	<b>Responds it is imperative to have a hunter safety course.</b>
<b>400</b>	<b>Rep. Luke</b>	<b>Confirms with Beers he has no problem if amendments are drafted to do what he wants, does not reduce the fees out, and includes language in regard to hunter education.</b>
<b>402</b>	<b>Beers</b>	<b>Affirmative.</b>
<b>404</b>	<b>Jim Greer</b>	<b>Wildlife Division Director, ODF&amp;W. (EXHIBIT F)</b>
<b>TAPE 47, B</b>		
<b>021</b>	<b>Rep. Uherbelau</b>	<b>Asks when considering the definition for disabled, will it be for fishing and hunting.</b>
<b>025</b>	<b>Greer</b>	<b>Affirmative.</b>
<b>026</b>		<b>States she would like to be kept informed.</b>

	<b>Rep. Uherbelau</b>	
<b>028</b>	<b>Chair Starr</b>	<b>States the bills appear to relate but the relating clauses don't encompass what they are trying to do.</b>
<b>035</b>	<b>Leonard Kokel</b>	<b>From the Coquille Valley area, an avid hunter and fisherman. District Representative on the Board of Directors for the Oregon Council for the Blind. States his concern is that this has gone on for a number of years and all they want is for it to be legal to have help hunting. Regarding the fees, he is happy to pay his fair share.</b>
<b>067</b>	<b>Bev Rushing</b>	<b>President of the Oregon Council of the Blind. States the Council supports the bill and amendments. Gives her personal experience regarding hunting.</b>
<b>115</b>	<b>Kokel</b>	<b>Talks about the hunting safety course.</b>
<b>127</b>	<b>Chair Starr</b>	<b>Asks that they work with the department. Closes the public hearing on HB 3352 and opens the public hearing on HCR 9.</b>
<b>168</b>	<b>Rep. Liz VanLeeuwen</b>	<b>District 37. (EXHIBIT G) States this resolution is an attempt to change the way Congress perceives timber harvests.</b>
<b>200</b>	<b>Rep. Jim Welsh</b>	<b>District 43. States this is an excellent tool and ongoing discussion on how to manage our forest lands. It allows local control at the ranger district level and brings in public opinion and involvement.</b>
<b>242</b>	<b>Rep. Welsh</b>	<b>Continues with testimony, talks about a federal land management bill.</b>
<b>272</b>	<b>Benjamin Stout</b>	<b>Retired forest scientist and volunteer Natural Resource Aid to Rep. VanLeeuwen. (EXHIBIT H) Reads from written testimony.</b>
<b>302</b>	<b>Stout</b>	<b>Refers to the color map on the wall.</b>
<b>333</b>	<b>Stout</b>	<b>Begins overhead presentation on tree age classes and acreage.</b>
<b>343</b>	<b>Rep. Thompson</b>	<b>Asks how much of this is federal land.</b>
<b>344</b>	<b>Stout</b>	<b>Responds all of it. Continues with presentation.</b>
<b>368</b>	<b>Rep. Thompson</b>	<b>Comments that some of these areas are ridge top and not highly productive.</b>
<b>380</b>	<b>Stout</b>	<b>Responds this doesn't include unforested areas around Mt. Jefferson. It does include Opal Creek.</b>
<b>393</b>	<b>Rep. Uherbelau</b>	<b>Asks who prepared the map and chart.</b>
<b>394</b>	<b>Stout</b>	<b>Answers the GIS (Geographic Information System) section of the Detroit Ranger District. Continues with testimony.</b>

412	Rep. Uherbelau	Requests that copies of the map and chart be made available for the members. (EXHIBIT I AND EXHIBIT N)
417	Rep. Messerle	Asks if the acres up to 100 years is harvest related and the acreage that is 100 - 200+ due to natural conditions.
423	Stout	Responds, "roughly." Continues with testimony.
TAPE 48, B		
010	Stout	Continues with testimony. States harvesting of the national forests began around World War II and has been increasing. Refers to (EXHIBIT I ) and points out the age classes and the increase in acres harvested.
034	Stout	Reads from page 2 of EXHIBIT H.
042	Rep. Uherbelau	Comments his written testimony is not in the resolution and it would be beneficial to Washington DC. (EXHIBIT J)
050	Stout	States the memorandum he sent to Rep. VanLeeuwen has everything in it.
052	Stout	Continues with testimony.
066	Stout	Refers to the last overhead in his presentation then continues with testimony.
106	Chair Starr	Refers to the amendments and states that he believes they address Rep. Uherbelau's earlier stated concern.
112	Rep. VanLeeuwen	States that basically the amendments include the reservation of a percentage of the district for old growth reserves.
128	Chair Starr	Refers to line 9 in Exhibit G. States it appears to address the issues mentioned by Dr. Stout such as riparian areas and old growth. Asks is this what is intended?
150	Rep. VanLeeuwen	Comments this would put forest rangers in each district back to work managing their districts.
162	Rep. Messerle	Asks how this relates to court actions.
168	Rep. Welsh	Responds they believe this will work well with the forest plan. States from the beginning they have wanted a harvest level.
184	Stout	Responds that Sen. Craig is trying to completely restructure the way the federal government manages lands and there are two representatives from California that are trying to do something similar to HCR 9. States to his knowledge, HCR 9 is the only plan that offers a guarantee to set aside an agreed to designated area for only wilderness, wildlife and/or cultural values.
228	Stout	Conclude testimony with how there will be conflict resolution and major shifts in national legislative management objectives.
264	Merrilee Peay	Yellow Ribbon Coalition, Lane County. Reads from written testimony. (EXHIBIT K)
305	Peay	Continues reading written testimony. Talks about a personal observation.

366	Jeannie Weakly	Mill worker and member of Lumber and Sawmill Union Local 2949. Reads from written testimony. (EXHIBIT L) States they're in agreement with Dr. Stout's philosophies, theories and science.
411	Wayne Giesy	Former legislator in the 1955 and 1957 sessions. States support of HCR 9. This proposal is interesting to him because it's not an allowable sale quantity, but an allowable sale acreage.
TAPE 49, A		
026	Gil Riddell	Association of Oregon Counties. States they interpreted the bill as support for localized administration of federal lands which would work well with the efforts of the Interior Columbia Basin Ecosystem Management Project. The Association of Counties of four states formed a group called The Eastside Ecosystem Coalition of Counties. Describes the types of projects they have and plan to work on. States their support as he believes this interpretation fits in with the wording but not necessarily in respect to timber volume.
050	Rep. Uherbelau	Asks in what way is there a difference in their interpretations, specifically in regard to areas that are reserved.
056	Riddell	Responds they interpreted HCR 9 to be more than how timber volume and acreage is managed. They understood it to be a way for local communities to restore and maintain the health of the federal lands, benefit from the by-products, and assure these communities will have anchored enterprises.
077	Rep. Uherbelau	Asks are you saying that the local community should decide if a specific portion should be reserved.
084	Riddell	Responds that could be part of the plan. States if the province committees worked the way it was envisioned, this would be underway already. If this resolution addressed more, it would be stronger.
099	Mike Miller	Executive Vice President, Associated Oregon Loggers. (EXHIBIT M) States according to the Forest Service the annual projected growth is 18 billion board feet nationwide off national forests. Refers to the exhibit and points out that the harvest in 1996 was about 4 billion. Comments the forests are locked up and this devalues a renewable resource that is in big demand. Concludes that without management the forests are threaten with insects, fire hazards and impacts the wildlife dependent on openings.
131	Chair Starr	States they will bring this bill back for a work session. Closes the public hearing on HCR 9 and adjourns meeting at 10:35 am.

Submitted By, Reviewed By,

Linda M. Kowal, Judith Gruber,

Administrative Support Administrator

EXHIBIT SUMMARY



- A - HB 2555, hand engrossed with the -1 amendments, staff, 2 pp.**
- B - HB 3160, written testimony, Rep. Judith Uherbelau, 7 pp.**
- C - HB 3160, statement, Kay Brown, 2 pp.**
- D - HB 3352, written testimony, Darrell Beers, 13 pp.**
- E - HB 3352, written testimony, Rep. Peter Courtney, 2 pp.**
- F - HB 3352, statement, Jim Greer, 2 pp.**
- G - HCR 9, hand engrossed with the -1 amendments, Rep. Liz VanLeeuwen, 2 pp.**
- H - HCR 9, written testimony, Benjamin Stout, 3 pp.**
- I - HCR 9, chart, Benjamin Stout, 1 p.**
- J - HCR 9, proposal, Rep. Liz VanLeeuwen, 11 pp.**
- K - HCR 9, written testimony, Merrilee Peay, 2 pp.**
- L - HCR 9, written testimony, Jeannie Weakly, 1 p.**
- M - HCR 9, publication, Mike Miller, 2 pp.**
- N - HCR 9, oversize map, staff**