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SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

May 5, 1997 Hearing Room C

8:30 A.M. Tapes 100 - 101

MEMBERS PRESENT:

Sen. Bob Kintigh, Chair

Sen. Bill Fisher, Vice-Chair

Sen. Bill Dwyer

Sen. Ted Ferrioli

Sen. Gary George

Sen. Veral Tarno

Sen. Thomas Wilde

MEMBER EXCUSED:

STAFF PRESENT:

Glen Stonebrink, Administrator

Linda Spaulding, Administrative Support

MEASURE/ISSUES HEARD:

SB 216 Public Hearing and Work Session

SB 1096 Public Hearing and Work Session

SB 1202 Public Hearing and Work Session

SB 1001 Public Hearing and Work Session

HB 2409A Public Hearing and 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 100, A		
002	Chair Kintigh	Calls the meeting to order at 8:36 a.m. Opens work session on SB 216.
<u>SB 216 - WORK SESSION</u>		
014	Robert Vernon	Director, Oregon State Fair Supports SB 216 and proposed -2 amendments (EXHIBIT A).
027	Chair Kintigh	Asks for explanation why sponsorships are needed year round.
029	Vernon	Explains year-round benefits of sponsorships.
042	Chair Kintigh	Asks for explanation of ORS references in -2 amendments (EXHIBIT A).
044	Vernon	Answers they are operating statutes for agency activities.
055	Chair Kintigh	Asks other events of which sponsorships would be a part.
058	Vernon	Answers sign advertising throughout the Fair.
064	Sen. Dwyer	Asks regarding value of advertising space ; asks how sponsors compete for space.
068	Vernon	Answers values are determined by comparison to other posted advertisements in like markets.
074	Sen. Tarno	Expresses concern over -2 amendment language with respect to

		"the director may receive cash"
083	Vernon	Explains several elements of sponsorships: cash, service, equipment.
098	Sen. Fisher	Comments with respect to generality of "may."
103	Vernon	Responds sponsor must give something of value to receive something of value.
104	Sen. Fisher	Suggests amending language to "shall" rather than "may."
106	Vernon	Expresses no objection.
108	Sen. Tarno	Asks if situations arise where sponsor is unable to pay cash or equivalent product or services but deserves sponsorship.
113	Vernon	Answers specific organizations such as 4-H are not recognized as sponsorships.
119	Sen. Fisher	Asks if sponsorship is exempt from competitive bidding requirements.
120	Vernon	Replies question relates to purpose of the bill.
123	Sen. Fisher	Asks what is done to ensure competitive process.
129	Vernon	Answers SB 216 provides for development of rules in conjunction with Department of Administrative Services (DAS).
139	Sen. Ferrioli	Expresses concern over exemption of competitive bidding process.
152	John Vaughn	Business Manager, Oregon State Fair States DAS is comfortable with competition introduced through rule.
158	Sen. Ferrioli	Comments DAS focus is statute compliance.
162	Sen. Dwyer	Responds to comments with respect to approval by DAS.
170	Sen. Dwyer	MOTION: Moves to TABLE SB 216.
		VOTE: 4-2 AYE: 4 - Dwyer, Ferrioli, Fisher, George NAY: 2 - Tarno, Kintigh EXCUSED: 1 - Wilde
	Chair Kintigh	The motion CARRIES.
181	Chair Kintigh	Closes work session on SB 216. Opens public hearing on SB 1096.
<u>SB 1096 - PUBLIC HEARING</u>		
192	David	State Senator, District 29 Supports SB 1096 and proposed-2 amendments (EXHIBIT B).

	Nelson	Submits written testimony from Morrow County supporting SB 1096 (EXHIBIT C).
212	Chair Kintigh	Closes public hearing on SB 1096. Opens work session on SB 1096.
<u>SB 1096 - WORK SESSION</u>		
215	Sen. Dwyer	MOTION: Moves to ADOPT SB 1096-2 amendments dated 04/22/97.
		VOTE: 6-0 EXCUSED: 1 - Wilde
	Chair Kintigh	Hearing no objection, declares the motion CARRIED.
216	Sen. Dwyer	MOTION: Moves SB 1096 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 - Wilde
	Chair Kintigh	The motion CARRIES. SEN. DAVID NELSON will lead discussion on the floor.
224	Chair Kintigh	Closes work session on SB 1096. Opens public hearing on SB 1202.
<u>SB 1202 - PUBLIC HEARING</u>		
237	Sen. Tarno	Describes history leading to formulation of SB 1202.
254	Kevin Mannix	Attorney, Salem Provides overview of 1995 law with respect to crab fishing permits. Describes how SB 1202 addresses eligibility for crab fishing permits for US veterans.
264	Sen. Dwyer	States bill does not specify Oregon residents. Asks number of people bill addresses.
272	Mannix	Answers and describes other restrictions that apply.
277	Sen. Fisher	Asks how many in private sector experience similar circumstances.
282	Mannix	Replies he is unable to answer; explains rationale for addressing individuals serving in armed forces.
295	Sen. Fisher	Asks how SB 1202 affects private individuals versus military veterans.

306	Mannix	Answers SB 1202 will affect only a few veterans.
325	Sen. Dwyer	Asks circumstances that make the bill necessary.
344	Mannix	Responds.
354	Sen. Fisher	Requests clarification on limitations governing crab fishing permits.
366	Mannix	Explains eligibility requirements are based on the past not the future.
368	Sen. Fisher	Confirms eligibility requirements.
369	Mannix	Replies individuals must meet all other eligibility requirements.
387	Chair Kintigh	Closes public hearing on SB 1202. Opens work session on SB 1202.
<u>SB 1202 - WORK SESSION</u>		
392	Sen. Dwyer	MOTION: Moves SB 1202 to the floor with a DO PASS recommendation.
		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Kintigh	The motion CARRIES.
		SEN. TARNO will lead discussion on the floor.
406	Chair Kintigh	Closes work session on SB 1202. Opens public hearing on SB 1001.
<u>SB 1001 - PUBLIC HEARING</u>		
419	Glen Stonebrink	Committee Administrator, explains proposed -2 amendments (EXHIBIT D) .
438	Chair Kintigh	Closes public hearing on SB 1001. Opens work session on SB 1001.
<u>SB 1001 - WORK SESSION</u>		
439	Sen. Fisher	MOTION: Moves to ADOPT SB 1001-2 amendments dated 05/02/97.
		VOTE: 7-0
	Chair Kintigh	Hearing no objection, declares the motion CARRIED.
446	Sen. Fisher	MOTION: Moves SB 1001 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0

		AYE: In a roll call vote, all members present vote Aye.
	Chair Kintigh	The motion CARRIES.
		SEN. KINTIGH will lead discussion on the floor.
456	Chair Kintigh	Closes work session on SB 1001. Opens public hearing on HB 2409A.
<u>HB 2409A - PUBLIC HEARING</u>		
466	Glen Stonebrink	Committee Administrator, explains HB 2409A addresses placer mining.
TAPE 101, A		
034	Sen. Dwyer	Says HB 2409A is a consensus bill that agrees with SB 343.
045	Chair Kintigh	Asks why both bills are necessary.
046	Sen. Dwyer	Answers HB 2409 addresses recreational mining with motor dredges; SB 343 deals with prospecting.
051	John Lilly	Assistant Director, Policy & Planning, Division of State Lands Supports HB 2409A that is oriented to State scenic waterways.
065	Sen. Dwyer	Asks for description of parameters.
065	Lilly	Defines recreational prospecting.
074	Sen. Dwyer	Comments the bill increases allowable size of motorized dredges.
076	Lilly	Explains changes in definition of recreational placer mining to include motorized suction dredges.
084	Sen. Dwyer	Confirms nozzle intake size is not increased.
085	Lilly	Agrees.
092	Sen. Dwyer	Explains rationale for 16-hp engine.
096	Lilly	Agrees; smaller engines have higher noise factor.
106	Chair Kintigh	Asks what part of bill protects fish.
111	Lilly	Answers legislation offers adequate protection within scenic waterways; explains regulation process.
124	Sen. Tarno	Confirms bill mentions "segment" of a scenic waterway.
125	Lilly	Answers affirmatively.
125	Sen. Tarno	Asks if "segment" is mentioned in the bill; asks for explanation of "segment" versus total stretch of a scenic waterway.
130	Lilly	Defines a single scenic waterway.
138	Chair Kintigh	Asks clarification of "segment" as it applies to the McKenzie River.

141	Lilly	Answers cumulative impact applies to the entire segment.
148	Sen. Dwyer	Asks why definition of "segment" has changed since SB 343.
166	Lilly	Answers SB 343 targets essential salmon habitat designations.
175	Sen. Dwyer	Comments definition of "segment" in the two bills creates a conflict.
183	Lilly	States he is open to suggestions.
199	Sen. Dwyer	States broad definition raises concern over relationship to fish versus salmon.
209	Sue Hallett	Representing Oregon Independent Miners (EXHIBIT E) Agrees "segment" needs clear definition; supports HB 2409A.
215	Sen. Dwyer	Asks if she is satisfied with the bill.
215	Hallett	Answers yes.
218	Hallett	Addresses differences with SB 343 with regard to fish protection. Explains all dredges follow in-stream ODF&W guidelines.
229	Sen. Tarno	Asks if she anticipates any problems or changes in the bill passed in 1995.
236	Hallett	Indicates changes: * extended 1997 sunset * consistent operating conditions under administrative rules * established mining campgrounds
268	Randy Hinke	Recreational miner Supports HB 2409A.
303	Sen. Tarno	Asks if recent floods improved placer mining.
306	Hinke	Answers notice of positive results may take several years.
321	Chair Kintigh	Closes public hearing on HB 2409A. Opens work session on HB 2409A.
HB 2409A - WORK SESSION		
326	Sen. Dwyer	MOTION: Moves HB 2409A to the floor with a DO PASS recommendation.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Kintigh	The motion CARRIES.
		SEN. DWYER will lead discussion on the floor.
	Chair	Closes the work session on HB 2409. Adjourns the meeting at 9:27

Submitted By, Reviewed By,

Linda Spaulding, Glen Stonebrink,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 216, proposed -2 amendments, staff, 1 p

B - SB 1096, proposed -2 amendments, staff, 1 p

C - SB 1096, written testimony, David Nelson, 1 p

D - SB 1001, proposed -2 amendments, staff, 1 p

E - HB 2409, written testimony, Sue Hallett, 2 pp
