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SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

May 9, 1997 Hearing Room C

8:00 A.M. Tapes 104 - 105

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 1192 Public Hearing and Work Session

HB 2659A Public Hearing and Work Session

HB 2037 Public Hearing and Work Session

HB 2069 Public Hearing and Work Session

HCR 7 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 104, A		
002	Chair Kintigh	Calls meeting to order at 8:04 a.m. Opens public hearing on SB 1192.
<u>SB 1192 - PUBLIC HEARING</u>		
016	Sen. Fisher	Explains proposed -1 amendments to SB 1192 (EXHIBIT A).
054	Sen. Tarno	Asks for example of "other such items."
055	Sen. Fisher	Answers with example stated in previous testimony regarding bones imported and used in crafts.
064	Sen. Dwyer	Asks how one differentiates approved bone from non-approved bone.
066	Sen. Fisher	Answers items have received previous federal approval.
076	Sharon Harmon	Representing Oregon Humane Society (EXHIBIT B) Opposes SB 1192.
100	Sen. Fisher	Disputes testimony; says tracking methods are currently applied.
106	Harmon	Response
108	Sen. Fisher	Remarks amendments rule out edible parts.
110	Harmon	Comments many animal parts have value that are not edible.
119	Sen. Fisher	Asks if she supports ODFW wildlife auctions.
127	Harmon	Comments regarding big horn sheep tags.
130	Sen. Fisher	Asks how ODFW controls out-of-state hunters from selling parts.
134	Harmon	Discusses.
137	Sen. Fisher	Comments.
		Representing Oregon Sportsmen's Defense Fund (EXHIBIT C)

147	Rod Harder	Supports Sections 1 and 3 of SB 1192. States burden of proof should be on the State to prove wildlife prohibited. Supports establishing task force committee. Submits public correspondence as testimony (EXHIBIT D) .
202	Sen. Tarno	Asks if he has seen proposed -1 amendments.
203	Harder	Answers yes; says language is too broad.
222	Lindsay A. Ball	Captain, Oregon State Police (OSP), Fish and Wildlife Division (EXHIBIT E) Opposes SB 1192; cites reasons for opposition including enforcement provisions with respect to Native American Treaties.
255	Sen. Dwyer	Asks if Tribes were selling meat along with trophy items.
257	Ball	Answers yes; resale of meat to other Tribal members is lawful.
266	Sen. Fisher	Comments that proposed -1 amendments prohibits sale of meat or edible parts.
269	Ball	Replies he needs to review proposed -1 amendments to SB 1192.
274	Sen. Fisher	Comments.
276	Sen. Dwyer	Comments with respect to trophy hunters.
295	Ball	Agrees; refers to hunting tag costs related to market value.
306	Sen. Dwyer	Responds.
309	Ball	Testifies one individual at ODFW auction paid \$750,000 for three tags.
312	Sen. Dwyer	Suggests State market wildlife.
313	Ball	Explains law governing sale of wildlife.
320	Sen. Dwyer	States selling tags at high prices correlates with marketing.
333	Ball	Explains issue of auctioning big horn sheep tag should be addressed by ODFW.
340	Sen. Tarno	Suggests committee review rules of ODFW.
352	Sen. Dwyer	Responds.
383	Sen. George	Addresses wildlife surveillance equipment. Asks how SB 1192 adversely affects enforcement and number of aircraft dedicated to wildlife enforcement.
391	Ball	Answers four aircraft; describes use of aircraft for wildlife census and ODFW enforcement.
403	Sen. George	Asks how aircraft is used with forward vision equipment.
406	Ball	Defines specific areas utilizing forward vision equipment.
416	Sen. George	Asks purpose of helicopter.
419	Ball	Replies helicopter have no infrared system.
431	Sen. George	Comments enforcement appears adequate.
439	Sen. Dwyer	Responds.

462	Ball	Addresses monetary value of wildlife sales and those who would circumvent the law for profit.
TAPE 105, A		
043	Sen. Dwyer	Comments with respect to road checks of hunters.
045	Ball	Explains Oregon State Police policy of administrative check. Says OSP has discontinued practice of stopping motorists to determine unlawful act.
050	Sen. Dwyer	Asks when practice was discontinued.
051	Ball	Answers approximately 1987.
056	Sen. Dwyer	Asks if officers of ODFW perform road checks currently.
057	Ball	Answers ODFW may perform that duty.
059	Chair Kintigh	Asks for explanation with respect to sale of trophy items to pay inheritance taxes.
064	Ball	Agrees the question requires resolution.
069	Sen. Fisher	Agrees that major poaching problems exist in Oregon.
092	Ball	Responds; says many points stated are factual.
124	Jim Greer	Chief, Oregon Department of Fish and Wildlife (ODFW) (EXHIBIT F) Opposes SB 1192 as written, stating Section 2 creates potential economic incentive to harvest wildlife in Oregon.
145	Sen. Fisher	Questions validity of task force.
148	Greer	Disagrees with testimony; offers supporting evidence of credible participants of task force.
153	Sen. Fisher	Asks if four meetings in over two years constitutes a legitimate task force.
154	Greer	Responds that information developed over two years was received by all interested parties. Explains ODFW is reviewing specific species to ensure that small businesses may continue operating without undo fiscal impact.
207	Sen. George	Asks if federal laws and rules regulate import of species products.
210	Greer	Answers many federal laws apply to exotic live animals.
223	Sen. George	Asks if laws governing importation of wildlife products require certificate of origin.
226	Greer	Answers no; requirements specify live wildlife.
230	Sen. George	States writing a rule requiring certificate of origin would be easy task. Relates issue with swans and/or cranes native to Oregon taken in other states.
242	Greer	Replies other states have different rules for wildlife as mentioned.
244	Sen. George	Asks if any surrounding state allows taking of swan or crane.
245	Greer	Answers yes, Idaho and Nevada; concern is tracking actual location.

258	Sen. George	Asks if certificate origin would alleviate ODFW concerns.
259	Greer	Replies the suggestion warrants consideration.
273	Sen. George	Comments with aging horns.
280	Greer	Agrees; expresses concern for incentive to take animals illegally.
287	Sen. Dwyer	Asks source of authority to establish administrative roadblock.
290	Greer	Answers he will provide statute.
316	Charles Meslow	Representing Wildlife Management Institute (EXHIBIT G) Opposes SB 1192.
371	Mike Dye	Kangaroo, wallabies rancher (EXHIBIT H) Supports SB 1192. Explains his small business for raising exotic animals and fiscal impact on his business.
TAPE 104, B		
018	Sen. George	Comments with respect fiscal impact on private business.
031	Jim Myron	Representing Oregon Trout Opposes Sections 1 and 3 of SB 1192. Supports Oregon Wildlife Integrity Rules.
045	Chair Kintigh	Closes public hearing on SB 1192. Opens work session on SB 1192.
<u>SB 1192 - WORK SESSION</u>		
048	Sen. Fisher	MOTION: Moves to ADOPT SB 1192-1 amendments dated 05/08/97.
	Chair Kintigh	Hearing no objection, declares the motion CARRIED.
054	Sen. Fisher	MOTION: Moves SB 1192 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-1 AYE: 6 - Dwyer, Ferrioli, Fisher, George, Tarno, Kintigh NAY: 1 - Wilde
	Chair Kintigh	The motion CARRIES. SEN. FISHER will lead discussion on the floor.
060	Chair Kintigh	Closes work session on SB 1192. Opens public hearing on HB 2659A.

<u>HB 2659A - PUBLIC HEARING</u>		
065	Sen. Tarno	Provides overview of HB 2659A.
078	Pete Shepherd	Attorney, Financial Fraud, Department of Justice (DOJ) (EXHIBIT I)
086	Sen. Dwyer	Comments regarding ability of people to organize.
090	Chair Kintigh	Asks clarification of comments.
092	Sen. Dwyer	Explains ability to form a trade association.
094	Shepherd	States DOJ supports HB 2659A; explains provisions of antitrust law.
109	Sen. Tarno	Says concerns of HB 2659A are similar to crab bill passed earlier.
115	Rep. Terry Thompson	State Representative, District 4 Supports HB 2659A.
119	Chair Kintigh	Closes public hearing on HB 2659A. Opens work session 2659A. n
<u>HB 2659A - WORK SESSION</u>		
121	Sen. Tarno	MOTION: Moves HB 2659A 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.
128	Chair Kintigh	Closes work session on HB 2659. Opens public hearing on HCR 7.
<u>HCR 7 - PUBLIC HEARING</u>		
130	Rep. Terry Thompson	Introduces HCR 7. Supports HCR 7; explains bill urges Congress to study ballast water in order to prevent introduction of nonindigenous aquatic nuisance
138	John Chapman	Department Fisheries and Wildlife, Oregon State University (OSU), (EXHIBIT J) . Describes potential of ballast water introductions to alter Oregon ecosystems with negative impact on food sources of juvenile salmon.

172	Mark Sytsman	Representing Oregon Lakes Association Supports HCR 7 (EXHIBIT K).
179	Chair Kintigh	Closes public hearing on HCR 7. Opens work session on HCR 7.
<u>HCR 7 - WORK SESSION</u>		
180	Sen. DWYER:	MOTION: Moves HCR 7 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Kintigh	The motion CARRIES. SEN. GEORGE will lead discussion on the floor.
188	Sen. Tarno	Asks witnesses if zebra mussel has appeared in Oregon.
190	Sytsman	Answers no, but have been discovered on a boat passing through Oregon.
198	Chair Kintigh	Closes work session on HCR 7. Opens public hearing on HB 2037A.
<u>HB 2037 - PUBLIC HEARING</u>		
203	Molly Emmons	Executive Officer, Veterinary Medical Examining Board (EXHIBIT L) Supports HB 2037; says it is a house keeping bill that corrects inconsistencies in statutes.
225	Sen. Dwyer	Asks for clarification in bill language.
229	Emmons	Explains language changes to clarify existing statute.
236	Sen. Dwyer	Asks why bill is needed.
239	Emmons	Explains externship process.
254	Amanda Williams	Represents Oregon Veterinary Association Supports HB 2037.
258	Sen. Fisher	Asks for confirmation that veterinary students spend four of seven years as undergraduates.
260	Emmons	Answers yes.
264	Chair	Closes public hearing on HB 2037. Opens work session on HB 2037.

	Kintigh	
<u>HB 2037 - WORK SESSION</u>		
266	Sen. Dwyer	MOTION: Moves HB 2037 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. FERRIOLI will lead discussion on the floor.
275	Chair Kintigh	Closes work session on HB 2037. Opens public hearing on HB 2069.
<u>HB 2069 - PUBLIC HEARING</u>		
284	Ray Craig	Representing Oregon Department of Forestry Supports proposed -4 amendments to HB 2069. Explains proposed -4 amendments (EXHIBIT M).
306	Chair Kintigh	Closes public hearing on HB 2069. Opens work session on HB 2069.
<u>HB 2069 - WORK SESSION</u>		
306	Sen. Tarno	MOTION: Moves to ADOPT HB 2069-4 amendments dated 05/08/97.
	Chair Kintigh	Hearing no objection, declares the motion CARRIED.
309	Sen. Tarno	MOTION: Moves HB 2069A to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-1 AYE: 6 - Ferrioli, Fisher, George, Tarno, Wilde, Kintigh NAY: 1 - Dwyer
	Chair Kintigh	The motion CARRIES. SEN. KINTIGH will lead discussion on the floor.

Submitted By, Reviewed By,

Linda Spaulding, Glen Stonebrink,

Administrative Support Administrator

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EXHIBIT SUMMARY

- A - SB 1192, proposed -1 amendments, staff, 1 p**
- B - SB 1192, written testimony, Sharon Harmon, 1 p**
- C - SB 1192, written testimony, Rod Harder, 1 p**
- D - SB 1192, public correspondence, Rod Harder, 245 pp**
- E - SB 1192, written testimony, Lindsay A. Ball, 4 pp**
- F - SB 1192, written testimony, Jim Greer, 2 pp**
- G - SB 1192, written testimony, Charles Meslow, 2 pp**
- H - SB 1192, written materials, Mike Dye, 22 pp**
- I - HB 2659, written testimony, Peter Shepherd, 2 pp**
- J - HCR 7, written materials, John Chapman, 29 pp**
- K - HCR 7, written materials, John Chapman, 4 pp**
- L - HB 2037, written testimony, Molly Emmons, 1 p**
- M - HB 2069, proposed -4 amendments, staff, 1 p**
