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**SENATE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES**

**April 16, 1997 Hearing Room C**

**8:30 AM Tapes 83 - 85**

**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**

**Brad Harper, Administrative Support**

**MEASURE/ISSUES HEARD:**

**SB 108 Work Session**

**SB 1002 Public Hearing & Work Session**

**SJR 16 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 83, A</b>		
004	Chair Kintigh	Convenes meeting at 8:34 AM and opens work session on SB 108.
<b><u>SB 108 WORK SESSION</u></b>		
008	Glen Stonebrink	Committee Administrator. Describes proposed amendments to SB 108.
018	Chair Kintigh	Question regarding protection for landowners.
019	Ted Lorensen	Representing Oregon Department of Forestry.
034	Sen. Fisher	Question regarding coverage for timber owners.
040	Lorensen	Discussion of property damage limitations and civil liability provisions.
067	Sen. Fisher	Question
069	Lorensen	Discussion regarding different provisions of proposed amendments to SB 108.
072	Sen. Fisher	Question regarding possible injury to volunteer.
081	Lorensen	No immunity from civil liability under those circumstances.
093	Sen. Fisher	Question regarding coverage of volunteer projects and liability for private timber owner.
109	Lorensen	No immunity under section 2 of proposed amendments to SB 108.
116	Sen. Fisher	Suggests including timber owners under section 2.
124	Sen. Tarno	Question regarding section 3 of proposed amendments.
125	Lorensen	Discussion of section 3.
133	Sen. Fisher	Comment

137	Sen. Tarno	<b>MOTION: Moves to ADOPT SB 108 amendments dated 4/15/97.</b>
		<b>VOTE: 7-0</b>
	Chair Kintigh	<b>Hearing no objection, declares the motion CARRIED.</b>
141	Sen. Tarno	<b>MOTION: Moves SB 108 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Kintigh	<b>The motion CARRIES.</b>
150	Chair Kintigh	Closes work session and opens public hearing on SB 1002.
<b>SB 1002 PUBLIC HEARING</b>		
152	Pete Test	Representing Oregon Farm Bureau (OFB). Submits written materials <b>(EXHIBIT A)</b> . Supports SB 1002.
224	Sen. Dwyer	Question regarding amount of funds directed to Oregon State University (OSU).
228	Joe Hobson	Representing OFB. Discussion of funding proposed study.
242	Sen. Dwyer	Comment
245	Test	Discussion of groups who support SB 1002.
260	Sen. Wilde	Question
275	Test	Response
284	Rep. Sowa	Discussion of past legislative efforts to address issues of animal damage, particularly that caused by geese.
369	Sen. Tarno	Question regarding geese.
380	Rep. Sowa	Response
395	Sen. Wilde	Comment
400	Rep. Sowa	Comment
405	Sen. Fisher	Question regarding comparison of types of geese.
420	Rep. Sowa	Discussion of types of geese in Oregon.
<b>TAPE 84, A</b>		
011	Sen. Dwyer	Difficult to distinguish between various types of geese.
016	Rep. Sowa	Agrees that identification can be difficult.
020	Sen. Dwyer	Discussion of SB 1002. Question regarding funding.
030	Rep. Sowa	Suggests that Oregon Department of Agriculture (ODA) and Oregon Department of Fish & Wildlife (ODFW) work together.
035	Sen. Dwyer	Question regarding ODA's involvement under provisions of SB 1002.

047	Rep. Sowa	Discussion of "compensation" issue and protection of landowners.
061	Sen. Fisher	Question regarding intermixing of geese species.
068	Rep. Sowa	Different species do not interbreed.
075	Sen. Dwyer	Comment
082	Rep. Sowa	Suggests involving federal government.
088	Hobson	Discussion of efforts to quantify goose depredation issue with a two year study.
221	Sen. Tarno	Question regarding membership of OFB.
224	Test	Approximately 20,000 members.
226	Sen. Tarno	Question regarding funds available to OFB.
232	Hobson	Discussion of study parameters and participants.
247	Sen. Dwyer	Requests information from current study.
255	Test	Discussion of crop damage issues.
292	Sen. Fisher	Discussion of assorted problems caused by geese.
355	Sen. Dwyer	Agrees that goose depredation is significant problem, but does not support using state funds to support study which is already being conducted by ODA.
391	Hobson	Discussion of study funding.
420	Sen. Tarno	Question regarding total estimated cost of study.
430	Hobson	Response
<b>TAPE 83, B</b>		
035	Jim Greer	Representing ODFW. Submits written materials ( <b>EXHIBIT B</b> ). Discussion of current issues and ODFW policies to limit wildlife damage.
105	Sen. Tarno	Question regarding ODFW's efforts to control wildlife damage throughout the year.
110	Greer	Response
115	Sen. Dwyer	Question regarding ODFW policy.
118	Greer	Discussion of ODFW practices.
129	Sen. Dwyer	Question regarding adequacy of proposed funding.
135	Greer	Response
140	Sen. Dwyer	Question regarding OSU involvement.
145	Greer	Discussion of OSU program.
150	Sen. Dwyer	Suggests dedicated entire funding proposal to OSU.
158	Greer	Comment regarding studies.
168	Phil Ward	Representing ODA. Explains background underlying proposed legislation. Suggests completion of OSU study.
218	Chair Kintigh	Closes public hearing and opens work session.

<b>SB 1002 WORK SESSION</b>		
222	Sen. Fisher	Supports proposed amendments.
225	Sen. Dwyer	Suggests additional changes.
237	Sen. Tarno	Shares Sen. Dwyer's concerns, but goose depredation problem must be addressed.
245	Sen. Dwyer	Suggests amending Sen. Fisher's amendments.
262	Sen. Dwyer	Question of OFB.
265	Test	Concern regarding involvement of ODA.
280	Sen. Wilde	Does not believe \$20,000 is adequate funding.
283	Sen. Ferrioli	Concern that goose problem is part of larger wildlife damage issue.
305	Ward	Discussion of ODA's position.
327	Chair Kintigh	Closes work session and opens public hearing on SJR 16.
<b>SJR 16 PUBLIC HEARING</b>		
340	Chair Kintigh	Shifts chairmanship to Vice Chair Fisher and proceeds to testify. Supports SJR 16. Submits written testimony ( <b>EXHIBIT C</b> ). Discussion of legislative intent regarding SJR 16.
<b>TAPE 84, B</b>		
042	Sen. Dwyer	Question regarding "down zoning."
044	Sen. Kintigh	Purposely not included in SJR 16.
046	Sen. Dwyer	Question regarding estimated fiscal impact of SJR 16.
055	Sen. Kintigh	Response
059	Sen. George	Question regarding unfunded mandates.
071	Chair Kintigh	Response and resumption of chairmanship.
073	Rep. Beck	Opposes SJR 16. Submits written materials ( <b>EXHIBIT D</b> ). Discusses alternative proposal and State Park funding issues.
145	Sen. Wilde	Question
155	Rep. Beck	Response
165	Sen. Wilde	Discussion of proposed legislation.
175	Rep. Beck	Response
200	Sen. Ferrioli	Question regarding Rep. Beck's representation of non-profit public lands organization.
205	Rep. Beck	Response
210	Sen. Ferrioli	Question regarding method of purchasing property for public interest.
218	Rep. Beck	Response
220	Sen. Ferrioli	Comparison of compensating private landowners for takings versus

		purchasing those lands for public interest.
236	Rep. Beck	Comparison of regulating land use versus actual confiscation of property.
274	Sen. Fisher	Discussion of compensation issue.
295	Rep. Beck	Response
300	Sen. Fisher	Question regarding compensation for taking property in public interest.
307	Rep. Beck	Response
320	Chair Kintigh	Comment regarding scope of SJR 16.
322	Rep. Beck	Discussion of public interest.
357	Lewis Pitt, Jr.	Citizen, Jefferson County. Opposes SJR 16. Expresses concerns regarding limited financial resources of Oregon to administer SJR 16.
<b>TAPE 85, A</b>		
043	Sen. George	Question regarding position of Federated Tribes on property ownership issues.
050	Pitt	Discussion of comparative values and uses of property.
077	Sen. Ferrioli	Comments regarding operation of government.
085	Chair George	Adjourns meeting at 10:35 AM.

**Submitted By, Reviewed By,**

**Brad Harper Glen Stonebrink**

**Administrative Assistant Administrator**

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**EXHIBIT SUMMARY**

**A - SB 1002, written materials, Pete Test, 12 pp.**

**B - SB 1002, written materials, Jim Greer, 39 pp.**

**C - SJR 16, written testimony, Senator Kintigh, 3 pp.**

**D - SJR 16, written materials, Representative Beck, 3 pp.**

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