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SENATE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

April 25, 1997 Hearing Room C

8:30 AM Tape 93

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 679 Public Hearing

SB 1171 Public Hearing

SB 1192 Public Hearing

SCR 14 Public Hearing

SB 402 Work Session

SB 1086 Work Session

SCR 9 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 |
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| TAPE 93, A | | |
| 004 | Chair Kintigh | Convenes meeting at 8:36 AM and opens public hearing on SB 679. |
| <u>SB 679 PUBLIC HEARING</u> | | |
| 008 | Glen Stonebrink | Committee Administrator. Describes provisions of SB 679. |
| 010 | Chair Kintigh | Closes public hearing and opens public hearing on SB 1171. |
| <u>SB 1171 PUBLIC HEARING</u> | | |
| 011 | Glen Stonebrink | Committee Administrator. Describes provisions of SB 1171. |
| 013 | Chair Kintigh | Closes public hearing and opens public hearing on SB 1192. |
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| <u>SB 1192 PUBLIC HEARING</u> | | |

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| 016 | Glen Stonebrink | Committee Administrator. Describes provisions of SB 1192. |
| 018 | Chair Kintigh | Closes public hearing and opens public hearing on SCR 14. |
| <u>SCR 14 PUBLIC HEARING</u> | | |
| 019 | Glen Stonebrink | Committee Administrator. Describes provisions of SCR 14. |
| 022 | Chair Kintigh | Closes public hearing and opens work session on 402. |
| <u>SB 402 WORK SESSION</u> | | |
| 050 | Jim Greer | Representing Oregon Department of Fish and Wildlife. Supports amendments to SB 402. Discussion of regulations drafting process. |
| 068 | Sen. Ferrioli | Question regarding retention of local authority for rapid response purposes. |
| 071 | Greer | Discussion of cougar zones and length of season. |
| 078 | Sen. Tarno | MOTION: Moves to ADOPT SB 402-2 amendments dated 4/11/97. |
| | | VOTE: 5-0 |
| | | EXCUSED: 2 - Fisher, Dwyer |
| | Chair Kintigh | Hearing no objection, declares the motion CARRIED. |
| 080 | Sen. Tarno | MOTION: Moves SB 402 to the floor with a DO PASS AS AMENDED recommendation. |
| | | VOTE: 4-1 |
| | | AYE: 4 - Ferrioli, George, Tarno, Kintigh |
| | | NAY: 1 - Wilde |
| | | EXCUSED: 2 - Dwyer, Fisher |
| | Chair Kintigh | The motion CARRIES. |
| | | SEN. TARNO will lead discussion on the floor. |
| 095 | Chair Kintigh | Closes work session and opens work session on SB 1086. |
| <u>SB 1086 WORK SESSION</u> | | |

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| 103 | Sen. Ferrioli | Discussion of legislative intent regarding distinction between land and water. |
| 111 | Pete Test | Representing Oregon Farm Bureau. Discussion of SB 1086 and relationship to Endangered Species Act. |
| 160 | Jean Wilkenson | Representing Oregon Cattlemen's Association. Discussion of SB 1086 and legal provisions governing Oregon Department of Fish & Wildlife. Discussion of ramifications regarding statutory interpretation. |
| 208 | Sen. Ferrioli | Question regarding authority of Water Resources Department. |
| 214 | Wilkenson | Response |
| 216 | Sen. Ferrioli | Question regarding definition of "land." |
| 217 | Wilkenson | Discussion of statutory definitions. |
| 235 | Sen. Ferrioli | As a "land owning" agency, the Water Resources Department is subject to the applicable provisions of the Endangered Species Act. |
| 240 | Wilkenson | Agrees with Sen. Ferrioli's interpretation. |
| 250 | Sen. Ferrioli | Discussion of conflicting authority among state agencies. |
| 268 | Sen. Ferrioli | MOTION: Moves SB 1086 to the floor with a DO PASS recommendation. |
| | | VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Fisher, Dwyer |
| | Chair Kintigh | The motion CARRIES. SEN. FERRIOLI will lead discussion on the floor. |
| 282 | Chair Kintigh | Closes work session and opens work session on SCR 9. |
| <u>SCR 9 WORK SESSION</u> | | |
| 284 | Glen Stonebrink | Committee Administrator. Describes provisions of SCR 9. |
| 290 | Sen. Ferrioli | Discusses legislative intent. |
| 318 | Sen. Ferrioli: | MOTION: Moves SCR 9 be sent to the floor with a BE ADOPTED recommendation. |
| | | VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Fisher, Dwyer |
| | | The motion CARRIES. |

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| | Chair Kintigh | SEN. FERRIOLI will lead discussion on the floor. |
| 323' | Chair Kintigh | Closes work session and adjourns meeting at 9:00 AM. |

Submitted By, Reviewed By,

Brad Harper Glen Stonebrink

Administrative Assistant Administrator
