

SENATE COMMITTEE ON  
AGRICULTURE, NATURAL RESOURCE AND THE ENVIRONMENT

April 12, 1995 Hearing Room 343  
3:00 P.M. Tapes 74-76

MEMBERS PRESENT:

Sen. Bob Kintigh Chair  
Sen. Rod Johnson, Vice-Chair  
Sen. Bill Bradbury  
Sen. Bill Dwyer  
Sen. Tom Hartung  
Sen. Marylin Shannon

STAFF PRESENT:

Bruce Mcintosh Committee Administrator  
Catrina Victor Committee Assistant

MEASURES HEARD):

SB -SS9- Work Session  
SB 1042 - Public Hearing  
SB 1043 - Public Hearing  
SB 1059- Work Session  
SB 1127 - Work Session

These minutes contain materials which parallel phrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings please refer to the tapes.

Tape 74A,

03 Chair Kintigh: Meeting called to order- 3 10 P M.  
10 Opens PUBLIC HEARING on SB -IW2  
11 Sen. Bradbury: Is in support of SB - 1042  
30 Glen Spain': Presents testimony.  
60 Sen Johnson: How many organizations are there?  
70 Spain: There are very few for reasons of possible legal problems  
. . .  
80 Sen. Bradbury: Replies  
103 Sen. Dwyer: Why do you think the anti trust law shouldn't apply? '  
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10: Spain: Compares the farmers market to the fisherman's market.  
11: Sen. Dwyer: Farmers and fisherman shouldn't be compared.  
120 Spain: Actually they are very similar and explains why.  
133 Sen. Dwyer: The purpose is to collectively fix prices and restrain  
trade.  
140 Spain: Disagrees. If you are concerned then you should exclude all other  
markets as well (i.e.  
florists. farmers. bee keepers.  
170 Sen. Kintigh: Notes other exempted markets.  
100 PAUI Hannaman: West Coast Seafood and Oregon Trawl Commission. Both  
organizations  
are opposed to the bill.  
Feels this bill would give special favors to this group.  
215 Sen. Bradbury: What "special favors" are you referring to '  
210 Hannaman: Advantages may be given to them that other groups may not be  
able to acquire.  
It grants special anti-trust privileges. Is representing testimony on  
behalf of the organizations.  
266 Andy Operteen: Attorney General's Office. In opposition of SB -1042. This  
bill would allow  
the  
fisherman to collectively fix the market prices. competition is what  
fosters lower prices and

helps

to eliminate fixed pricing.

301 Sen. Bradbury: Do you see a big difference between farmers and fisherman'?

317 Operteen: The industries can differ. The only difference now is the farmers are already exempt.

340 Sen. Bradbury: Then why aren't they appealing the exemptions already in effect'?

350 Sen. Bradbury: Previous sessions have already decided what to exempt.

360 Sen. Dwyer: There is a big difference between farming and fisherman. Growing the item,

harvesting, and shipping/storing.

388 Operteen: Clarifies previous testimony by Spain.

Tape 75A

003 Spain: References his testimony .

(070 Closes PUBLIC HEARING on SB 1042

(094 Opens PUBLIC HEARING on SB 1043

030 Sen. Bradbury: In support of SB 1043.

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064 Spain: Bill proponent. Reviews the fees and how the statute would be simplified. This

would help those individuals that have fallen through the cracks. Reviews proposed amendments.

100 Sen. Johnson: Questions the new language and proposed amendments in relation to the bill.

118 Sen. Dwyer: You could just go fish elsewhere to avoid the license fees.

125 Spain: We have people that fish where they can and some ports fall out state borders.

Some fishermen must fish in outside ports. For example in Astoria and Crescent City

155 Kay Brown: ODF&W. Describes the license fee breakdown for charges and division of types

of permits issued. See exhibit I. Has submitted amendments to be considered. At this time the

Department is unable to determine a fiscal impact.

247 Sen. Bradbury: The proposed amendments the Spain brought forth agree with what you've

said. Except they include the entire coast in Spain's amendments.

291 If we include another 25-50 additional boats at \$400.00 a boat this would be the fiscal impact

of Spain's amendments.

300 Brown: Will give total dollars for those in Oregon ports only. Roughly 10,000. No change

from last session.

377 Kevin Theil: Commercial Fisherman. Recommends it apply for Oregon residents. Serves on a

number of salmon commissions. Breakdown the dollars of permitting fees.

He was one of the

individuals that fell through the cracks. Any support the committee could

give would be

appreciated

Tape 74B

030 Scott Boley: Commercial Fisherman. Agrees with Thcil. Suggests the fisherman should by the permit but not buy a vessel licensee for at least two years. Or until the salmon fishing restrictions have been lifted.

080 Sen. Bradbury: Requests clarification

090 Sen. Johnson: Clarifies. Basically if conditions are bad or limited than you don't pay.

111 Sen. Dwyer: How do \\t' deal with people that charter passengers?

122 Brown: There are regulations and charges for those vessels.

146 Sen. Dwyer Should individuals have to pa! the commercial industry fees until the season is

open to fish if the! are making money through charters.'

163 Closes PUBLIC HEARING on SB -1043

170 Opens PUBLIC HEARING on SB -1059

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189 Sen. Johnson: In support of SB -1()59. Reviews the bill and the intent.

200 Ingram: Regulations are set by both the Federal and State

gOVCIllllllCIltS.

215 Sen. Johnson: We can determine the dates as a state. If the Fedcral government sets a date

that is not really our season than the fishcmian should not have to pay.

230 Brown: Rather than talk about days you should talk about how mall! fish arc to be caught.

Some people ma! catch fish in some times of the ! ear while others ma! not. The council is made

up of 13 members three of w hich arc in Oregon. Washington. California and Idaho also have

members as well as the Fedcral government The! try to set the longest seasons to catch the

most fish. and do as little harm as possible.

302 Ingram: The Consecutive days clause might be a problem on the Columbia fishing seasons.

314 Charles Bertews: Coos Bay. My problem is we have a small boat and we cannot act out to

fish. We cannot fight the weather. But we have to pay for a permit that we cannot use to

fish.

345 Sen. Johnson: How did you get notice you could fish?

350 Bertews: By mail. We weren't given sufficient notice to get out and fish.

380 Spain: Reviews the quota system that is regulated. 'Sometimes the fishing scason changes on

a

dime.' The 20 conseci.itive da! s clause isn't going to work. Doesn't fccl this is the appropriate

approach but S B- 1()43 is.

435 Chair Kintigh: Recommends the senators and other mcmbcrs come back With their

amendments.

Tape 75 B

044 Close PUBLIC HEARING On SB -1059

045 Opens PUBLIC HEARING on 889

050 Phil Ward: District Attorney. Reviews proposed amendments by the group

requested at the

last hearing.

073 Sen. Dwyer: How do you collect the penalty dollars''

080 Ward: As described in the ORS Statutes

090 Jim Myron: Oregon Trout. Met with this group last week and most of our concerns have

been addressed in the amendments

100 Sen. Bradbury: Asks for clarification for the civil penalties if the complaint was thought to

be legitimate.

140 Ward: Clarifies.

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150 Sen. Bradbury: If it is not handled correctly someone might get charged falsely for believing their

complaint was valid. What is the process of this?

177 Myron: Maybe adding the word "knowingly" accusing someone falsely.

180 Dave Nelson: We support everyone's right to file a civil penalty.

193 Myron: Agrees.

202 Chair Kintigh: Have L.C. look at this bill then come back.

243 Closes PUBLIC HEARING on SB -889

245 Opens PUBLIC HEARING, on SB -1127

230 Stan Bunn: We must restore our natural resources. This bill shows that we are going to set a clear policy. See testimony. Please review the amendments recommended.

300 Don Barth: Silcott resident. Has served on the fish and Wildlife Commissions. See

exhibit.

Requests a review of the 12 questions given. In full support of this bill.

360 Boley: Is in support of SB - I 1127. The focus is on fisheries.

Tape 76`A

022 Norval Shannon: Retired Commercial fisherman. We need to do something to save our

industry. In support of SB - 1127.

049 Rod Ingram: ODF&W. In support of the bill.

090 Joe Roehler: Oregon Guides and Packers. The task force is a good idea and would give a

method of measuring the Success of the program.

104 Carl Finley: Private citizen and tax payer. Believes this is a poor policy to leave these major

decisions to one group.

180 Spain: PCCSA. Good bill and good concept. In support of this bill.

192 John Rayburn: Port of Newport. In support of SB - 1127. Requests the committee send it to the

full senate with approval.

215 Ken Evans: Oregon Anglers. In support of SB - I 127. This has a social aspect as well as

commercial. Approves of the amendments.

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Chair Kintigh: Calls the meeting adjourned 5:20p.m.

SUBMITTED BY, Reviewed by  
Catrina Victor Bruce McIntosh  
Committee Assistant Committee Administrator

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