

HOUSE COMMITTEE ON
NATURAL RESOURCES

Hearing Room
January 16, 1995 Tapes 1 - 2

MEMBERS PRESENT:

Veral Tarno, Chair
Terry Thompson, Vice-Chair
Tony Corcoran
Bill Fisher
Tim Josi
Leslie Lewis
Dennis Luke
Lisa Naito
Chuck Norris
Judy Uherbelau
Larry Wells
Jim Welsh

MEMBER EXCUSED:

STAFF PRESENT:

Mark Bauer, Committee Administrator
Paula Hird, Committee Assistant

MEASURES HEARD: Adoption of Committee Rules
Public Hearings and Work Sessions on:
 HJM2
 HJM3
 HJM4

These minutes contain materials which paraphrase 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 , SIDE A

010 CHAIR TARNO: Calls the meeting to order at 1:34 p.m.

022 Introduction of committee members.

051 CHAIR TARNO: Introduces Committee Administrator, Mark Bauer. Submits and reviews the committee rules. (EXHIBIT A)

056 REP. LUKE: moves for adoption of the committee rules.

 HEARING NO OBJECTIONS, THE COMMITTEE RULES ARE ADOPTED.

086 Opens PUBLIC HEARING on HJM2.

 Witnesses: Brad Witt, Secretary-Treasurer, Oregon AFL-CIO
 Marlin Aerni, State Association of the United Paperworkers International

Union

 Gil Riddell, Association of Oregon Counties and Council of Forest Trust
Land Counties

 Liz Frenkel, Sierra Club

089 BRAD WITT, Secretary-Treasurer of Oregon AFL-CIO & MARLIN AERNI, State Association of the United Paperworkers International Union: Testifies in favor of HJM2, 3 & 4.

146 REP. NAITO: Questions why the change would make any difference.

149 BRAD WITT: Responds that:
-"best available science" has not proven not to work.
- gives example
- will insure accuracy.

167 REP. JOSI: Refers to Regional Power Council's Recovery plan. Is concerned that verifying may cause delays in need actions.

200 Discussion with BRAD WITT continues.

238 MARLIN AERNI: United paper workers have seen losses of jobs due to the endangered species. Supports Brad Witt's testimony and HJM2.

251 REP. CORCORAN: Asks what is the basis for support.

259 BRAD WITT: Relates that past actions based on "best available science" have proven erroneous. Answers REP. UHERBELAU'S question on meaning of "verifiable science" that the scientific community is able to replicate studies.

278 REP. THOMPSON: Voices concern over consequences of the change. BRAD WITT responds that it would lead to making certain actions taken are "prudent and justified on behalf of the species".

310 MARLIN AERNI: Cites the spotted owl situation as an example.

336 GIL RIDDELL, Association of Oregon Counties and Council of Forest Trust Land Counties: Testifies in support of HJM2, 3, 4. (EXHIBIT B). Briefly describes the two organizations he represents.

TAPE 2, SIDE A

006 LIZ FRENKEL, SIERRA CLUB: Testifies against HJM2. (EXHIBIT C)

024 REP. NAITO Notes testimony is being submitted regarding HJM3 and HJM4 asks chair to open Public Hearing.

028 Opens PUBLIC HEARING on HJM2, HJM3 and HJM4.

Witness for HJM4: Liz Frenkel, Sierra Club
Paul Hanneman, Pacific Fisheries Legislative Task Force
Jim Myron, Oregon Trout
Rep. Liz VanLeweueen

041 FRENKEL: Testimony opposing HJM3.

066 FRENKEL: Continues testimony citing prior session memorial amendments of April 30, Public Law 103-238, of Marine Mammal Protection Act. Dr. Daniel Botkin study of the Department of Forestry.

107 REP. THOMPSON: Talks of the pinniped species growing in numbers and potential danger to salmon.

138 FRENKEL: Answers REP. LUKE's inquiry on Sierra Club membership.

160 REP. LIZ VAN LEWEUEEN, House District 37: Former Chair of the House Natural Resources Ag Forestry subcommittee during last session and interim.

Responds to earlier comments on the Botkin study and testifies in favor of HJM2, HJM3, and HJM4.

205 REP. FISHER: Comments on Botkin report.

252 REP. THOMPSON: Expresses concern over the word "lethal". REP. VAN LEWEEUEN comments.

280 JIM MYRON, OREGON TROUT: Testifies against HJM2, HJM3, and HJM4.

301 REP. JOSI: "You're saying if we use the words "sound, verifiable science" we couldn't enact SJM4?"

305 MYRON: "Distinct possibility."

310 REP. CORCORAN: Initiates discussion on whether economic concerns are addressed by the President's Timber Recovery Act. MYRON answers that they are considered.

320 MYRON: Responds to REP. NAITO's inquiries on Oregon Trout membership.

338 REP. NORRIS: Does process for enlisting endangered species use economic effect as criteria. MYRON states it is based on science and biology.

360 PAUL HANNEMAN, Pacific Fisheries Legislative Task Force, Cloverdale, Oregon, : Testifies in favor of HJM4 (EXHIBIT D). Refers to Resolution 93-1 which calls for control of California Sea Lion and the Harbor Seal.

TAPE 1, SIDE B

018 REP. THOMPSON: Asks if these marine mammals are harming the fish and if fish populations could be restored. PAUL HANNEMAN states "we'll never have a return of some of the more sensitive species to some of the Oregon Coast Rivers...."

015 REP. NAITO Inquires if amendments from last year have been implemented. HANNEMAN discusses his why they haven't.

042 REP. NAITO: Should term be more specific than pinnipeds?

047 HANNEMAN: Current terminology is appropriate.

065 REP. THOMPSON: Would establishing a "stock-size" or quota on the marine mammals seem to be proper terminology to accomplish--if there are only ten seals?

077 HANNEMAN: Further discussion of population growth of seals and sea lions. Personal experiences including day by day photography of animal populations. Increasing by 10 percent plus each year.

118 -in response to REP. NAITO's inquiry of alternate ways of removal, states if removed sea lions and harbor seals will swim back.

126 Closes PUBLIC HEARING on HJM2, HJM3, and HJM4 .

Opens WORK SESSION on HJM2.

133 MOTION: REP. NORRIS: Moves HJM2 be sent to the Floor with a DO PASS recommendation.

145 CHAIR TARNO: Hearing three objections, calls for roll.

168 VOTE: In a roll call vote, REPS. CORCORAN, FISHER, LEWIS, LUKE, NORRIS, WELLS, WELSH and TARNO vote AYE. REPS. JOSI, NAITO, THOMPSON and UHERBELAU vote NAY.

CHAIR TARNO: The motion PASSES.

REP. LEWIS will lead discussion on the floor.

172 Closes WORK SESSION on HJM2.

Opens WORK SESSION on HJM3.

173 REP. NORRIS: Amendments needed to broaden the focus of the bill with respect to the Salmon and the water issues.

187 REP. JOSI: Discusses confusion of meaning of "equal consideration" and "generation".

203 REP. UHERBELAU: Points out there can be a fiscal impact of listing an endangered species and not listing it.

206 REP. CORCORAN: Responds to REP NORRIS comments.
- Line 6, agree with including salmon issue.

235 CHAIR TARNO: Reads lines 17-22, item 1 and item 2. Comments by REP. NORRIS.

246 REP. FISHER: Bill addresses primarily forest products. REP. THOMPSON suggests more work on it. REP. NORRIS comments on effects of Endangered Species Act.

282 REP. JOSI: Initiates further discussion of salmon issue. REP. NAITO raises terminology questions again.

343 REP. CORCORAN: Wants forestry intent kept in bill.

369 REP. WELSH: Agrees. Bill may become "water downed".

TAPE 2, SIDE B

015 MOTION: REP. LUKE moves HJM3 be sent to the Floor with a DO PASS RECOMMENDATION.

050 REP. LEWIS: Discusses broadening bill and making two bills.

060 CHAIR TARNO: Calls for a vote.

VOTE: In a roll call vote, REPS CORCORAN, FISHER, LEWIS, THOMPSON, WELLS, WELSH and TARNO vote AYE. REPS. JOSI, LUKE, NAITO, NORRIS, THOMPSON and UHERBELAU vote NAY.

CHAIR TARNO: The motion FAILS.

082 NORRIS: Explains why he voted "no" though he supports the intent of the bill.

090 Committee refers HJM3 to subcommittee for discussion.

092 Closes WORK SESSION on HJM3

Opens Work Session on HJM4

116 MOTION: REP. LUKE moves HJM4 be sent to the floor with a DO PASS RECOMMENDATION.

120 REP. THOMPSON: Initiates discussion on terminology of "pinniped" and "lethal".

149 REP. LUKE withdraws his motion.

158 Further discussion on terminology by REPS. FISHER, JOSI, THOMPSON.

195 Continuing discussion on terminology by REPS. THOMPSON, LEWIS and NORRIS.

261 REP. FISHER: Major precedent

278 HJM4 is referred to subcommittee.

Closes WORK SESSION ON HJM4.

286 CHAIR TARNO: Adjourns meeting at 3:15 p.m.

Submitted by, Reviewed by,

Paula Hird Mark Bauer
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Committee Rules - Chair Tarno - 3 pages

B - AOC Policy: Federal and State Endangered Species Acts, Gil Riddell - 4

pages

C - Testimony Regarding HJM2, Liz Frenkel, Sierra Club - 3 pages

D - Pacific Fisheries Legislative Task Force, Paul Hanneman - 1 page