

HOUSE COMMITTEE ON
NATURAL RESOURCES

Hearing Room
Tapes -37

MEMBERS PRESENT:

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

VISITING MEMBERS: Attending for the purpose of the Public Hearing on HB
2615

Sen. Bob Kintigh
Sen. Rod Johnson
Sen. Bill Bradbury
Sen. Bill Dwyer
Sen. Tom Hartung
Sen. Marylin Shannon

MEMBER EXCUSED:

Rep. Lisa Naito

STAFF PRESENT:

Mark Bauer, Committee Administrator
Sandy Ceballos, Committee Assistant

MEASURES HEARD:

HB 2615 - Public Hearing
HB 2101 - Work Session
HB 2568 - Work Session
HB 2601 - Work Session
HB 2868 - Work Session
HB 2180 - Work Session
HB 2051 - Work Session
Possible Introduction of Committee Bills
HB

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

008 CHAIR TARNO opens the meeting at 2:48 PM.

011 Opens PUBLIC HEARING on HB 2615.
Witnesses: Paul Hanneman
Jay Rasmussen, Oregon Coast Management Association
Don Barth
Scott Boley
Rhonda Hamstreet, Embarcadero Dock, Ltd.
Bud Miles, Port Commissioner, Port of Siuslaw
Brian Cole, Oregon Dunes Restoration Council
Paul Falor
Martin Callery, Oregon International Port of Coos Bay
Stephen Kafoury, American Fishery Society
Joe Rohleder, Oregon Guides and Packers
Dirk Nansen
Wayne Miller, Newport Pacific Corporation
Howard Teague, Port of Gold Beach
Jim Myron, Oregon Trout
Jean Shaffer, Sierra Club
Loren Parks
Ron Phillips
Ken Evans, Oregon Anglers
Rod Ingram, Oregon Department of Fish and Wildlife

027 PAUL HANNEMAN: Gives background of HB 2615. The original version, HB 2631 (Exhibit A) did pass the House and Senate in the 1987 Legislative Session, but was vetoed by Gov. Goldschmidt.

057 JAY RASMUSSEN, OREGON COAST MANAGEMENT ASSOCIATION: Speaks in support of HB 2615. Regardless of specific content, the concept is good.

100 DON BARTH: Speaks in support of HB 2615. Urges favorable consideration.

137 SCOTT BOLEY: Speaks in support of HB 2615. Notes benefits to fisheries; feels there needs to be cooperative approach to funding. Believes there are problems with the language.

192 SEN. DWYER: Makes comments on HB 2615. Willing to work through the problems so we can all benefit.

216 RHONDA HAMSTREET, EMBARCADERO DOCK, LTD: Speaks in support of HB 2615. Submits written testimony, Exhibit B.

253 BUD MILES, PORT COMMISSIONER, PORT OF SIUSLAW: Speaks in support of HB 2615. Submits written testimony, Exhibit C

292 BRIAN COLE, PRESIDENT, OREGON DUNES RESTORATION COUNCIL: States he is here representing himself and speaks in support of HB 2615. Submits Exhibit D.

350 PAUL FALOR: Speaks in support of HB 2615.

373 MARTIN CALLERY, OREGON INTERNATIONAL PORT OF COOS BAY: Submits testimony, Exhibit E, and speaks in support of HB 2615.

447 SEN. KINTIGH: Asks how fish would be released.

453 CALLERY: Responds.

TAPE 35, A

050 REP. FISHER: Asks about problems if fish are not marked.

056 CALLERY: Responds that in the first three years of release from facility, all fish will be marked; there will be ways to track.

073 STEPHEN KAFOURY, AMERICAN FISHERY SOCIETY: Speaks in opposition to HB 2615. Reads from Exhibit F; states the bill is well intended. The use of hatchery fish poses the largest single threat to the native population. Submits Exhibit G.

125 KAFOURY: Concerned about lack of specificity in the bill

137 REP. CORCORAN: If we were to exclude the sites on page 2, 508.700 - 745 (Exhibit F), is it your opinion if we were to delete that language, would that have a negative impact?

147 KAFOURY: Feels that how the hatcheries work needs to be redone from scratch.

155 REP. UHERBELAU: Questions Mr. Kafoury's assertion that "that" language needs to be retained in the statute. Asks for clarification regarding what language.

180 KAFOURY: Responds to Rep. Uherbelau, clarifies intent to maintain the statutes discussed.

165 DON STEVENS: Speaks in opposition to HB 2615. Tests prove stray fish can migrate into any river or stream. Advises to proceed with caution; need the scientific community involved.

201 JOE ROHLEDER, OREGON GUIDES AND PACKERS: Testifies in support of HB 2615, and private, not for profit hatcheries.

228 TOM BECKER: Speaks in support of HB 2615. Says there are ways to raise the revenue for this program.

295 DIRK NANSEN: Active in aquaculture all over the world. Speaks of catching 20 lb. Coho in Alaska, came to Newport from Alaska and Newport looked like a ghost town. Wild fish management has been a total failure.

320 - Discusses private aquaculture.

345 - States the state hatcheries are a failure, private industry hatcheries are extremely successful.

TAPE 34, B

005 NANSEN: Continues testimony regarding the benefits of privately run hatcheries.

022 - "Basically, genetic diversity equals straying; when you have a lack of diversity, you're gonna have less straying; the more diversity you have,

the more straying." Discusses the survival of salmon in the streams.

045 - Used our technology to wipe salmon out, we will have to use technology to bring them back. Gives information on the difference between state and private industry.

071 - Discusses Taiwan's influence on availability of fish.

102 REP. UHERBELAU: Questions why the successful tactics of the private fisheries aren't being used.

111 NANSEN: Recounts experiences of the fishery in Florence.

146 SEN. BRADBURY: Appreciates the witnesses comments on the effectiveness of the state hatcheries. Comments for the record on Mr. Nansen's suggestion that there should be no people living on the coast. Explains the cooperative efforts of citizens in support for habitat. We have to use the best technology we can find.

169 NANSEN: Modern technology is low technology. Stresses management and being careful with the fish. Explains how farmers can grow smolts, "another crop", making use of the water already being pumped out of the ground.

205 REP. JOSI: Asks about the boom and bust aspects of fishing. Lack of upwelling (due to El Nino) contributes to lack of food for the Oregon coastal fish.

240 NANSEN: Responds and discusses experiences with Oraqua, a private fishery. Describes the situations where salmon feed in the oceans, and off of the coast of Alaska.

269 REP. JOSI: Were the fish Chinook or Coho?

NASON: Responds

272 REP. JOSI: Discusses Chinook and Coho.

300 REP. THOMPSON: Discusses water and water control in Alaska.

312 NANSON: Responds regarding profitability.

321 REP. THOMPSON: Discusses gill net and other types of fishing in comparison to Alaska.

335 NANSON: Responds regarding economic enhancement efforts.

358 REP. CORCORAN: Questions off-shore drift netting.

365 NANSON: Isn't sure what status is.

384 WAYNE MILLER, NEWPORT PACIFIC CORP: Testifies in support of HB 2615

TAPE 35, SIDE B

002 HOWARD TEAGUE, PORT OF GOLD BEACH: Testifies in support of HB 2615.

040 JIM MYRON, OREGON TROUT: Testifies in opposition to HB 2615. Submits

written testimony, Exhibit H.

130 JEAN SHAFFER, OREGON CHAPTER, SIERRA CLUB: Submits Exhibit I, and speaks in opposition to HB 2615.

175 LOREN PARKS: Speaks in support of HB 2615. States the problem for salmon populations is predation due to birds. Seals eat 12 to 13 pounds of fish per day.

253 Continues to give testimony on problems with the current system. Genetic considerations are not well founded in science. Cannot tell if a fish is a wild fish by looking at it.

294 RON PHILLIPS: Speaks in support of HB 2615. Oregon Trout is opposed to trout enhancement. States HB 2615 is fighting all of the old battles over again.

370 KEN EVANS, OREGON ANGLERS: Speaks in support of HB 2615. Speaks about the partnerships in Sen. Bradbury's district. Feels genetic and funding problems need to be addressed. Would like to be a part of work group.

469 ROD INGRAM, OREGON DEPARTMENT OF FISH & WILDLIFE: Speaks from written testimony, Exhibit J. Supportive of the concept; wants to make it work. Will cooperate in pulling the two bills together. Will provide technical assistance to the committee as required.

TAPE 36, A

055 REP. NORRIS: Asks who the potential litigants are.

070 SEN. BRADBURY: Clarifies that revenue bonds don't end up as an obligation to the state.

104 CHAIR TARNO: Closes the PUBLIC HEARING on HB 2615.

105 Opens the WORK SESSION on HB 2180

116 ROBERT H. NAVE, SENIOR STAFF OFFICER, PLANT PROTECTION & QUARANTINE ANIMAL & PLANT HEALTH INSPECTION SERVICE, U.S. DEPARTMENT OF AGRICULTURE.

Makes a statement regarding USDA's function in pest importation. (Exhibit K)

147 CHAIR TARNO: When a shipment comes, USDA does an on-site inspection.

150 NAVE: Staff would go to the location and inspect the vessel or the logs.

160 NAVE: Establish compliance agreements within the industry; somewhat of a monitor.

General discussion follows.

216 REP. THOMPSON: Do you have adequate people to prevent Japanese beetle from entering?

224 NAVE: Cannot guarantee to keep 100% of pests out of Oregon. That's why it's important to see that the compliance agreements are lived up to.

244 REP. FISHER: Does that leave the state holding the bag if something goes wrong? Does your agency stand behind your mistakes?

250 NAVE: Mission is also to get rid of new pests if they come in.

280 REP. CORCORAN: Right now can you handle inspections adequately or do we need to create this entity? Does there need to be a state function?

283 NAVE: Believes they could come closer to doing an adequate job with more help.

309 - Thinks it's important to recognize the USDA and ODA have an excellent working relationship. In president's budget proposal for 1996, in fiscal 1996 and thereafter, amounts in the quarantine shall be available for authorized purposes without further authorization.

385 MARK BAUER, COMMITTEE ADMINISTRATOR: Summarizes amendments.

Discussion follows.

TAPE 37, A

065 MOTION: REP. LUKE: Moves HB 2180, AS AMENDED, be sent to the Floor with a DO PASS recommendation and BE REFERRED to the committee on Ways & Means.

VOTE: In a roll call vote, the motion CARRIES: 10 AYE, 1 NO (REP.LUKE); REP. NAITO is EXCUSED.

CHAIR TARNO: The motion CARRIES.

081 Closes WORK SESSION on HB 2180

Opens WORK SESSION on HB 2568.

120 REP. CORCORAN: Supports this bill, gives reasons why.

140 REP. LUKE: Asks why other animals aren't included in this bill.

145 REP. CORCORAN: Other populations are controlled through managed hunting.

164 MOTION: REP. CORCORAN: Moves HB 2568, to the Floor with a DO PASS recommendation.

Discussion follows.

VOTE: In a roll call vote, all members present vote AYE; REP. NAITO is EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. LARRY SOWA will lead the discussion on the Floor.

200 CHAIR TARNO: Closes WORK SESSION on HB 2568.

Opens WORK SESSION on HB 2101

BAUER: Introduces HB 2101, reports 6-1 vote in subcommittee.

REP. CORCORAN: Questions why REP. FISHER voted no.

REP. FISHER: Responds.

BAUER: Clarifies -1 amendments.

MOTION: REP. LEWIS: Moves HB 2101, AS AMENDED, to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE; REP. NAITO is EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. LEWIS will lead the discussion on the Floor.

CHAIR TARNO: Closes the WORK SESSION on HB 2101
Opens the WORK SESSION on HB 2601

266 BAUER : Explains provisions of the bill, and clarifies amendments.

291 REP. FISHER: Further clarifies the purpose of the amending language.

300 MOTION: REP. FISHER: Moves HB 2601, AS AMENDED, to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE; REP. NAITO is EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. FISHER will lead the discussion on the Floor.

CHAIR TARNO: Closes the WORK SESSION on HB 2601

Opens WORK SESSION on HB 2868.

327 BAUER: Summarizes HB 2868.

346 MOTION: REP. CORCORAN: Moves HB 2868 be sent to the Floor with a DO PASS recommendation.

363 REP. LUKE: Seems \$100,000 and five years in jail is a pretty heavy fine.

372 REP. FISHER: Clarifies that \$100,000 fine is for subsequent offenses.

390 REP. THOMPSON: Questions the value of a decoy.

394 BAUER: Explains the provisions of the bill.

400 REP. JOSI: Gives enforcement a tool.

409 REP. FISHER: Explains the current law. Allows them to use a poaching law.

VOTE: In a roll call vote, all members present vote AYE; REP. NAITO is EXCUSED.

CHAIR TARNO: The motion CARRIES.

REP. THOMPSON will lead discussion on the Floor.

CHAIR TARNO: Closes WORK SESSION on HB 2868

Opens WORK SESSION on HB 2051.

018 MOTION: REP. LUKE: Moves HB 2051 to the Floor without recommendation and BE REFERRED to the House Committee on HUMAN RESOURCES AND EDUCATION.

CHAIR TARNO: Hearing no objections, so ordered.
Closes WORK SESSION on HB 2051.

025 MOTION: REP. LEWIS: Moves to introduce LC 3838, (Exhibit L) in accordance with House Rule 13.05(2) , with the approval of the Speaker, as a committee bill.

CHAIR TARNO: States that a vote for this motion does not necessarily indicate support of the bill.

VOTE: In a roll call vote, all members present vote AYE; REP. NAITO is EXCUSED.

047 CHAIR TARNO: ADJOURNS THE MEETING AT 4:48 PM

Submitted by, Reviewed by,

Sandy Ceballos Mark Bauer
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 2615; Original legislation, HB 2631, 1987 Session -- Staff -- 1 page
B - Testimony on HB 2615 -- Rhonda Hamstreet -- 2 pages
C - Testimony on HB 2615 -- E.E. "Bud" Miles, Commissioner, Port of Siuslaw -- 3 pages
D - Testimony on HB 2615 -- Brian Cole -- 1 page
E - Testimony on HB 2615 -- Martin Callery, Port of Coos Bay -- 2 pages
F - Testimony on HB 2615 -- Stephen Kafoury, Americal Fisheries Society -- 4

pages

G - Better Roles for Fish Stocking in Aquatic Resource Management -- Stephen

Kafoury -- 18 pages

H - Testimony on HB 2615 -- Jim Myron, Oregon Trout -- 3 pages I -

I - Testimony on HB 2615 -- Jean Shaffer, Sierra Club -- 1 page

J - Statement on HB 2615 -- Rod Ingram, Oregon Department of Fish and Wildlife -- 4 pages

K - Testimony on HB 2180 -- Robert Nave, U.S. Department of Agriculture -- 2

pages

L - LC 3838, Draft -- REP. LEWIS -- 6 pages