

HOUSE COMMITTEE ON
NATURAL RESOURCES

Hearing Room
Tapes - ?

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. Lisa Naito
Rep. Chuck Norris
Rep. Judy Uherbelau
Rep. Larry Wells
Rep. Jim Welsh

MEMBER EXCUSED:

STAFF PRESENT:

Mark Bauer, Committee Administrator
Sandy Ceballos, Committee Assistant

MEASURES HEARD:

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

006 CHAIR TARNO opens the meeting at 1:40 PM

008 Opens the WORK SESSION on HB 2612.

010 MARK BAUER, COMMITTEE ADMINISTRATOR summarizes HB 2612. Attached to the staff measure summary are the dash one amendments..

020 REP. CORCORAN: Nothing in the bill would prohibit restrictions at the local level.

031 REP. FISHER: Reads a conceptual amendment.

037 REP. NAITO: Supports statewide labeling, concerns about local jurisdiction to protect local drinking water. Would the amendment solve this problem.

043 REP. CORCORAN: Dash 3 amendment is not included in this.

056 REP. JOSI: This area discussed in detail in the subcommittee hearing. Nothing that precludes restrictions at the local level.

062 REP. UBERLAU: Asks for a written copy of the conceptual amendment.

144 ?? Explains some provisions in the bill which are causing concern to some of the committee.

170 REP. NAITO: Would like the local jurisdiction to be able to respond quickly to local situations.

197 REP. NAITO: As long as the Dept. of Agriculture.

204 ?? Department of Agriculture is equipped to make those kinds of decisions based on sound scientific evidence. Asking for uniform regulation consistent with the policy statement.

220 REP. UHERBELAU: Has a problem with application. Received a letter from OHSU if a community wants to take an action with

237 REP. FISHER: Not only a help to the rural community, good protection for any governmental agency.

272 CHAIR TARNO: Dash one amendments were adopted by the subcommittee. Would entertain a motion to adopt the dash 3 amendment.

306 REP. CORCORAN: MOTION: Moves the conceptual amendments, and reads them for the record.

309 REP. WELLS: Discusses the conceptual amendments.

322 REP. CORCORAN: This bill is not

336 REP. FISHER: Discussed this issue at length in the subcommittee hearings.

348 REP. LEWIS: Asks to hear from Mr. Witt.

355 WITT: Explains the conceptual amendments.

375 REP. CORCORAN: Withdraws his motion

379 REP. FISHER: MOTION: MOVES CONCEPTUAL AMENDMENT AS STATED

406 rep. lewis: MOTION: Moves HB 2612 to the floor with a DO PASS recommendation.
Closes the WORK SESSION on HB 2612.

Opens the WORK SESSION on HB 2782.

040 MARK BAUER, COMMITTEE ADMINISTRATOR, summarizes B 2782HHB HHB
HB 2782

Passes to the full committee with a do pass

Closes WORK SESSION on HB 2782.

Opens WORK SESSION on HB 2501.

110 REP. LUKE: Talks about some of the testimony which was given in the subcommittee hearings.

120 REP. NAITO: Explains her feelings about this issue.

133 REP. JOSI: Tells of situation in his district having to do with the water board.

140 REP. UHERBELAU: Explains that there was no one at the subcommittee from the school boards objecting to this bill. Contacted them after the meeting and they said "no way, we can't function like that."

189 REP. LEWIS: Planning for school capacity, adequate water, sewer, has to come

197 REP. LEWIS: MOTION: Moves HB 2501 to the floor with a DO Pass.

201 rep.

215 Closes WORK SESSION on HB 2501.

216 Opens WORK SESSION on HB 2707

217 MARK BAUER, COMMITTEE ADMINISTRATOR, summarizes HB 2707.

HB 2707 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

Closes WORK SESSION on HB 2707.

Opens the WORK SESSION on HB 2562.

?? MOTION: Moves the

337 REP. JOSI: Moves the conceptual amendments to HB 2562.

365 Withdraws his conceptual amendments.

MOVES: The dash 2 amendmenys.

Hearing none, so ordered.

409 MARK BAUER, summarizes HCR10.

Welsh moves HCR10 to the floor with a do pass.

015 Opens the PUBLIC HEARING on HB 3093 & 3094.

024 CLIFFORD NICE: Speaks in support HB 3093.

074 States there are plenty of crabs out there, this bill is not about conservation it's about limiting the number of boats that can participate.

094 REP. CORCORAN: You would not qualify for HB 3094. Would you tell us why.

105 NICE:

132 RICE:

CAROL DAVIS: Testifies in support of HB 3094. Submits written testimony, EXHIBIT .

217 responds to question from REP. WELLS.

233 KEN ELLISOR: Testifies in support of HB 3094, from written testimony, EXHIBIT .

287 REP. CORCORAN: Requests explanation on "risky license."

310 CHARLES ADAMONIS: Speaks in support of HB 3094.

356 GEORGE MARIN: Speaks in support of HB 3094.

367 BOB SPELLBRINK: Speaks in support of 3094-4. Comes closes to capping the fleet at it's historic level.

417 Continues to speak in support of HB 3094-4. Take into account the number of vessels quqlifying.

427 REP. THOMPSON: How do you feel about the federal government taking over the regulation of all three states.

455 REP. THOMPSON: Would that be a situation whwere you feel they would have to take over the regulation of all three states.

466 REP. NORRIS: Asks about the dash 4 amendments.

474 They will be passed out shortly

040 HERB GOBLIRSCH: Speaks in support of

Ends PUBLIC TESTIMONY:

083 KATHLEEN P. EYMANN, THE OREGON CRAB FLEET: Introduces the dash four amendments, EXHIBIT , and speaks from written testimony submitted, EXHIBIT .

133 Coninues to explain the provisions in the dash 4 amendments.

183 Continues to explain the provisions of the dash 4 amendments.

200 REP. NAITO: Asks about the witness who trucks the crab in, would

230 REP. THOMPSON: Why didn't you put in 5 foot increments as in all other limited entry bills.

235 EYMANN: People don't normally go from vessel to vessel.

240 REP. THOMPSON: Why allow them to transfer only every five years.

249 EYMANN: Because it's consistent with their philosophy that they want to maintain the historic size of the fleet.

262 REP. THOMPSON: Still not clear why this differs from all other limited entries.

283 CHAIR TARNO: Scratch out lines 15 through 23 of the dash four amendment, and substitute the new section 5 language as submitted.

324 EYMANN: Continues to explain the provisions of the dash four amendments.

333 CHAIR TARNO: Talks about previous witness who had fallen out of the window. Does this amendment mean that he has the right to appeal to the board and be considered for entry.

344 EYMANN: Feels that is the intent of the amendment.

352 REP. LEWIS: Talks about the gentlemen from Astoria, and asks if Miss Eymann would consider that a situation beyond his control.

372 REP. LEWIS: Is concerned about history not being considered before other factors.

385 REP. JOSI:

392 EYMANN: We're talking about whole seasons here, not just one incident.

405 REP. JOSI: This is an individual who has been in the industry for 35 years, who fishes out of Astoria and lands his crab in Washington and trucks it to Oregon.

420 EYMANN: Feels that they are trying to address the whole situation not just the individual situation.

436 REP. NORRIS: The eligibility of the vessel, doesn't see the eligibility of the individual mentioned. Feels troubled by the reference to vessels instead of individuals.

461 EYMANN: When she came into this the landscape was already laid, all other limited entries are based on vessels, perhaps OFDW can answer that question.
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053 Continues to explain the provisions of the dash four amendments.

079 CHAIR TARNO: Talks about the reciprocity with California issue. Is the status that California has not dealt with the reciprocity issue.

080 EYMANN: That's true, they want to see what we come up with before they add reciprocity to their bill. They are insisting on a two year criteria.

CHAIR TARNO: Has Assemblyman Howser given us any idea of what he wants us to do.

109 EYMANN: Understands from Rep. Howser's office they want to accommodate the Pelican Bay fishers, but they want a two year limitation.

125 Explains California's concerns with the size of the Oregon fleet.

143 REP. NORRIS: In Howser's program does this include a minimum poundage per year.

152 REP. THOMPSON: Asks if there is no poundage in California's grand-father clause.

EYMANN: States that's correct.

168 REP. THOMPSON: Asks if the 197 number has been verified the OFDW.

175 EYMANN: Explains the criteria for the 197 vessels number.

196 PAUL HANNAMAN: Submits the 3094-3 amendments, and and speaks in support of the dash three amendments.

200 DAVE DUNCAN: Explains the dash three amendments to the committee.

250 Continues to explain the dash three amendments to the committee.

327 DUNCAN: Apologizes that the language of the amendment is not clear, and wants the committee to understand their intent.

348 REP LEWIS: Questions the process of people.

359 REP LUKE: Questions if the bank owns the boats.

366 DUNCAN: Explains that the banks holds the titles of the boats that have mortgages, but the owners hold the permits that allows them to work.
--Explains the Amendments that he's proposing.

TAPE 41 SIDE A

003 DUNCAN:

005 REP NORRIS: Questions if a person who is trying to come on after 1995 owns a veshle that is less then-----.

011 DUNCAN: No

014 CHAIR TARNO: Questions the validity of the dash 3 amendments.

019 DUNCAN: Explains how the dash 3 amendments would effect the current law.

027 REP COCRAN: Questions if the purpose of this amendment to add more boats.

031 DUNCAN: Explains that the amendment was intended for the smaller fisherman.

034 REP. COCRAN: How many more boats would this add?
037 DUNCAN: 54 veshles.

040 --continues.

048 REP. CORCORAN:

051 DUNCAN: Excluded by the California reciprocal agreemtn

058 REP. CORCORAN: Asks for an explanastion between the dash three and the dash four amendments.

063 DUNCAN: Explains the differences in the two amendments. Offering something in addition to the dash four amendments.

077 REP. UHERBELAU: Keep responding that dash 3 in not in lieu of but in addition to

086 DUNCAN: Hasn't had an opportunity to see the dash four amendments until just a few moments ago. Have not sought to change transferrability, etc.

096 REP. UHERBELAU: Asks that Mr. Duncan be given a copy of the dash four amendments.

103 CHAIR TARNO: How many more vessels would the dash three amendments allow.

114 NEAL CONNAN: Oregon Dept. of Fish and Wildlife: The issue here is how manyof the 197 would meet the criteria. Can not give an estimate.

128 CHAIR TARNO: Is there a top number on that.

132 CONNAN: 10% potential.

138 CHAIR TARNO:

142 DUNCAN: The initial pool may be larger than the average.

149 DUNCAN: Difficult to identify who the traditional fleet is.

156 REP. LEWIS: Looking at the dash four's on page 2, lines 15 - 20, quotes from that page.

168 DUNCAN: Reduces the number of boats.

173 CHAIR LEWIS: Asks if the ODFW
178
179 CHAIR LEWIS: Restates her question regarding the five year licensing.
187 Uncomfortable with picking a number out of the air.
192 CONNAN:
200 DUNCAN: Intent was not to take anyone out, but to add people in.
205 REP. CORCORAN: Feels there will need to be some analysis after the
fact. The big issue here is one year versus two years and there was
adequate notice given.
224 EYMANN: Points out what they see as problems with the dash three
amendments.
274 Discusses the grand-father clause.
304 Discusses the characteristics of the 197 vessels.
316 CHAIR TARNO:
315 EYMANN: Shows a chart of percentages by size of vessels landing 10,000
pounds in one season with the traditional fleet.
386 REP. THOMPSON: Asks about maximum length of 99 feet.
393 EYMANN: Will not be excluded. Could only transfer it to a vessel 99
feet long.
412 REP. THOMPSON: If he does not qualify, he can never than participate in
the crab fishery.
422 EYMANN: That's true.
430 REP. THOMPSON: Wouldn't it be wise to increase the size to 105 feet.
concerned about excluding the processors.
450 PAUL HANNEMAN: Believes the ODFW testimony was the number of boats
would 1/2 to 1/3 of the 197 figure. Feels the dash four amendment
proponents numbers are inflated.
050 10 years, and 10,000 pounds are more restrictive. Gives 25 - 35 more
vessels to participate in the summer fishery. Admits some of the language
on page one need clarification.
Closes the PUBLIC HEARING on HB 3093 and 3094.
Opens the WORK SESSION on HB 3093 and 3094.
090 REP. LEWIS: Feels California is going to push very hard for the two
years requirement. The dash four amendments are the only ones which
address this issue.
107 MOTION: Moves the dash four amendments.
109 REP. CORCORAN: State that the intent that Oregon residency be taken
into strong consideration by the board. Expresses his appreciation to the
members of the committee of the coastal areas. He was not lobbied by them
to vote one way or another.
124 REP. JOSI: Respects the reasons for the author of the motion,
objections to the motion. Concerned by the people in his district who will
be left out by the dash four amendments.
] 132 REP. NORRIS: Asks if there is some sort of compromise.
135 CHAIR TARNO: States that an attempt at compromise has been going on for
a long time, and feels they're just going to have to bite the bullet.
140 REP. NAITO: Feels there has been adequate notice that this was going to

come up. Supports the Dash four amendments.

154 REP. LUKE: Very difficult dealing with one bill let alone two, time to get this bill out of here and over to the Senate. Differences can be dealt with there.

163 REP. WELSH: The buy back provisions has not been incorporated in either the dash three or dash four amendments.

185 REP. NORRIS: Some flexibility based on their historical participation in the fishery.

185 REP. UHERBELAU: Congratulates all the participants in the HB 3093 and 3094 measures.

209 REP. FISHER: Seems in other areas where restrictions have been put on other fisheries, thinks this will tip the scales where ODFW will have to come to grips with the situation.

224 CHAIR TARNO: Member of this committee very close to this subject, and has never once pushed his weight around on this issue.

238 REP. THOMPSON: We need this limited entry, going to be tough because fishermen are going to loose licenses. Will leave the room until after the vote.

251 REP. LEWIS: Appreciates all th people who have come and hopes the people from Rep. Josi's district.

Dash four amendments approved.

276 MOTION: MOVES HB 3094 WITH DASH FOUR AMENDMENTS TO THE FLOOR WITH A DO PASS ARECOMMENDATION.

310 CHAIR TARNO ADJOURNS THE MEETING AT 5:09 PM

Submitted by, Reviewed by,

Sandy Ceballos Mark Bauer
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

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