

HOUSE COMMITTEE ON
NATURAL RESOURCES
SUBCOMMITTEE ON AGRICULTURE & FORESTRY

Hearing Room

Tapes - 3,A

MEMBERS PRESENT:

REP. BILL FISHER, Chair
REP. TONY CORCORAN, Vice-Chair
REP. TIM JOSI
REP. LARRY WELLS
REP. JIM WELSH

STAFF PRESENT:

PAT ZWICK, Committee Administrator
GAIL E. BOESCH, Committee Assistant

MEASURES HEARD:

HJM3 - Public Hearing and Possible Work Session
HB 2128 - Public Hearing and Possible Work Session
HB 2129 - Public Hearing and Possible Work Session
HB 2130 - Public Hearing and Possible Work Session

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 , A

005 CHAIR FISHER: Calls the meeting to order at 1:30 pm.

015 Opens PUBLIC HEARING on HJM3.

Witnesses: Ken Johnson
Tom Gallagher, Direct Service Industries
Senator Rod Johnson
Avis Rana, Oregon Chapter of Sierra Club
Sally Cross, Oregon Natural Resources Council
Stephen Kafoury , American Fishery Society, Wildlife Society
Sybill Ackerman, Portland Audobon Society

035 TOM GALLAGHER, DIRECT SERVICE INDUSTRIES: Provides testimony in support of HJM3. Suggests expanding memorial (Exhibit B) to include Columbia River.

055 REP. WELSH: Suggests leaving HJM3 as is and introducing another memorial to include salmon.

060 GALLAGHER: Offers no objection to another memorial; feels that to broaden scope of HJM3 would be better.

070 REP. CORCORAN: Explains difficulty of modifying this resolution and need for separate memorials on water resources and salmon.

081 GALLAGHER: Repeats support of HJM3, offers proposed amendment.

090 CHAIR FISHER: Requests copy of Gallagher's notes.

093 GALLAGHER: Will leave copy with staff. (Exhibit B); asks to be involved in drafting of future memorials

097 CHAIR FISHER: Requests Mr. Gallaghers's opinion on format of memorial.

100 GALLAGHER: Suggests addressing timber issues separately. HJM3 accomplishes purpose intended.

114 SEN. ROD JOHNSON: Speaks to the issues of the long-term effect of the Endangered Species Act on local timber industries, specifically regarding loss of timber sales due to the protection of the spotted owl habitat. Supports HJM3.

190 REP. WELLS: Solicits Sen Johnson's reaction to broadening HJM3 to include salmon and the Columbia River.

210 SEN. JOHNSON: U.S. Congress is looking to us for feedback more than ever. Point of bill is process - impact on industries and families needs to be considered before they're "wiped out". Critical issue.

248 REP. WELSH: Questions whether this should be referred to another committee.

256 CHAIR FISHER: To Sen. Johnson, assess statement that the timber industry has taken steps to huSB and and extend to make limited supply of timber last as long as possible to maintain employment levels.

277 SEN. JOHNSON: "Totally accurate to say; many have shrunk operations." Elaborates from personal experience.

309 REP. NORRIS: Offers amendments to HJM3 which broaden definition of endangered species. (Exhibit A).

335 CHAIR FISHER: Feels that Rep. Norris' suggestion to delete lines 13 - 15 would further dilute emphasis on timber problem.

350 SEN. JOHNSON: Reviews proposed amendments. Wouldn't oppose expansion of HJM3 to include other species, but prefers to keep lines 13 - 15 intact. Suggests modifying line 8.

370 CHAIR FISHER: Requests that Tom Gallagher respond to suggested changes and compare them to his proposal.

380 GALLAGHER: Notes that many changes are similar; language acceptable, accomplishes the same thing - letting Congress know that the Endangered Species Act "has to be dealt with in a balance."

TAPE 2, A

016 KEN JOHNSON, RETIRED OREGONIAN: (Exhibit C), testifies in opposition to HJM3.

090 REP. WELSH: Speak to part of bill that offends you the most.

095 JOHNSON: Feels sending HJM3 to Congress is a waste of time. States concerns about economics.

118 AVIS RANA, OREGON CHAPTER OF SIERRA CLUB: Testifies in opposition to HJM 3 and expresses concerns about the long-term survival of the timber resource.

176 CHAIR FISHER: Requests statistics to support her testimony regarding overcutting of timber.

208 REP. LEWIS: Notes conflict between preserving timber and protecting local timber-based revenues.

230 SALLY CROSS, OREGON NATURAL RESOURCES COUNCIL: Opposes HJM3, reads from Exhibit D, strongly emphasizing preservation of the Endangered Species Act.

270 REP. WELSH: Requests a solution to the problem caused by history of timber industry.

275 CROSS: Offers solutions such as secondary wood products manufacturing.

299 REP. WELSH: Questions Ms. Cross' first-hand knowledge of current industry.

300 REP. LEWIS: Points out that to have secondary wood products, primary wood products are needed first.

305 CROSS: Concurs.

320 REP. LEWIS: Questions awareness regarding sources of current supply of lumber to secondary products manufacturers.

330 CROSS: Comments that most desirable lumber/timber is being exported.

335 REP. LEWIS: Counters that many secondary products manufacturers are going outside of U.S. for lumber/timber because native supply is limited.

420 STEPHEN KAFOURY, AMERICAN FISHERY SOCIETY, WILDLIFE SOCIETY: Bill blends scientific and policy issues. Clarifies position that the determination of species to be listed on the Endangered Species List is a scientific decision; the plans to deal with that list and potential effects of it are political concerns. Ask Congress to keep science and politics separate.

TAPE 1,B

001 CHAIR FISHER: Comments on spotted owl, feels it shouldn't be on Endangered Species List due to discovery of higher population than originally found.

067 KAFOURY: Determination of endangered is scientific; HJM3 doesn't change that. Need to direct response to problem; need to define problem.

101 REP. CORCORAN: Agrees with Mr. Kafoury's assessment.

116 KAFOURY: This bill doesn't speak to the issue of spotted owls. The reference to future listings (in the bill) will not affect the owl.

123 CHAIR FISHER: Not focusing on owls, only on intent and consideration of economic effect of future listings

150 REP. WELLS: Ponders the efficacy of HJM3 when current problem is one of timber supply.

174 REP. LEWIS: Notes that other species considered for listing will affect industries of state. We have experienced negative impact of listings, HJM3 is looking to future and impact of future listings.

191 KAFOURY: States that it is important to understand on narrow scientific basis if species are endangered; how we deal with that information is political.

220 REP. WELSH: May need rewording. Questions whether human and economic needs should be considered.

234 REP. WELSH: Asks if Mr. Kafoury thinks HJM3 is a political statement.

236 KAFOURY: Absolutely.

245 SYBILL ACKERMAN, PORTLAND AUDOBON SOCIETY : Testifies regarding value of Endangered Species Act, opposes HJM3.

284 CHAIR FISHER: Delays work session on HJM3 to allow testimony on remaining bills.

304 Closes PUBLIC HEARING On HJM3
Opens WORK SESSION On HB 2128

Witnesses: John McCulley, Oregon Cattlemen's Association
Phil Ward, Department of Agriculture

319 JOHN MCCULLEY, OREGON CATTLEMEN'S ASSOCIATION: Testifies in support of
HB 2128, submits amendment (Exhibit F).

350 REP. WELLS: Expresses support of amendment as submitted.

363 REP. WELSH: Questions whether age change was included. (Change of minimum
age from 4 months to 2.)

369 MCCULLEY: Only changed if federal government changes requirements.

374 PHIL WARD, DEPARTMENT OF AGRICULTURE: Speaks in support of bill as
amended.

390 MOTION: REP. WELLS: Moves the ADOPTION of Oregon Cattlemen's
Association amendments to HB 2128.

VOTE: In a roll call vote, all members are present and vote AYE.

MOTION: REP. WELSH: Moves that HB 2128, AS AMENDED, be sent to the full
committee with a DO PASS recommendation.

425 VOTE: In a roll call vote, all members are present and vote AYE.

430 CHAIR FISHER: The motion CARRIES.

Closes the WORK SESSION on HB 2128.
Opens the WORK SESSION on HB 2129

TAPE 2,B

024 PHIL WARD, DEPT OF AGRICULTURE: Submits amendment to HB 2129 (Exhibit H).

045 REP. CORCORAN: Requests clarification regarding insertion of amendment
into language of bill.

080 REP. THOMPSON: Questions whether crab and shrimp are going to be
considered as shellfish.

089 WARD: I don't believe so - regulated under different law. Not included
in original definition; don't fit this particular classification.

100 WARD: For the record, we have no intention to include crab or shrimp in
this classification.

106 MOTION: REP. JOSI: Moves the ADOPTION OF amendment HB 2129-1.

VOTE: In a roll call vote, all members are present and vote AYE.

MOTION: REP. JOSI: Moves that HB 2129, AS AMENDED, be sent to the full
committee with a DO PASS recommendation.

VOTE: In a roll call vote, all members are present and vote AYE.

124 CHAIR FISHER: The motion CARRIES.

Closes WORK SESSION on HB 2129
Opens WORK SESSION on HB 2130

130 DAVE STERE, DEPARTMENT OF FORESTRY: Submits Exhibit I in support of HB
2130.

138 REP. JOSI: Expresses concern due to proliferation of requests for Social
Security numbers; privacy issue. Questions necessity to use these numbers
to get to problem.

152 STERE: Offers background and intent of bill.

188 REP. WELLS: Has problem supporting this issue.

204 CHAIR FISHER: Shares personal experiences with hiring help and completing 1099's. Strongly supports HB 2130.

239 REP. CORCORAN: Clarifies why HB 2130 is before the subcommittee..

257 CHAIR FISHER: Concurs, explains that bill is a housekeeping matter.

263 REP. THOMPSON: Asks Mr. Stere if the Department of Forestry has considered a cost per item approach.

271 CHAIR FISHER: Bill was not requested by regulatory agency; strictly as an answer to controlling fraud.

280 STERE: No, the Dept. of Forestry has never considered charging poundage fees.

291 REP. WELLS: Will support bill as discussed.

296 REP. TARNO: Submits amendment to HB 2130, Exhibit J. Amendment addresses volume of special forest products.

354 REP. WELLS: Requests clarification on how wording of amendment is inserted into bill.

400 REP. LEWIS: Restates amendment to gain clarification.

433 STERE: Explains how amendment works regarding text, deletions and insertions.

TAPE 3, A

029 STAFF ZWICK: Asks for clarification from Rep. Tarno regarding wording of amendment.

040 CHAIR FISHER: Refers amendment to staff, to be drawn up in LC draft.

Closes WORK SESSION on HB 2130.
Opens WORK SESSION on HJM3

064 REP. JOSI: Expresses concerns about HJM3. Explains why he will vote no.

091 REP. JOSI: Questions "equal consideration", line 18. Suggests taking out word "equal" completely or substitute the word "due".

105 MOTION: REP. CORCORAN: Moves that HJM3 be sent to the full committee with a DO PASS recommendation.

152 REP. WELLS: Supports motion; comments that HJM3 doesn't deal with real problem of timber supply.

218 REP. WELSH: Presses for expedient passage. States that HJM3 provides a message that's really needed; message is balance. Nothing wrong with political statement. Supports passage.

245 REP. LEWIS: Interest in moving memorial forward. Timber issues so important to state, a specific message is important. Listing is a scientific issue. Costs and benefits should be weighed. Word "equal" should be in HJM3.

294 CHAIR FISHER: Suggests "and other environmental laws" elimination. After line 20, "Endangered Species Act, add language regarding future delisting requirements for endangered species.

315 REP. CORCORAN: Disagrees with suggestion. Requests message from chair that this memorial move forward expeditiously without amendments.

VOTE: In a roll call vote, REPS. CORCORAN, WELLS, WELSH, and CHAIR FISHER vote AYE. REP. JOSI votes NO.

385 CHAIR FISHER: The motion CARRIES.

387 Closes Work Session on HJM3.
391 CHAIR FISHER: Adjourns meeting at 3:50 pm.

Submitted by, Reviewed by,

GAIL E. BOESCH PAT ZWICK
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Staff Measure Summary, HJM3, Pat Zwick, Committee Administrator, 2 pages.
B - HJM3 with notes for suggested amendments, Thomas Gallagher, 2 pages.
C - Testimony on HJM3, Ken Johnson, 2 pages.
D - Testimony on HJM3, Sally Cross, Oregon Natural Resources Congress, 1 page.
E - Staff Measure Summary, HB 2128, Pat Zwick, Committee Administrator, 2 pages.
F - Proposed Amendments To HB 2128, John McCulley, Oregon Cattlemen's Association, 1page.
G - Staff Measure Summary, HB 2129, Pat Zwick, Committee Administrator, 1page.
H - Proposed Amendments to HB 2129, Pat Zwick, Committee Administrator, 1 page.
I - Staff Measure Summary, HB 2130, Pat Zwick, Committee Administrator, 1 page.
J - Proposed Amendment to HB 2130, Rep. Veral Tarno, 1 page.