

HOUSE COMMITTEE ON  
NATURAL RESOURCES  
SUBCOMMITTEE ON AGRICULTURE & FORESTRY

Hearing Room  
Tapes - 47

MEMBERS PRESENT:

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

STAFF PRESENT:

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

MEASURES HEARD:

HB 2120 - Work Session  
HB 3025 - Work Session  
HB 2657 - Work Session  
HB 3185 - Public Hearing  
HB 2178 - Public Hearing and 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

004 CHAIR FISHER: Calls the meeting to order at 1:37 pm.  
Opens the Work Session On HB 2120

017 MOTION: REP. CORCORAN: Moves the -2 amendments to HB 2120, BE ADOPTED.  
  
Discussion follows regarding further amending language to HB 2120.

043 VOTE: Hearing no objections, the amendments are ADOPTED.

057 RUDY ROSEN, OREGON DEPARTMENT OF FISH & WILDLIFE: Submits Exhibit B, offering further amendments to HB 2120.

084 REP. WELLS: Requests clarification of Exhibit B.

103 ROSEN: Clarifies differences between protection of "threatened" and "endangered" species.

140 - Have "spread out" the protection levels, seeking common sense solutions.

150 REP. CORCORAN: Referring to the -2 amendments, Exhibit A, questions

language. "Does that represent a change in your perception?"

160 ROSEN: A number of people felt there would be a reduction in protection.

170 REP. WELLS: Questions language differences between sections, comments about moving the language about.

180 ROSEN: My understanding is, the definitions in question are found in other law, not necessary here. Can have an attorney clarify this.

190 REP. JOSI: Suggests that the LC form would clarify and allow time for study in full committee.

200 JILL BOWLING, DEPARTMENT OF FORESTRY: Worked with ODFW on all amendments, supports moving everything to full committee.

211 ROSEN: Unless attorneys tell us this doesn't work, shouldn't have any further amending language.

225 MOTION: REP. WELSH: Moves that HB 2120, 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.

CHAIR FISHER: The motion CARRIES.

241 CHAIR FISHER: Closes the Work Session on HB 2120  
Opens the Work Session on HB 3025

255 STAFF: Introduces HB 3025 and fiscal report, Exhibit C.

324 COMMISSIONER HABBERSTAD, OREGON FISH & WILDLIFE COMMISSION: Expresses concerns about disease, hybridization, exotics becoming established into the wild, especially sika deer.

372 HABBERSTAD: Continues, recaps testimony and names of witnesses from the last hearing on HB 3025.

TAPE 45,A

005 HABBERSTAD: Didn't think it was fair to wipe the industry out, so what we did, allowed the industry to expand in areas with minimal risk, such as elk and sika deer, grandfathered in existing industry/ranches.

060 - The industry needs to be regulated, either by Dept. of Ag. or ODFW.

072 - If there is a husbandry problem, we're certainly willing to look at that.

076 REP. WELLS: Recalling the Wicket family's situation, questions how the licensing process applies.

083 CAPTAIN LINDSAY, OREGON STATE POLICE, FISH & WILDLIFE DIRECTOR: Testifies regarding the Wicket deer farm, as it relates to current licensing requirements.

The family wanted to keep exotic deer to watch for pleasure, due to failing health of father; the Oregon State Police tried to make arrangements to allow it.

140 - A recommendation went back to the commission for a change in regulation to help out Mr. Wicket; 18 month extension to come into

compliance with regulations.

168 RUDY ROSEN, ODFW: Testifies from Exhibit D, opposing HB 3025. Uses wildebeests as an example. Each new species introduced in Oregon brings threats - reads from Exhibit D.

Demonstrates a book, a study for the U.S. Congress, reads from its foreword. Introduces white paper, Exhibit C.

258 - Continues reading from Exhibit D, discussing Sika deer.

296 - HB 3025 represents risk to native populations, and the Oregon economy - reads from testimony.

345 REP. CORCORAN: Looking in HB 3025 for definition of "game mammal".

352 PHIL WARD, DEPARTMENT OF AGRICULTURE: Game mammal is defined in Chapter 496.

365 REP. WELLS: Questions how passage of HB 3025 would affect the Wickets' situation.

372 CAPT. BALL: Would disappear.

388 CHAIR FISHER: Referring to Exhibit C, page 3, question about sale or personal use.

402 ROSEN: The white paper was prepared prior to the rules being currently applied; is current to September, 1992, and includes factual information.

TAPE 44, B

005 ROSEN: Continues response to question regarding Exhibit C.

029 - The numbers of free ranging animals is increasing at an alarming rate.

Discusses experience from Texas, where the commercialization of native wildlife is not allowed.

046 REP. WELLS: Questions current status of game ranchers, and what will happen to them if HB 3025 does not pass.

053 HABBERSTAD: The existing licensees will not be adversely affected if bill does not pass, no new elk or sika facilities will be allowed if HB 3025 passes.

063 REP. WELLS: Questions how current ranchers got licensed; can they sell that license.

073 HABBERSTAD: License goes with facility.

076 PHIL WARD, OREGON DEPARTMENT OF AGRICULTURE: Comments about HB 3025, historically approached issue ; 1st, statutory responsibility to control animal disease in state: 2nd, promote and enhance economic development of state.

102 - Notes philosophy that game ranching should be allowed with regulation.

115 - Domesticated game animal not defined, could use narrowing in bill; calls for technical adjustments to bill.

144 - Notes resource burden on Department, discusses fiscal impact for

staffing at bare minimum.

157 REP. JOSI: Regarding HB 3025, section 2, line 7 & 8, page 1; asks if acquiring & raising domesticated game animals for commercial purposes includes meat.

168 WARD: Wouldn't outright allow sale of meat, but would leave room to adopt rules; different types of commercial uses 'could be a part of that equation'.

195 REP. JOSI: Question about fiscal analysis and poaching problem.

200 BALL: Cannot visually tell the difference between a domesticated and a wild game mammal; scientific evaluation is species specific, still no indication of source unless a genetic difference existed.

238 REP. JOSI: In your opinion, if this bill allowed sale of meat, would that affect the poaching rates.

250 BALL: Would create that opportunity for exploitation.

265 REP. WELSH: Questions if tagging would circumvent poaching; suggests branding. Questions the numbers of licenses in the state.

300 REP. CORCORAN: Clarifies that with passage of HB 3025, much that is now illegal would become legal.

311 HABBERSTAD: Clarifies that meat can currently be marketed out of state.

Enumerates existing permits to raise domesticate game mammals.

326 DAN EDWARDS, OREGON DEPARTMENT OF FISH & WILDLIFE: 18 cervid, 16 licenses. Clarifies that the white paper dealt with different types and categories.

350 CAPTAIN LINDSAY BALL, OREGON STATE POLICE: Submits Exhibit E, and summarizes from it. Notes another enforcement issue, created by possible passage of HB 3025 - shooting of domesticated game animal.

- Comments about funding issue, estimates a need for 4 troopers to adequately cover staffing needs; estimates \$610,000 + .

405 REP. WELSH: Questions numbers of problems created by cervid population situations.  
TAPE 45, B

010 BALL: 8 citations, compliance inspections, complaints-don't have exact numbers. There has been more contact with ranchers for compliance issues.

022 ROSEN: Offers a list of escapes, "fairly recent". (Exhibit O)

027 REP. WELSH: Questions if there are any amendments to regulate this language; asks that the agencies come back with amendments, don't eliminate opportunity, address it.

093 CHAIR FISHER: Asks Rep. Welsh to work with agencies, come back in two weeks.

100 Closes the Work Session On HB 3025  
Opens the Work Session On HB 2657

120 STAFF: Introduces HB 2657, Exhibit F.

134 SENATOR SPRINGER: Speaks in opposition to HB 2657, discusses testimony from California - We are much different here in Oregon in approach to game and wildlife management. The ODFW retains authority to take bear & cougar in terms of public safety, notwithstanding the effects of Measure 18.

Warns that repeal of recent legislation may encourage a drive toward constitutional amendment.

185 ROD INGRAM, ODFW: Submits Exhibit G, regarding studies required by HB 2657. The time allowed is too short, although the data collected would still prove valuable.

300 RON ANGLIN, ODFW: Testifies about a cougar posing a public safety threat at a public school; the cougar was destroyed.

340 CHAIR FISHER: Calls for a vote, to send the bill to the full committee.

MOTION: REP. CORCORAN: Moves that HB 2657 be sent to the Full Committee with a DO PASS recommendation, with a subsequent referral to Ways and Means.

VOTE: In a roll call vote, REP. CORCORAN, WELLS AND FISHER vote AYE; REP. JOSI votes NO; REP. WELSH is EXCUSED. (LATER VOTES AYE).

CHAIR FISHER: The motion CARRIES.

390 CHAIR FISHER: Closes Work Session on HB 2657  
Opens Public Hearing on HB 3185  
Witnesses: David Imholt  
Al Morrelli  
Rep. Lonnie Roberts  
Barry Mammano  
Joe French, Oregon Forest Products Association  
Dave Smith  
Geri McCloud

TAPE 46, A

013 DAVID IMHOLT: Submits Exhibit J and testifies in opposition to HB 3185.

058 AL MORRELLI: Testifies in opposition to HB 3185. (Exhibit K)

073 REP. LONNIE ROBERTS: Sponsor of HB 3185, explains purpose of bill.

125 - Submits Exhibit L, amendments to HB 3185 (-1, -2, and -3).

144 REP. ROBERTS: My original intent was for log trucks.

175 - Discusses EFU tax exemption and -3 amendments.

212 - These people are trying to stay economically alive. Discusses the problems with parking a commercial truck.

220 REP. CORCORAN: Neighb ors are gypo loggers, park their trucks at home, not an issue. Concerns about abuse in terms of taxes.

270 BARRY MAMMANO: Testifies in support of HB 3185.

281 REP. WELLS: Expresses concerns about commercial trucking operations

abusing the law.

321 JOE FRENCH, OREGON FOREST PRODUCTS TRANSPORTATION ASSOCIATION: Submits Exhibit M, testifies in support of HB 3185.

338 DAVE SMITH: Testifies in support of HB 3185. Suggests an amendment to ORS 215.296.

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002 SMITH: Continues testifying in support of HB 3185.

013 GERI MCCLLOUD: HuSB and is a trucker; lives in the country. Testifies in support of HB 3185. (Exhibit N)

024 REP. JOSI: Comments about the dearth of industrial land, be a shame to fill it up with log trucks.

031 CHAIR FISHER: Reads the names from the witness list of those who were unable to testify personally. (Meeting was abbreviated due to mandatory caucus.) All are in support of HB 3185.

BRYANT AND RUTH WARD  
MICKEY BELLMAN  
JOE SPENNER  
DON LUTTRELL  
LEONARD HETTWER  
JOHN WATKINS  
TRUMAN MORRIS  
JOHN NIX, JR.  
RON BOWER  
AB COBLENTZ  
MAURICE WELFL  
HAROLD MILLER

044 Closes Public Hearing on HB 3185  
Opens Public Hearing on HB 2178  
Witnesses: Phil Ward, Department of Agriculture

053 PHIL WARD, DEPARTMENT OF AGRICULTURE: Gives overview of HB 2178.

CHAIR FISHER: Closes Public Hearing on HB 2178  
Opens Work Session on HB 2178

MOTION: REP. CORCORAN: Moves that HB 2178 be sent to the Full Committee with a DO PASS recommendation.  
VOTE: In a roll call vote, all members are present and vote AYE.  
CHAIR FISHER: The motion CARRIES.

Closes Work Session On HB 2178  
ReOpens Work Session on HB 2657

REP. WELSH: Votes AYE.

CHAIR FISHER: Closes Work Session on HB 2657.

ADJOURNS MEETING AT 4:05 PM.

Submitted by, Reviewed by,

GAIL E. BOESCH PAT ZWICK  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 2120, Proposed Amendments (HB 2120-2) --11 pages  
B - Testimony on HB 2120 As Revised-R. Rosen, Oregon Department of Fish & Wildlife -- 7 pages  
C - White Paper, Private Holding of Cervids (HB 3025) -- R. Rosen, ODFW --21

pages

D - Testimony on HB 3025 -- R. Rosen, ODFW -- 4 pages  
E - Testimony on HB 3025 -- Captain Lindsay A. Ball, Oregon State Police -- 2 pages  
F - HB 2657, Staff Measure Summary -- Pat Zwick, Committee Administrator --

1 page

G - Statement on HB 2657 -- Rod Ingram, ODFW -- 2 pages  
H - Fiscal Memorandum, HB 2657 -- Bill Coulombe, Fiscal Analyst -- 1 page  
I - HB 3185, Staff Measure Summary; Letter from Attorney General -- 4 pages  
J - Testimony on HB 3185 -- David Imholt -- 1 page  
K - Land Use Hearing Finding-Al Morrelli -- 4 pages  
L - HB 3185, Proposed Amendments-Rep. Lonnie Roberts -- 3 pages  
M - Testimony on HB 3185 -- Joe French, Legal Counsel, Oregon Forest Products Transportation Association -- 1 page  
N - Testimony on HB 3185 -- Geri McCloud, Mac McCloud Trucking -- 1 page  
O - List of Known Cervid Escapes in Oregon-R. Rosen, ODFW -- 3 pages  
p - Testimony on HB 3025 -- Gene Erwin -- 2 pages  
Q - Elk Farming: A Layman's Perspective-Mike Babcock -- 10 pages  
R - Testimony on HB 2657 -- Rod Harder, Oregon Sportsmens Defense Fund Inc. -- 4 pages

S - Testimony on HB 2657 -- Chari Briggs, Cascade Wildlife Rescue -- 1 page  
T - Testimony on HB 2657 -- Jacob Tanzer, Attorney -- 2 pages  
U - Testimony on HB 2584 and HB 2657 -- Chas. Williamson, Attorney -- 12 pages

V - Testimony on HB 2657 -- Al Hainisch -- 5 pages  
W - Testimony on HB 2657 -- Susan Lamb -- 1 page  
X - Testimony on HB 2657 -- R. Rumbolz, et al -- 20 pages  
Y - Testimony on HB 2657 -- Jerald Myra -- 3 pages  
Z - Testimony on HB 2657 -- Joe Anderson -- 2 pages  
AA - Testimony on HB 2657 -- Cathi Harwood -- 1 page  
BB - Testimony on HB 2657 -- Jerry Abram -- 4 pages  
CC - Testimony on HB 2657 -- Cheryl Brittain, Oregon Animal Welfare Alliance

-- 2 pages

DD - Testimony on HB 3185 -- Gene Kleinsmith -- 1 page  
EE - Testimony on HB 3185 -- Maurine Wuf1 -- 1 page  
FF - Testimony on HB 3185 -- Harold Miller -- 1 page  
GG - Testimony on HB 3185 -- Ken Laubsch -- 1 page  
HH - Testimony on HB 3185 -- Ginger Wartenbee -- 1 page  
II - Testimony on HB 3185; Book, "Rockefeller-Regionalism The Shadow Behind Oregon's LCDC", by Joe Spenner, Farmer/Janitor; available from CPA Books Publisher, P.O. Box 596, Boring, OR 97009 -- 601 pages  
Exhibit Summary, Continued

JJ - Testimony on HB 3185 -- Chrisina Johnson, et al -- 42 pages  
KK - Testimony on HB 3025 -- Sharon Harmon, Oregon Humane Society -- 1 page

