

HOUSE COMMITTEE ON  
NATURAL RESOURCES  
SUBCOMMITTEE ON AGRICULTURE & FORESTRY

Hearing Room  
Tapes - 51

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 3429 - Public Hearing  
HB 3112 - Public Hearing  
HB 2840 - Public Hearing  
HB 3101 - Public Hearing  
HB 3212 - Public Hearing and Work Session  
HB 2221 - Public Hearing  
HB 2222 - Public Hearing  
HB 3339 - Public Hearing  
HB 2871 - Public Hearing  
HB 2876 - Public Hearing  
HB 2369 - Public Hearing  
HB 2599 - Public Hearing  
HB 2613 - Public Hearing  
HB 2569 - Public Hearing

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

008 CHAIR FISHER: Calls the meeting to order at 1:38 PM

Opens the Public Hearing on HB 3429.  
Senator Marilyn Shannon  
Representative Carolyn Oakley  
Senator Tom Hartung  
Dave Nelson, Oregon Seed Council  
Rod Phelan

015 SEN. MARILYN SHANNON: Submits amendments, Exhibit A. Reads from  
amendments.

037 REP. CAROLYN OAKLEY: Testifies in support of HB 3429.

056 SEN. TOM HARTUNG: Testifies in support of HB 3429.

071 DAVE NELSON, OREGON SEED COUNCIL: Testifies in support of HB 3429.

083 ROD PHELAN: Submits Exhibit B, and testifies in support of HB 3429.  
Reads from Exhibit B.

122 NELSON: Comments, no objections to amendments, notes redundancy in language.

CHAIR FISHER: Closes the Public Hearing on HB 3429  
Opens the Public Hearing on HB 3112.  
Representative Carolyn Oakley  
Bob Bell  
Bob Nicholls, Oregon Gun Owners, Inc.  
Rod Harder, Oregon Sportsmen's Defense Fund, Inc.

138 STAFF: Presents overview of HB 3112, Exhibit C.

160 REP. OAKLEY: Testifies in support of HB 3112.

174 BOB BELL: Testifies in support of HB 3112. Notes that language should include "owner".

184 REP. CORCORAN: Questions whether every reference should be changed.

194 BOB NICHOLLS, OREGON GUN OWNERS INC.: Testifies in support, comments about HB 2876, would like to see it combined into HB 3112.

224 REP. JOSI: Explain to me what section 3 means.

282 ROD HARDER, OREGON SPORTSMENS DEFENSE FUND, INC.: Provides further clarification of HB 3112, testifies in support.

302 CHAIR FISHER: Closes Public Hearing on HB 3112.  
Opens the Public Hearing on HB 2840  
Ray Wilkeson, Oregon Forest Resources Institute  
Ken Everett

313 STAFF: Presents overview of HB 2840, Exhibit D.

343 RAY WILKESON, OREGON FOREST RESOURCES INSTITUTE: Testifies in support of HB 2840, submits Exhibit E.

TAPE 49, A

005 WILKESON: Concludes his testimony on HB 2840.

012 KEN EVERETT: Supports HB 2840.

030 CHAIR FISHER: Closes Public Hearing on HB 2840  
Opens Public Hearing on HB 3101.  
Mary Guldager, Mayro, Coburg

035 STAFF: Presents overview of HB 3101, Exhibit F.

044 MARY GULDAGER, MAYOR, COBERG: Testifies in opposition to HB 3101.  
Presents testimony regarding the Division of State Lands and their help with problems in Coburg.

103 - A vast majority of Oregon is comprised of small communities.

152 - Concludes, urges defeat of HB 3101.

170 CHAIR FISHER: Closes the Public Hearing on HB 3101  
Opens the Public Hearing and Work Session on HB 3212.  
Richard Kosesan, Water For Life  
Mark Nelson, Water For Life  
Steve Byerlin, Oregon Guides & Packers  
Rod Ingram, Oregon Department Of Fish & Wildlife

182 STAFF: Presents overview of HB 3212, Exhibit G.

202 RICHARD KOSESAN, WATER FOR LIFE: Submits amendments to HB 3212, Exhibit H.

229 - Summarizes amendments, Exhibit H.

275 MARK NELSON, WATER FOR LIFE: Notes that amendments are a result of a work group and have the support of Oregon Trout. Submits Exhibit I, and discusses the proposed cost share for irrigators.

345 CHAIR FISHER: Questions the opinion of the users.

350 NELSON: Responds, not going to get Oregon Department of Fish and Wildlife cooperation,

367 STEVE BYERLIN, OREGON GUIDES AND PACKERS: Provides a few generalized comments, concerned about lack of funding.

TAPE 48, B

058 REP. WELLS: Requests clarification of process regarding screening.  
General discussion of screening and current statutes ensues.

098 ROD INGRAM, OREGON DEPARTMENT OF FISH AND WILDLIFE: Submits Exhibit J, providing comments regarding HB 3212. The Department encourages reducing the loss of fish to water diversions.

148 REP. WELLS: Questions why the cost share process, since screening seems to be needed regardless.

158 INGRAM: Screens required by statute; encourages pilot project.

191 REP. WELLS: Questions if there is criteria on adequate screening for a suction pipe into the river.

200 INGRAM: I believe we can give you that information after the meeting.

208 CHAIR FISHER: Closes the Public Hearing on HB 3212  
Opens Work Session on HB 3212

220 STAFF: Submits Exhibit K.

236 REP. WELSH: Notes amending language to insert into bill, conceptual.

247 REP. JOSI: Expresses concerns that Oregon Guides and Packers aren't considered in the amendments submitted.

265 REP. CORCORAN: Agrees with Rep. Josi, calls for caution.

278 CHAIR FISHER: Urges consideration of bill today.

Discussion follows.

326 NELSON: Clarifies work group process, notes that Oregon Guides and Packers chose not to participate in last work group, only new language is the 40%.

346 BYERLIN: Not an easy issue to resolve; hasn't had a chance to look at amendments, notes some differences in LC draft as opposed to past discussions. Main thing is to get as many screens as possible.

388 REP. JOSI: Did you choose not to attend the last meeting?

395 BYERLIN: Had to go to work; is a fishing guide. Other concerns, elaborates.

TAPE 49, B

008 JIM MYRON, OREGON TROUT: Notes that no one has seen LC draft, just got it from legislative counsel. Oregon Trout supports the current amendments.

033 REP. WELLS: Requests clarification regarding sunset and surcharge on angling license.  
- Questions controversy of HB 3212

060 MYRON: Equitable distribution of costs between irrigators and public.

080 MOTION: REP. WELSH: Moves the -2 amendments, as conceptually amended, BE ADOPTED.

CHAIR FISHER: Hearing no objections, the amendments are ADOPTED.

MOTION: REP. WELSH: Moves that HB 3212, 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.

Closes the Work Session on HB 3212  
Opens the Public Hearing on HB 2221  
Rod Ingram, Oregon Department of Fish & Wildlife

098 STAFF: Presents overview of HB 2221, Exhibit L

115 ROD INGRAM, OREGON DEPARTMENT OF FISH & WILDLIFE: Submits Exhibit M, and reads from it regarding the free fishing day. ODFW introduced HB 2221.

172 CHAIR FISHER: Closes Public Hearing in HB 2221  
Opens Public Hearing on HB 2222  
Rod Ingram, Oregon Department of Fish & Wildlife  
Kay Brown Oregon Department of Fish & Wildlife

175 STAFF: Provides summary of HB 2222 and submits Exhibit N

190 ROD INGRAM, ODFW: Submits Exhibit O, and reads from it, introducing HB 2222.

234 KAY BROWN, ODFW: Discusses the sunset provision, "pot of money".

250 INGRAM: Clarifies surcharge.

290 CHAIR FISHER: Closes the Public Hearing on HB 2222  
Opens the Public Hearing on HB 3339  
Representative Larry Sowa  
Rod Harder, Oregon Sportsmen's Defense Fund  
Jay Ward

311 STAFF: Presents a summary of HB 3339, Exhibit P.

330 REP. LARRY SOWA: Testifies and clarifies the intent of HB 3339.

393 - Section 4, continues discussing various aspects of HB 3339.

TAPE 50, A

025 REP. SOWA: Continues.

048 REP. WELLS: Questions what part of the bill discusses contract.

General discussion of HB 3339 follows, as the members gain clarification of various aspects of the bill.

95 ROD HARDER, OREGON SPORTSMEN'S DEFENSE FUND: Testifies in support,  
Exhibit Q

121 JAY WARD: Submits and reads from Exhibit R, opposing HB 3339.

195 REP. CORCORAN: Comments about quotas and affirmative action.

CHAIR FISHER: Closes the Public Hearing on HB 3339  
Opens the Public Hearing on HB 2871  
Carolyn Godwin  
Ron Baker, Sanitarian's Registration Board  
Eugene Reagan

250 CAROLYN GODWIN: For Steve Wert, submits Exhibit S, supporting HB 2871.

344 Concludes

364 RON BAKER, SANITARIAN'S REGISTRATION BOARD: Testifies in opposition to HB 2871. Calls for a combined requirement of education and experience, as well as a competency test. Calls for specializing.

TAPE 51, A

013 BAKER: Continues, regarding competency testing.

034 EUGENE REAGAN : Testifies in support of tabling HB 2871 in deference to SB 49.

052 CHAIR FISHER: Closes Public Hearing on HB 2871  
Opens Public Hearing on HB 2876  
Scott Exo, 1000 Friends

057 STAFF: Overview, Exhibit U.

070 SCOTT EXO, 1000 FRIENDS: Submits Exhibit V, and reads it, opposing HB 2876.

116 CHAIR FISHER: Closes the Public Hearing on HB 2876  
Opens the Public Hearing on HB 2369  
Rod Harder, Oregon Sportsmen's Defense Fund, Inc.

135 ROD HARDER: Testifies in "limited opposition" to HB 2369. Likes amendments.

CHAIR FISHER: Closes Public Hearing on HB 2369 to wait for REP. LUNDQUIST.  
Opens Public Hearing on HB 2599  
Bob Rindy, Department of Land Conservation Development

148 STAFF: Reads from Exhibit X.

152 BOB RINDY, DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT: Testifies in opposition to HB 2599. Discusses meeting with Douglas County planners and alternatives available to the Roseburg community for which this legislation was proposed.

236 CHAIR FISHER: Closes the Public Hearing on HB 2599  
Opens the Public Hearing on HB 2369  
Representative Lynn Lundquist

241 REP. LYNN LUNDQUIST: Submits amendments, Exhibit Y.

300 General discussion follows regarding future testimony regarding amendments.

314 CHAIR FISHER: Closes the Public Hearing on HB 2369  
Opens the Public Hearing on HB 2599  
Kevin Hanway, Western Advocates

325 KEVIN HANWAY, WESTERN ADVOCATES: Addresses the amendment, which he has just recently seen. Expresses concerns about allowing extensions outside urban growth boundaries.

TAPE 50, B

013 CHAIR FISHER: Comments that HB 2599 is his bill, and will be dealt with again. Notes that further amendments will be offered.

Closes the Public Hearing on HB 2599  
Opens the Public Hearing on HB 2613  
Ray Craig, Oregon Department of Forestry  
Gordon Ross, Coos County Commissioners  
Jerry Dove, Tillamook County Commissioners

028 STAFF: Overview, Exhibit BB

045 RAY CRAIG, OREGON DEPARTMENT OF FORESTRY: Submits Exhibits Z, and AA, and testifies regarding the effects of HB 2613. Exhibit AA is testimony in opposition submitted by the Linn County Board of Commissioners.

110 - Summarizes and concludes his testimony.

131 GORDON ROSS, COOS COUNTY COMMISSIONERS: Submits Exhibit FF and reads from it, and Exhibit DD, an amendment to HB 2613; testifies in support of HB 2613.

200 JERRY DOVE, TILLAMOOK COUNTY COMMISSIONERS: Submits Exhibit EE, remaining neutral on HB 2613. Reads from exhibit. Will support if attempts to break trust agreement continue (Exhibit EE). Discusses SB 104.

234 REP. WELLS: Asks if Mr. Ross supports HB 2613.

240 ROSS: Tries to respond, indebted to the people of Coos County, 7,000 acres would be an asset, elaborates.

- 85% of the land now managed by the Dept. Of Forestry will continue to be so. Mentions options, wants their 7000 acres back.

294 REP. CORCORAN: Quotes letter, did you say you are withdrawing the forest land bill?

302 ROSS: Yes.

310 CHAIR FISHER: Closes Public Hearing on HB 2613  
Opens Public Hearing on HB 2569  
Rod Harder, Oregon Sportsmen's Defense Fund, Inc.  
Sergeant Steven R. Lane, Oregon State Police

320 STAFF: Submits ExHB it GG. For the record, submits Exhibit KK, from Joe Rohleder, Oregon Guides and Packers.

327 REP. LARRY SOWA: Testifies and introduces bill.

395 ROD HARDER, OREGON SPORTSMEN'S DEFENSE FUND, INC.: Submits Exhibit HH, and passes around photographs of harassing vandalism to his camp set up during a hunt trip (Exhibit JJ).

TAPE 51, B

040 SERGEANT STEVEN R. LANE, OREGON STATE POLICE: Submits and reads from Exhibit II, supporting HB 2569.

091 CHAIR FISHER: Closes the Public Hearing on HB 2569

ADJOURNS THE MEETING AT 4:55 PM.

Submitted by, Reviewed by,

GAIL E. BOESCH PAT ZWICK  
Committee Assistant Committee Administrator

#### EXHIBIT SUMMARY:

- A - HB 3429, Proposed Amendments - Sen. Shannon -- 1 page
- B - Testimony on HB 3429 -- Rod Phelan, Gerald E. Phelan, Inc. - 2 pages
- C - HB 3112, Staff Measure Summary -- Pat Zwick, Committee Administrator -- 1 page
- D - HB 2840, Staff Measure Summary; Related statutes -- Pat Zwick, Committee Administrator -- 3 pages
- E - Testimony on HB 2840 -- Ray Wilkeson, Oregon Forest Resources Institute -- 2 pages
- F - HB 3101, Staff Measure Summary -- Pat Zwick, Committee Administrator --

1 page

G - HB 3212, Staff Measure Summary; Related Statutes -- Pat Zwick, Committee

Administrator -- 4 pages

H - HB 3212, Proposed Amendments -- Work Group -- 17 pages

I - HB 3212, Cost Analysis -- Richard Kosesan, Water For Life -- 1 page

J - Testimony on HB 3212 -- Rod Ingram, Oregon Department of Fish &

Wildlife-- 2 pages

K - Testimony on HB 3212 -- Kip Lombard, Oregon Water Resources Congress --  
4 pages

L - HB 2221, Staff Measure Summary; Related statutes -- Pat Zwick, Committee

Administrator -- 2 pages

M - Statement on HB 2221 -- Rod Ingram, Oregon Department of Fish & Wildlife

-- 1 page

N - HB 2222, Staff Measure Summary -- Pat Zwick, Committee Administrator --

1 page

O - Statement on HB 2222 -- Rod Ingram, ODFW -- 1 page

P - HB 3339, Staff Measure Summary -- Pat Zwick, Committee Administrator --  
1 page

Q - Statement on HB 3339 -- Rod Ingram, ODFW -- 1 page

R - Testimony on HB 3339 -- Jay Ward -- 2 pages

S - Testimony on HB 2871 -- Carolyn Godwin, Wert & Associates -- 6 pages

T - HB 2871, Staff Measure Summary -- Pat Zwick, Committee Administrator --  
1 page

U - HB 2876, Staff Measure Summary -- Pat Zwick, Committee Administrator --  
1 page

V - Testimony on HB 2876 -- Scott Exo, 1000 Friends of Oregon -- 1 page

W - HB 2369, Staff Measure Summary -- Pat Zwick, Committee Administrator --  
1 page

X - HB 2599, Staff Measure Summary -- Pat Zwick, Committee Administrator --  
1 page

Y - HB 2369, Proposed Amendments -- Rep. Lundquist -- 2 pages

Z - Testimony on HB 2613 -- Ray Craig, Department of Forestry -- 12 pages

AA - Testimony on HB 2613 -- Linn County Board of Commissioners-- 1 page

BB - HB 2613, Staff Measure Summary -- Pat Zwick, Committee Administrator --

1 page

CC - HB 2613, Hand-Engrossed with -1 amendments -- Staff -- 2 pages

DD - HB 2613, Proposed Amendments -- Gordon Ross -- 1 page

EE - Testimony on HB 2613 -- Jerry Dove, Tillamook County Commissioners --  
15 pages

FF - Testimony on HB 2613 -- Gordon Ross, Coos County Commissioner -- 2  
pages

GG - HB 2569, Staff Measure Summary -- 1 page

HH - Testimony on HB 2599 -- Rod Harder, Oregon Sportsmen's Defense Fund,  
Inc. -- 1 page

II - Testimony on HB 2569 -- Sergeant Steven R. Lane, Oregon State Police --

1 page

JJ - HB 2569, Photographs of campsite vandaliSM-- Rod Harder -- 1 page

KK - Testimony on HB 2569 -- Joe Rohleder, Oregon Guides and Packers -- 1  
page

LL - HB 3212, Proposed Amendments -- Staff -- 17 pages

MM - Testimony on HB 3101 -- Gary Gustafson, Division of State Lands -- 12  
pages

NN - Testimony on HB 3339 -- Cheryl Brittain, Oregon Animal Welfare League  
-- 1 page

OO - Testimony on HB 3339 -- Susan Lamb -- 1 page

PP - Testimony on HB 3339 -- Joesfine Fleetwood -- 1 page

QQ - Testimony on HB 3339 -- William Boyer -- 1 page



RR - Testimony on HB 3339 -- Phyllis Johanson -- 1 page  
SS - Testimony on HB 3339 -- Cris Waller -- 2 pages  
TT - Testimony on HB 3339 -- Al Hainisch -- 1 page  
UU - Testimony on HB 3339 -- Elizabeth Larson, Larson's Marina -- 1 page  
VV - Testimony on HB 3339 -- Susan Mentley -- 1 page  
WW - Testimony on HB 3339 -- Monica McLin, Humane Society of the Willamette  
Valley -- 1 page  
XX - Testimony on HB 3339 -- Tanya Harvey -- 1 page