

SENATE COMMITTEE ON
AGRICULTURE, NATURAL RESOURCE AND THE ENVIRONMENT

February 1, 1995Hearing Room 343
3:00 P.M. Tapes 16, 17, 18, 19,

MEMBERS PRESENT:

Sen. Bob Kintigh, Chair
Sen. Bill Bradbury
Sen. Bill Dwyer
Sen. Tom Hartung
Sen. Rod Johnson, Vice-Chair
Sen. Marylin Shannon

MEMBER EXCUSED:

STAFF PRESENT:

Bruce McIntosh, Committee Administrator
Catrina Victor, Committee Assistant

MEASURES HEARD: Informational meeting on recycling issues and programs in Oregon.

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Tape 16A,

03 Chair Kintigh: Called the meeting to order 3:10 P.M.
42 Chair Kintigh: Hearing opened on SB 278. Work session opened.

43 Jerry Bieberle: Oregon Fryer Commission. Bill 278 rectifies the problem
of meat inspection
to now include new rare animals, the emu and ostrich. Exhibit A.
50 Lorna Young: ODA. We are support of this bill.
53 Sen. Johnson: Moves to pass this item with a "Do pass" recommendation.
55 Roll call vote. All Senators voted "yes" except Sen. Hartung who was
excused.

Sen. Hartung will be asked to carry this bill.

63 Chair Kintigh: The bill introduction will be addressed later in the
meeting when copies
of the LC can be provided to all the members. See exhibit B.

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99 Chair Kintigh: Names are read from the letters and faxes sent in
regarding ODF&W
progress
in relation to HB 2538. See exhibit E Individuals to be entered in the
record.
128 Chair Kintigh: Moves to first witness. Testimony to be given on HB 2538.

140 L.L. Stub Stuart: Access and Habitat Board. Worried about the dumping
of waste on the land. He wishes to address the litter concern. "What can
the Department do to control it?" Feels HB 2538 should be continued for at
least two years to see it's progress and to make the necessary
improvements.

174 Sen. Dwyer: How many acres were open to hunters prior to the bill?

180 Mr. Stuart: Approximately 100 thousand acres.

185 Sen. Dwyer: Of those 100 thousands acres how many people is that opened
up to?

191: Mr. Stuart: It's opened up to the general public.

199 Sen. Dwyer: How are the lands made public for people to be able to hunt. Is it posted?

204 Mr. Stuart: This is public information through the papers and the commission.

210 Chair Kintigh: A letter from Sen. Neil Bryant who supports the bill is read. See exhibit C for details.

218 Sen. Dwyer: Does that mean he wants the surcharge for hunters?

224 Sen. Kintigh: I believe so.

232 Wayne Giesy: Supports the bill. Doesn't mind hunters hunting on the lands assuming they give notification of their presence. Has a problem with individuals watching the loggers as they work. Recommends some sort of review board to stop some of the "foolishness" of this bill.

283 Chair Kintigh: What are they watching?

285 Mr. Giesy: Who knows? Perhaps improper logging procedures or their harvest plan. It makes the workers nervous and could cause injuries.

302 Sen. Shannon: I know some people that are considering a bill to ask for legislative review of certain rules by members in three area counties, then the committee would reconvene and go over the rules. Or do you think there should be more counties involved?

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315 Mr. Giesy: There shouldn't have to be a committee to review the rules. I agree that the authority should be kept on the local level in each county.

326 Sen. Dwyer: I agree with Mr. Giesy. But we need to develop some sort of mechanism to do this.

328 Chair Kintigh: Moves to next presenter.

347 Dale Johnson: Believes the Department has come along way in their attitude towards the landowners. On 8/17/95 a herd came on to his property approximately 200-250 the numbers varied daily. "They eat our feed and it costs us money to chase them away." What is to be done to control the numbers and the damage? We need some sort of compensation.

Tape 17A

44 Mr. Johnson: Currently trying to meet forestry statutes by planting trees and these elk are damaging these new trees at our expense. I think the Department is doing a good job but some issues need to be looked at. I hope increased hunting will begin again to help control the

numbers.

72 Sen. Dwyer: Would you object to killing these animals and giving them to
the missions or to homeless groups?

78 Mr. Johnson: No not a problem, as long as I wouldn't have to dress and
haul them away them?

86 Sen. Dwyer: Do you charge hunters for them to hunt on your land?

89 Mr. Johnson: No I do not.

91 Sen. Johnson: Do you have a problem with other hunters coming to your
land to shoot them?

92 Mr. Johnson No problem.

105 Paul Schanno: Appreciates the committee reviewing this bill it shows
concern for the people. Wishes to commend the Departments for their
efforts. Focus of testimony regarding a recent damn built on his land and
liability issues. Feels as though the Senators and ODF&W may not believe
what the ranchers and landowners are saying. Is frustrated with lack of
communication between landowners and the various departments. " I've always
let people hunt on my land and my only real worry is liability."

160 Sen. Dwyer: States the statute from a previous session that changed the
law to clear landowners of liability if injury occurs on private land if no
fee was charged.

191 Mr. Schanno: "We don't need any more regulation."

200 Sen. Dwyer: Thank you Mr. Schanno. We believe everything you tell us.

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220 Jeff Shaw: Excessive herds of elk on his land (600-800 head). If these
animals are not scared off they stay. I feel the elk are not returning to mountains and are
becoming climatized. We should not have to care for these animals at our expense when we have done
every thing to get rid of them. A video is played to show the great numbers of elk. Exhibits
show the damage elk do to the fields and the excessive of food they eat.

365 Sen. Johnson: Is there land owner compensation for Washington State?

370 Mr. Shaw: I think so.

385 Sen. Dwyer: Would you object to us killing them?

390 Mr. Shaw: No.

391 Paul Ellis: I have lived on my property for 47 years and the numbers of
elk have greatly increased over the years. They are staying longer and
growing in numbers.

Tape 1CB

20 Mr. Ellis: I can kill the bugs with pesticides but I can't kill the
deer/elk. When they are run off my land they come right back. They run from my property to another
neighb or, then they chase them back or they are back the next day.

36 Sen. Dwyer: What do you think about mass killing to feed the poor?

53 Mr. Ellis: I welcome it as long as I do not have to kill and clean them.
Tom Rugg a neighb or

that was unable to attend, has sent testimony to be presented (exhibit F).
Can we increase the
number of tags? Something needs to be done soon.
90 Chair Kintigh: Move to next person.

100 Larry Price: Landowner. Has been forced to get a kill permit, transport the meat to slaughter houses, and works long hours at his expense to do this. While currently being unable to keep the meat or control the numbers of elk. Notes the hunts have gradually decreased and the numbers have grown tremendously. Some kind of change in the preference of tag distribution and a change in the tag deprivation date. If the dates were changed, making it earlier when the deer/elk are on their farms. Any later and the animals have headed to the mountains to hide, then come back after the season is over.

181 Mr. Price: Ends testimony. Thanks the committee.

188 Chair Kintigh: Please limit your testimony to five minutes or so.

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199 Marie Gadotti: Appreciates the opportunity to speak and to her knowledge this has not been done in the past. Will discuss geese and elk while handing out photos (see exhibit D). Asks the ODF&W to change the hunting days for geese. They come in and eat all of the food designated for the ducks. The geese are menacing. The elk come in and eat the crops thus gaining weight then sinking 2-4 inches into the fields killing what grasses or wheat that is are left. Provides photos to display the numbers and damage done by these animals.

306 Sen. Dwyer: What do you mean by elk management?

320 Ms. Gadotti: A group of people discussing the entire problem. Discussing what things can be done to resolve problem.

335 John WasHB urn: Representing the timber industry and their issues of concern. They have the same problems but the elk are in and around homes so hunting may be a problem for them, unlike in the more rural areas. They must approach this issue in a different way.

400 Mr. WasHB urn: We feel if more tags were to be issued some of the problems would be solved. Land owners preference tags should extend to a year around, this may help.

Tape 17B

30 Rep. Lynn Lundquist: The Department is making an effort and we are moving in the
right direction. But this only the beginning of this issue. Thanks the committee and offers
assistance in the future.
64 Fred Price: Increased concern with the growing problem of tansy and the
goose
depravation problem. Not pleased with the communication or progress of the Department in
his area.
100 Bill Perry: Brief overview of the geese and elk management objectives.
Feels there have
been problems in the past and the Department needs to get the numbers of

elk down to a reasonable number.
170 Sen. Dwyer: Do you favor managed kills?
175 Mr. Perry: Yes. The best way to manage a herd is through killing.
190 Sen. Dwyer: Would you support my bill to kill these animals?
195 Mr. Perry: Yes.
200 Ward Armstrong: Feels the legislature has made an improvement in the laws and in items like HB 2538. We appreciate the Department and it's work.

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245 Sen. Johnson: Some of the problem is a result of the timber issues cutting back on harvest to save the elks and habitat life in eastern Oregon.

279 Sen. Johnson: Thank you.

299 John McCully: Explains the handouts given (see exhibit F).

301 Sen. Shannon: Does this item relate to the concern the man had on Monday? The town meeting including guns and hostility towards department employees?
310 Mr. McCully: I don't know?
350 Jim Myron: The Department has made a good faith effort to help the environment.
355 Sen. Dwyer: Do you support slaughters?

360 Mr. Myron: Oregon Trout is not against some sort of organized kills or the issuance of additional tags.

375 Dave Mosowitz: The ODF&W's job is to manage the wildlife not land management. I support the Department and their efforts.

Tape 18A

38 Tally Palton: To operate effectively there needs to be time-lines and time-goals. We feel the Department is doing a good job. A suggestion to the Department would be to make all the regions in Oregon the same, then there would be consistency. Things need to be done differently to take care of problems quicker, new rules or guidelines to get the job done.
More emphasis in educating the public.
75 Chair Kintigh: Moves that this portion of the hearing be closed.
85 Sen. Bradbury: Move to the introduction LC 2147.
90 Chair Kintigh: Calls the meeting adjourned 4:55 P.M.

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Submitted by,
Catrina Victor
Committee Assistant

Reviewed by, ,/
ce McIntosh
Committee Administrator

EXHIBIT SUMMARY:

A Oregon Frver Commission

C Letter from Sen. Neil Brvant

D Photos of damage created by elk and geese populations

E List of all individuals that sent faxes and or letters regarding HB 2538

F Actual faxes and letters from testimony sent in to the committee to be entered into the record

167 pages

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