

SENATE COMMITTEE ON
AGRICULTURE, NATURAL RESOURCE AND THE
ENVIRONMENT

February 15, 1995 Hearing Room 343
3:00 P.M. Tapes 30, 31,

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: SB -334, Public Hearing
 SB -403, Public Hearing and Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in anotation marks report a sueaker's exact words. For complete contents of the proceedings, please refer to the tapes.

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Tape 30A.

Opens PUBLIC HEARING on SB -334

03 Chair Kintigh: Meeting called to order 3:08 P.M.

09 Rep. Bob Repine: To testify on SB -334. Asks for consideration of this bill. Gives brief history of the bill from the previous session. Believes this is a well thought out proposal and is in favor of this pilot program.

65 Sen. Johnson: What was the technical difficulty of the first bill?
Question referred to Rep. Repine.

68 Rep. Repine: Problems came up and have come up since the bill was drafted and are being addressed now. Lends support to this item.

70 Mike Propes: Polk County Commissioner. As the law stands you can have this program if you already have a home. This was to deter people from putting in place homes not currently existing. Two individuals have applied and been approved for this program in Polk and five in Marion Counties.

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120 Ted Molinari: Original draftsman of this bill. Reviews the program, the original and current intent.

125 Sen. Johnson: What is the acreage of the individuals currently applying or participating?

130 Propes: One is 13 acre. The other property I'm not sure.

140 Sen. Dwyer: Can people hunt on this property?

142 Molinari: Yes, there is no prohibition of hunting.

150 Sen. Dwyer: Is this a way to get a break without being a farmer?

170 Molinari: The original effort was to give farmers a chance to combine habitat and farming. States the original stipulations and requirements of the bill in the previous session. This would allow people to create a habitat on smaller farms. Also not letting individuals apply for the program only for reasons of placing a new home. Gives examples of participants.

280 Sen. Johnson: Would the tax status be the same as a farm rate?

290 Propes: Yes. If they pull the land out of habitat they must pay the tax. People will be allowed to jump in and out of deferral all long as all taxes are paid.

320 Sen. Bradbury: You can move in and out of EFU correct? But pulling out of the program is complicated. Right?

330 Propes: Right.

340 Chair Kintigh: Is the date of 1997 for the program to end O.K. in your opinion?

345 Propes: Yes. We are O.K. with the date. We will have had some time to work out the bugs.

358 Sen. Dwyer: Questions the problems with hunting and the problem with new farms sprouting up unnecessarily.

Tape 31A.

17 Molinari: Doesn't believe commercial farmers would sign up for this program. I'm doing the best I can to create a program that we can learn from and to deal with habitat in a constructive fashion.

25 Chair Kintigh: This can include new game wildlife? If a person owns 160 acres, can they make just 40 or so acres habitat?

40 Propes: Yes. Yes.

54 Rod Ingram: Deputy Dir. of Oregon Dept. of Fish and Wildlife. Presents testimony on SB -334. See exhibit F.

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90 Sen. Johnson: Are there people that want this program even without placing a home?

92 Molinari: Yes.

100 Chair Kintigh: Requests Greg Wolf and Phil Ward to come forward.

110 Greg Wolf: We are concerned with the current bill under the area of dwelling restrictions.

128 Chair Kintigh: Are the amendments O.K. with you?

135 Wolf: I have not seen the amendments.

140 Phil Ward: The wording needs to be redone. We need to be able to craft something to fix the potential dwelling problems. Additional amendments for example.

154 Chair Kintigh: You don't make a farmer prove he is going to farm. Why should these people be made to show income?

161 Ward: We don't want this program to turn into a "root" to place homes on viable farm land.

200 Wolf: Commends Molinari on his work.

205 Sen. Johnson: Clarifies the tax requirements on the participants if they stop farming.

235 Sen. Johnson: If in a EFU status they get the automatic deferral. If they don't build a house then what would that hurt?

267 Sen. Johnson: Would the bill still be worthwhile if it didn't give someone permission to build, but was changed to where it's O.K. if they already have a house or own land being farmed or not farmed, without a house, to allow them to keep the EFU status?

280 Molinari: There is nothing in the bill to prevent or add a new home to existing property. The land would have to already have been available to be zoned to allow for homes.

365 Sen. Johnson: The people that are showing interest already have homes. So the only objection is if someone may build a house for the wrong reasons.

Tape 30B!

10 Molinari: In my opinion this body should accept the amendments provided.

30 Chair Kintigh: You fellows should meet with Bruce and discuss the amendments.

46 Sen. Bradbury: We share the fundamental goal of the bill with you. We encourage you to work with the land use experts to resolve the problems.

Closes PUBLIC HEARING on SB -

334

Opens PUBLIC HEARING SB -403

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63 Sen. Bradbury: Provides summary of SB -403. This bill is not designed to prohibit fishing.

Explains the bill and the intent.

93 Chair Kintigh: Invites Joe Rohleder and Scot Boley to testify.

109 Scot Boley: In support of this bill. Testimony is submitted and letter from the Port of Gold Beach (exhibit K) and an additional list of local endorsers of this bill. The bill here is the best solution we have right now.

144 Sen. Dwyer: Are you going to have marker buoys?

152 Boley: There will be a green "can" or buoy as the marker. Most commercial fishermen have radar and will know the boundaries of where the one mile limit begins and ends.

186 Sen. Dwyer: What about the bottom fishermen? Suppose we want an artificial reef?

190 Boby: It shouldn't effect them. It's not about taking fish from one group and giving to another.

239 Joe Rohleder: Oregon Guides and Packers. We support this bill. Believe in balanced fishing. See exhibit I.

255 Sen. Bradbury What is OG&P?

260 Rohleder: Explains the organization and it's members.

269 Kay Brown: ODF&W. Quotes and allocations are set by the department, and changing the boundaries shouldn't matter. They will remain the same as far as limits. See exhibit N.

340 Chair Kintigh: If the fish are not caught, where would they go?

350 Brown: They would probably go up stream. Or up the coast.

355 Rob Ashdown: Sports Fisherman's Association. See exhibit O. In support of this bill.

385 Sen. Dwyer: How will it open up new fisheries?

390 Ashdown: Responds.

410 Ken Evens: Sport PAC and Oregon Anglers. Is in support of this bill but questions the changes will effect the sports fishermen and their catches.

Tape 31B,

20 Sen. Bradbury: Clarifies. We need to balance it with some sort of fishery.

55 Sen. Dwyer: The fact that the number of fish allowed to be caught is more of a factor than where the fish to be caught.

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82 Ken Evens: We are concerned that many of the fish will be caught and by the time it is discovered the fish are scarce, they could be gone. Sport fishermen spend a great deal of money in these fishing communities and a lowering their limits could cut down their visits.

Closes PUBLIC HEARING on SB -403

Opens WORK SESSION on SB -403

100 MOTION: SEN. BRADBURY moves to ADOPT SB 403 TO FULL COMMITTEE with a DO PASS recommendation

115 VOTE: 4-0 MOTION PASSES
AYE: BRADBURY, DWYER, HARTUNG,

KINTIGH

NO: SHANNON
Sen. Johnson was excused.

130 Meeting ajourned 4:45 P.M.

Submitted by, Reviewed by,
Catrina Victor e McIntosh
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A Senate Bill 334- lpg.
B Staff Measure Summarv/SB -334-Committee Staff- lpg.
C Letter submitted by the President of The Wildlife Societv Oregon
Chapter/SB -334 lpg.
D Comparison chart submitted by Ken Hale/SB -334- lpg.
E Letter submitted by Marion Countv Commissioners/SB -334- 2pg.
F Testimonv from ODF&W/SB -334- 2pg.
G Senate Bill 403- lpg.
H Staff Measure Summarv on SB -403- lpg.
I Testimonv from Joe Rohleder/SB -403- lpg.
J Testimonv from Scott Boley/SB -403- lpg.
K Testimony from the Port of Gold Beach/SB -4(3- lpg.
L Letter submitted by Steve Beverlin Currv Guides Association
President/SB -403- lpg.
M Letter submitted by Ken Hale SB -403- 2pg.
N Testimonv from Kay Brown. ODF&W/SB -403- 2pg.
O Testimonv from Rob Ashdown. Port Orford Flsherman's Association- lpg. ~
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