

HOUSE COMMITTEE ON NATURAL RESOURCES SUBCOMMITTEE ON AGRICULTURE AND FORESTRY

April 2, 1993 Hearing Room D 1:00 p.m. Tapes 49 - 50

MEMBERS PRESENT: Rep. Liz VanLeeuwen, Chair Rep. Marilyn Dell
Rep. Dennis Luke Rep. Chuck Norris

MEMBERS EXCUSED: Rep. Ray Baum Rep. Sam Dominy Rep. Bill Fisher
Rep. Bill Markham Rep. Tim Josi

STAFF PRESENT: Catherine Fitch, Committee Administrator Sue
Nichol, Committee Clerk

MEASURES CONSIDERED:

HB 3254 - Public Hearing HB 2239 - Public Hearing HB 2244 - Public
Hearing

WITNESSES: Phyllis Stalcup, Oregon Bow Hunters Rod
Ingram, Oregon Department of Fish and Wildlife Glen Walker, Oregon Bow
Hunters Ken Evans, Oregon Hunter's Association Fred Robinson, Oregon
Department of Forestry Rick Gibson, Oregon Department of Forestry Julie
Brandis, Oregon Small Woodlands Association

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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. [--- Unable To Translate
Graphic ---]

TAPE 49, SIDE A

005 CHAIR VanLEEUEWEN: Calls the meeting to order at 1:07.

PUBLIC HEARING ON HB 3254

013 CATHERINE FITCH: Gives a summary of HB 3254 which requires
persons under 18 years of age to complete a bow hunter education program
before hunting with bow and arrow (Exhibit A). Submits fiscal impact
statement (Exhibit B). 035 PHYLLIS STALCUP, Oregon Bow Hunters:
Testifies in favor of HB 3254.

066 We can have all the instructors in place and help with the
finances by 1995.

075 REP. NORRIS: Can we substitute a dad or big brother for an
official course?

088 STALCUP: This same idea is carried out with the hunter

education program.

096 REP. LUKE: How many bow hunting tags are issued?

105 STALCUP: About 1300 were issued last year for youth 18 and under.

114 ROD INGRAM, Department of Fish and Wildlife: Testifies against HB 325 4 because of funding concerns. Reads testimony contained in Exhibit C.

155 REP. LUKE: There's currently bow hunting information in the hunter's education classes?

160 INGRAM: Yes.

168 REP. LUKE: How many people are taking the hunter education class?

169 INGRAM: We have about 9,000 people going through the class with about 900 instructors.

169 REP. LUKE: What does this cost?

174 INGRAM: About \$300,000 a biennium. It's 100% federal dollars since we use volunteers.

184 REP. LUKE: Are we looking at educating 2100 young men and women in bow hunting?

192 INGRAM: We estimate we'd have 2200 students the first year and then 500 per year after that.

199 REP. NORRIS: What would we be doing additionally with this law?

218 INGRAM: This would be in addition to the hunter education program.

221 REP. NORRIS: Does it include any information on bow and arrow?

228 INGRAM: Yes, the course includes 1/2 hour on bow and arrow hunting safety and 1 hour of hunter ethics.

238 CHAIR VanLEEUEWEN: Why do we need this in addition to the other training?

237 STALCUP: Because this is a more complete educational tool for the hunter.

240 REP. LUKE: How many hours would you want this course to be?

246 STALCUP: Ten hours. This program would include information on how to trail wounded animals and would emphasize information specifically

related to bow hunting.

285 CHAIR VanLEEUEWEN: Would the under 18 year old bow hunter take both classes?

293 STALCUP: Yes.

295 REP. DELL: How would this training make hunting safer?

301 STALCUP: It would make hunting safer by making the hunter more aware of what he is doing out in the field.

328 GLEN WALKER, Oregon Bow Hunters: Testifies in favor of HB 325 4. Suggests amendment that would require all out-of-state bow hunters to

show evidence of having taken a bow hunter safety class.

387 REP. DELL: Could Oregon Bow Hunters provide this training statewide, if contracted by Oregon Department of Fish and Wildlife? How much state

money would be needed?

401 WALKER: Yes. Volunteers would provide all the teaching.

TAPE 50, SIDE A

014 CHAIR VanLEEuwEN: Is the program not acceptable the way it is now?

017 INGRAM: I'm not sure what the bow hunters are doing now. Our concern is that the instructors have to be certified through the Department in

order to get federal money.

We have 11 certified bow hunter instructors.

037 REP. LUKE: There must be a certification program?

042 INGRAM: I don't know if they passed a specific program for bow hunting.

045 REP. LUKE: Is there a state or federal certification program that these 11 people have passed?

048 INGRAM: I don't know if they've passed a specific program.

053 WALKER: The National Bow Hunter Education Foundation sets forth what it takes to become a certified bow hunter ed. instructor.

061 REP. LUKE: So you evidently have accepted their certification?

064 INGRAM: Yes, evidently.

066 REP. LUKE: How does a hunter safety instructor get certified?

069 INGRAM: There are a variety of ways to be certified. 079 REP. NORRIS: How much of this can we do without passing a law?

087 WALKER: If we don't have the law, we probably won't have the younger generation coming to us for instruction.

096 REP. NORRIS: I think our responsibility is to cover hunter

safety.

105 REP. LUKE: How much trouble would it be to add a couple more hours to the existing classes for those who want to hunt with a bow?

115 INGRAM: I'm not sure. Our hunter education program focuses on safety.

155 KEN EVANS, Oregon Hunter's Association: Supports the education of hunters, but is concerned with funding limitations (Exhibit D).

203 CHAIR VanLEEuwEN: Closes hearing on HB 2354.

PUBLIC HEARING ON HB 2239

226 CATHERINE FITCH: Gives summary of HB 2239 which raises the liability for an owner/operator for negligent fire suppression costs from \$300,000 to \$500,000. It allows the state forester and forest protective

associations to enter into contracts. It allows the Department of Forestry to provide supplies and equipment to the forest protective associations. It says the State Forester will prescribe uniform

standards for certification for wildland fire training courses. 249 FRED ROBINSON, Oregon Department of Forestry: Will look at the concept to extend to the general public the liability for forest fires that loggers are responsible for.

328 REP. LUKE: How many fires on private land are caused by the owner?

339 ROBINSON: A significant number.

352 RICK GIBSON, Oregon Department of Forestry: In response to Rep. VanLeeuwen's question, this proposal applies exclusively to where

there's logging operations going on.

363 CHAIR VanLEEuwEN: Why are they more liable?

368 GIBSON: Because of the philosophy that the logger adds risk of fire to the environment because of all the logging equipment introduced.

389 CHAIR VanLEEuwEN: The amount of liability is the same no matter how much land you own?

396 GIBSON: Yes.

398 ROBINSON: Most landowners have insurance in excess of this amount.

TAPE 45, SIDE B

009 REP. LUKE: I could still sue the fire starter for loss incurred,

this amount of liability is just for suppression costs?

020 ROBINSON: Yes.

033 FITCH: Ray Wilkeson from OFIC withdrew the recommendation for an amendment extending liability to the general public.

045 REP. LUKE: What does a fire cost today?

048 ROBINSON: The most expensive fire was \$8.4 million. We've had 45 fires in the last ten years that have exceeded \$300,000 in suppression costs, 25 of those were over \$500,000. In the last six years we had six fires

over \$500,000 in suppression costs.

074 REP. LUKE: How many of those would be included in the provisions of the bill?

081 REP. DELL: How often could you collect? Could you get figures on how much we'll actually recover?

092 JULIE BRANDIS, Oregon Small Woodlands Association: We would have an increase in 25-30% in insurance costs. Testifies against HB 2239.

181 REP. LUKE: Are you suggesting that the liability should not be increased for anyone?

139 BRANDIS: Yes.

199 REP. LUKE: Do small woodland owners do a lot of their own clearing, etc.?

204 BRANDIS: Probably, a majority does.

211 REP. NORRIS: Is there an official distinction between industrial and non-industrial owners?

220 ROBINSON: It is defined, but not in terms of fire laws.

225 REP. NORRIS: Should this liability be divided by size of landowner?

236 ROBINSON: The question comes down to, should liability be limited because of how much land the person owns?

272 CHAIR VanLEEUEWEN: If a person is part of a forest protection association would that change the need for this?

284 GIBSON: No.

332 REP. DELL: Asks for explanation of fiscal impact. 344 GIBSON: Explains items listed on fiscal impact statement.

TAPE 50, SIDE B

023 REP. DELL: Do you really need a half-time position just to get the wildland training program started?

040 GIBSON: We would probably not hire someone to fill this position.

047 CHAIR VanLEEuwEN: Closes hearing on HB 2239.

PUBLIC HEARING ON HB 2244

064 FITCH: Gives summary of HB 2244 which authorizes the use of new uniform citation procedures for violation of forest fire protection statutes and rules. A new section has been added to HB 2244 in amendments by the

Oregon Department of Forestry (Exhibit E).

097 REP. LUKE: Is the Association of Oregon Loggers happy with this?

099 FITCH: Yes.

101 FRED ROBINSON, Oregon Department of Forestry: We support HB 2244.

137 RICK GIBSON, Oregon Department of Forestry: Summarizes testimony in Exhibit F.

146 CHAIR VanLEEuwEN: Would changing these to infractions give you more enforcement authority?

154 GIBSON: It doesn't change our authority. This would simplify the procedure for serious infractions.

191 Under the proposed system, it would be like getting a traffic ticket.

252 REP. DELL: In the last section, dealing with more serious infractions, is that the same language that you've already used in other places?

262 GIBSON: That's from the attorney general's office.

271 REP. NORRIS: Would arson be covered by this?

274 GIBSON: No.

Meeting adjourned at 2:55.

Submitted by:

Reviewed by:

Sue Nichol
Administrator

Catherine Fitch Clerk

EXHIBIT LOG:

A - HB 3254 - Preliminary Staff Measure Summary - 1 page B -
HB 3254 - Fiscal Impact Statement - Catherine Fitch - 1 page C -

HB 3254 - Testimony - Rod Ingram - 1 page D - HB 3254 -
Testimony - Ken Evans - 1 page E - HB 2244 - Hand engrossed
version - Staff - 8 pages F - HB 2244 - Testimony - Rich Gibson
- 1 page