

HOUSE COMMITTEE ON NATURAL RESOURCES

March 11, 1993 Hearing Room D 4:00 p.m. Tape 20

MEMBERS PRESENT: Rep. Ray Baum, Chai Rep. Marilyn Dell Rep. Sam Dominy
Rep. Bill Fisher Rep. Tim Josi Rep. Dennis Luke Rep. Bill Markham Rep.
Chuck Norris Rep. Bob Repine Rep. Liz VanLeeuwen

MEMBER EXCUSED: Rep. Carl Hosticka, Vice-Chair Rep. Nancy Peterson

STAFF PRESENT: Kathryn Van Natta, Committee Administrator
Catherine Fitch, Committee Administrator Karen McCormac, Committee Clerk

MEASURES CONSIDERED: Work Session - HB 2147 - HJM29 - HB 2848

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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 20, SIDE A

005 CHAIR BAUM: Calls meeting to order at 4:03 p.m.

OPENS WORK SESSION ON HB 2147

013 KATHRYN VAN NATTA, Committee Administrator: Describes effects of HB 2147. The fiscal impact shows no net increase, and there is no revenue

impact.

026 REP. REPINE: The subcommittee referred the -1 amendment, which deletes Lines 31 and 32 on Page 3.

031 MOTION: REP. LUKE moves HB 2147 to the floor with a DO PASS AS AMENDED RECOMMENDATION, as AMENDED by the HB 2147-1 AMENDMENTS, LC

858, dated 1-29-93, by the SUBCOMMITTEE ON ENVIRONMENT AND ENERGY.

037 CHAIR BAUM: Restates motion and calls for discussion.

038 REP. DOMINY: I voted against HB 2147 in subcommittee, and I intend to vote against it today. One week ago the new Oregon Blue Book was

distributed, and I believe it contains many errors because the work was contracted out to people are unfamiliar with what is happening in Oregon. If the LUBA publication, which is used by land-use experts on a

regular basis to make land-use decisions, is contracted out to people who don't know anything about Oregon, we could have some serious problems. Also, the revenue impact shows there will be no savings.

053 REP. LUKE: Although there are no actual monetary savings, HB 2147 would free up staff time, which could be devoted to other projects. The

printers who testified before the subcommittee also said that there are printers in the state of Oregon who are more than capable of handling this project. The chances of this project being contracted out to an out-of-state printer are very slim.

059 REP. REPINE: The quality of a product depends on the party which administers the process. I assume that LUBA would be careful in

determining whether a publisher is capable of producing a well-edited publication.

VOTE: In a roll call vote, REPS. DELL, FISHER, JOSI, LUKE, MARKHAM, NORRIS, REPINE, VanLEEuwEN and CHAIR BAUM vote AYE. REP. DOMINY votes NO. REPS. HOSTICKA and PETERSON are EXCUSED.

073 CHAIR BAUM: The motion CARRIES. REP. LUKE will lead discussion on the floor.

Additions to the record: Hand-Engrossed HB 2147 -1 Amendments dated 1-29-93 (LC 858) (EXHIBIT A) HB 2147 Staff Measure Summary (EXHIBIT B) HB 2147-1 Revenue Impact Analysis (EXHIBIT C) HB 2147 -1 Fiscal Analysis (EXHIBIT D)

CLOSES WORK SESSION ON HB 2147

OPENS WORK SESSION ON HJM29

084 REP. DOMINY: This is a simple bill which sends a message to Congress that we want to use "sound verifiable science" in lieu of the current

"best available science" in determining what should be listed as an endangered species. No amendments were made in subcommittee.

MOTION: REP. DOMINY moves HJM 29 to the floor with a DO PASS

RECOMMENDATION, as RECOMMENDED by the SUBCOMMITTEE on AGRICULTURE AND FORESTRY.

091 CHAIR BAUM: Restates motion and calls for discussion.

094 REP. DELL: I voted no on this in subcommittee. I would be in

favor of sending a message to Congress that also takes into account human and

economic factors. Changing this language just does not do that.

101 REP. JOSI: Rep. Dell has a point. However, I believe this memorial does send a message to Congress that people should be part of the

equation. For that reason, I will be voting yes.

111 REP. REPINE: We passed a similar memorial last session which included those items discussed by Rep. Dell.

117 REP. VanLEEUEWEN: Upcoming legislation which includes your concerns will be discussed in subcommittee.

124 VOTE: REPS. DOMINY, FISHER, JOSI, LUKE, MARKHAM, NORRIS, REPINE, VanLEEUEWEN and CHAIR BAUM vote AYE. REP. DELL votes NO. REPS.

HOSTICKA and PETERSON are EXCUSED.

131 CHAIR BAUM: The motion CARRIES. REP. DOMINY will lead discussion on the floor.

Additions to the record: HJM29 Staff Measure Summary (EXHIBIT E) HJM29 Revenue Impact Analysis (EXHIBIT F) HJM29 Fiscal Impact Assessment (EXHIBIT G)

CLOSES WORK SESSION ON HJM29

OPENS WORK SESSION ON HB 2848

150 REP BAUM: The committee has several letters which explain the purpose of the contested case proceedings of HB 2848. Because of that insertion into the bill, there is now a fiscal impact in excess of \$80,000, which requires us to refer the bill to the Committee on Ways and Means.

This bill allows the endangered species listing process to provide an opportunity for concerned the public to ask scientists and wildlife biologists about the basis for their opinions. This requires federal court determination rather than an automatic endangered species listing.

169 REP. MARKHAM: We amended the bill to apply only to the Department of Fish and Wildlife and the Department of Agriculture.

175 REP. JOSI: Eighty-thousand dollars might be two jobs.

176 CHAIR BAUM: There's a good chance that this could get through the process in Ways and Means.

188 REP. MARKHAM: Questions whether Chair has made arrangements to have subsequent referral to the Committee on Ways and Means.

189 CHAIR BAUM: Yes. However, this committee has the option of proceeding directly to the floor.

196 REP. DOMINY: I understand there was a press conference held today regarding changes in the structure of the Ways and Means process. I'm

concerned that this may get lost if Ways and Means is now an appropriations committee.

201 CHAIR BAUM: I have not heard that. However, if those changes occurred, it would enhance the possibility that this bill would go to the House

floor in due process.

207 REP. DOMINY: Are you recommending that this go to Ways and Means?

210 CHAIR BAUM: Yes. When we take bills with fiscal impacts to the floor, they are usually referred to Ways and Means.

221 REP. NORRIS: Was a dollar amount threshold established which automatically refers a bill to Ways and Means?

222 CHAIR BAUM: I have heard \$50,000 might be the threshold, but there has been no official policy statement.

226 REP. VanLEEUEWEN: I hope all of you saw the March 10 Legislative Counsel Committee letter to me from Jeannette Holman, which explains the effects of Rep. Markham's amendment (EXHIBIT H).

235 CHAIR BAUM: We also need to enter into the record comments from Douglas County before the Natural Resources Committee, dated March 11 (EXHIBIT

I); a letter from Haglund & Kirtley dated March 11 (EXHIBIT J); and a letter from Preston, Thorgrimson, Shidler, Gates & Ellis, dated March 11 (EXHIBIT K).

Asks whether committee members question the accuracy of the fiscal impact statement.

245 REP. DOMINY: I have to question the fiscal impact statement because it came from the Department of Agriculture, which does not want to change

the system. Maybe someone from the Department of Agriculture could explain the increase.

255 CHAIR BAUM: Asks whether any audience members from the Department of Agriculture could explain the increase. (No representative from the

Department of Agriculture was present to explain their fiscal forecast.)

257 REP. DOMINY: I don't understand the increase because we already have a screening process in place.

265 REP. VanLEEuwEN: There is no way to justify this increase unless the Legislative Fiscal Office was working with the original bill instead of the amended bill.

271 CHAIR BAUM: We will ask Fiscal Analyst Ken Rocco to explain this increase during a future full committee. We will hold the measure for

the next full committee meeting.

296 REP. JOSI: If this is the actual increase, I am prepared to lend my support to this bill.

Additions to the record: Hand-Engrossed HB 2848 with HB 2848-3 Amendments (LC 1808) dated

3-10-93 (EXHIBIT L) HB 2848-A Staff Measure Summary (EXHIBIT M) HB 2848 Fiscal Analysis (EXHIBIT N) HB 2848-3 Revenue Impact Analysis (EXHIBIT O)

311 CHAIR BAUM: CLOSES WORK SESSION ON HB 2848

Adjourns meeting at 4:49 p.m.

Submitted by:

Reviewed by:

Karen McCormac
Administrator

Kathryn Van Natta Assistant

EXHIBIT LOG:

A - Hand-Engrossed HB 2147 -1 Amendments dated 1-29-93 (LC 858) - Staff - 4 pages B - HB 2147 Staff Measure Summary - Staff - 1 page C - HB 2147-1 Revenue Impact Analysis - Staff - 1 page D - HB 2147 -1 Fiscal Analysis - Staff - 1 page E - HJM29 Staff Measure Summary - Staff - 1 page F - HJM29 Revenue Impact Analysis - Staff - 1 page G - HJM29 Fiscal Impact Assessment - Staff - 1 page H - HB 2848 Letter to Rep. Liz VanLeeuwen dated March 10 - Jeannette Holman - 3 pages I - HB 2848 Letter dated March 11 - Douglas County - 1 page J - HB 2848 Letter dated March 11 - Haglund & Kirtley - 1 page K - HB 2848 Letter dated March 11 - Mark C. Rutzick - 2 pages 1993 L - Hand-Engrossed HB 2848 with HB 2848-3 Amendments (LC 1808) dated 3-10-93 - Staff - 13 pages M - HB 2848-A Staff Measure Summary - Staff - 1 page N - HB 2848 Fiscal Analysis - Staff - 2 pages O - HB 2848-3 Revenue Impact Analysis - Staff - 1 page