

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.

HOUSE COMMITTEE ON WATER POLICY

May 21, 1991Hearing Room D 1:15 p.m.Tapes 75 - 76

MEMBERS PRESENT:Rep. Chuck Norris, Chair Rep. Bill Dwyer, Vice-Chair Rep. Bill Markham Rep. Walt Schroeder Rep. Larry Sowa

STAFF PRESENT: Beth Patrino, Committee Administrator Pat Zwick, Committee Assistant

WITNESSES:Jeff Curtis, Department of Fish and Wildlife Kay Brown, Department of Fish and Wildlife Sen. Larry Hill Louise Weidlich Jim Myron, Oregon Trout

MEASURES CONSIDERED:SB 247-A - Requires annual license to angle for shellfish or animals living intertidally on the bottom. - Public Hearing and Work Session

SJM15 - Memorializes Congress to ban diversion of Columbia River waters for the benefit of states other than the states through which these waters run. - Public Hearing and Work Session

SB 1202-B - Revises fees for various commercial fishing licenses and permits. - Work Session

SB 162-A - Replaces Oregon Ocean Resources Management Task Force with Ocean Policy Advisory Council. - Work Session

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TAPE 75, SIDE A

005 CHAIR NORRIS: Calls a subcommittee of the House Water Policy Committee meeting to order at 1:35 p.m.

Opens public hearing on SB 247-A.

PUBLIC HEARING SB 247-A

020 JEFF CURTIS, DEPARTMENT OF FISH AND WILDLIFE: Paraphrases written

testimony in support of SB 247 (EXHIBIT A) telling what the bill does.

048 REP. SCHROEDER: What will you do with this money to promote the propagation of crabs and clams?

052 CURTIS: We plan to use revenue raised by SB 247 to replace revenue lost to Measure 5.

055 KAY BROWN: We do not currently do much for propagation of shellfish and clams. We are monitoring the health of the resource and adjusting harvest accordingly.

Do not plan to use the revenue raised by SB 247 for additional propagation.

070 REP. SCHROEDER: Have you thought of using these funds for a shellfish monitoring program?

073 BROWN: Have participated in some aspects of that. This money will be used to continue existing programs.

078 CURTIS: The money goes into inventories to determine what the seasons and allowable harvest should be for both commercial and recreational crabs and clams.

088 REP. SCHROEDER: How many shellfish people do you have?

090 BROWN: Two retiring personnel who will be replaced if funding is available.

Reads informational sheet relating to programs for shellfish and clams.

125 CHAIR NORRIS: What does "intertidally on the bottom" mean?

128 BROWN: Fish, shellfish, and animals living intertidally on the bottom covers every kind of fish and shellfish in the state. Animals living intertidally on the bottom would be sea urchins, clams, and a variety of shellfish.

135 CHAIR NORRIS: Bill relates principally to recreational angling.

138 CURTIS: Correct.

140 CHAIR NORRIS: Will the Department put out publicity to educate people on the new charge?

145 CURTIS: Yes.

147 CHAIR NORRIS: Would it be wise to work with law enforcement to post the more popular beaches?

150 BROWN: The emergency clause applies only to the expenditure limitation in the bill. The implementation of the license fee would occur January 1, 1992.

162 CHAIR NORRIS: Calls full committee to order at 1:48 p.m.

170 REP. DWYER: Why should we pass this bill?

174 CURTIS: Because most Department programs are funded by people using the resource. Anglers and hunters pay a license fee. The Department has monitoring and inventory programs to assure the health of the resource and it is traditional that those using the resource bear some of the cost burdens. Other states require licenses for crabbing and clamming. The Department needs the bill to replace revenue lost to Measure 5.

190 REP. DWYER: Asks for definition of "intertidally".

195 BROWN: Everything that is not a fish or shellfish over which Fish and Wildlife has jurisdiction.

204 CHAIR NORRIS: Closes public hearing on SB 247-A.

Opens work session on SB 247-A.

WORK SESSION SB 247-A

210 MOTION: REP. DWYER: Moves SB 247-A to the floor with a do pass recommendation.

VOTE: On a roll call vote, motion passes. Rep. Schroeder votes No. Rep. Markham is excused. Rep. Markham votes No later in the meeting.

225 CHAIR NORRIS: Rep. Dwyer will carry the bill.

Closes work session on SB 247-A.

Opens public hearing on SJM15.

PUBLIC HEARING SJM15

235 SEN. LARRY HILL: Speaks of need for SJM15 and urges committee support.

Invites House members to sign on to the Memorial as co-sponsors.

SJM15 passed the Senate unanimously.

Need to keep pressure on Congress and keep the Oregon delegation informed that this legislature would not stand for diversion.

288 CHAIR NORRIS: Believes no money can be expended without the unanimous consent of the governors of the states involved.

298 REP. SOWA: Where does the Columbia River stop?

300 SEN. HILL: At the Pacific Ocean.

312 REP. SOWA: Could a water diversion facility be put on the Columbia River outside the coastline?

335 SEN. HILL: Oregon's jurisdiction goes out three miles into the Pacific Ocean.

326 REP. DWYER: Concerned about labor unions who might build a pipeline.

333 SEN. HILL: There was no opposition from the AFL CIO or other unions

when the bill was in the Senate.

340 LOUISE WEIDLICH: Testifies in support of SJM15.

TAPE 76, SIDE A

WEIDLICH: Continues her statement in support of SJM15.

067 REP. DWYER: This is a memorial without any force of law.

087 JIM MYRON, OREGON TROUT: Submits written testimony stating his support of SJM15 (EXHIBIT B).

100 CHAIR NORRIS: Closes public hearing on SJM15.

Opens work session on SJM15.

WORK SESSION SJM15

104 MOTION: REP. SCHROEDER: Moves SJM15 to the floor with a do pass recommendation.

VOTE: On a roll call vote, motion passes unanimously. All members are present.

110 CHAIR NORRIS: Will carry the bill.

Closes work session on SJM15.

Opens work session on SB 1202-B.

WORK SESSION SB 1202-B

115 MOTION: REP. SCHROEDER: Moves that SB 1202-B be referred to the House Committee on Agriculture, Forestry, and Natural Resources.

120 REP. SCHROEDER: Past policy has been that if it is swimming in the water, it belongs to Water Policy Committee. If it is on the dock it goes to Agriculture, Forestry, and Natural Resources.

SB 1202-B was assigned to House Water Policy Committee in error.

120 REP. DWYER: Water Policy Committee has always dealt with commercial fishing fee bills.

Why do we want the bill in the Agriculture Committee? Is there something that the Water Policy Committee does not have the ability to deal with?

134 REP. SCHROEDER: We could deal with it here, but would like to have it before the Agriculture Committee.

138 REP. SOWA: Ways and Means introduced this bill to make a stand alone bill which would have authority to spend the money if the bill passes.

Gives history which resulted in the bill.

Concerned that the bill be in the committee where it has the best chance of passage.

Controversy in the bill is when bill went to Senate Agriculture Committee the new ad valorem tax proposal was lowered and when it went back to Ways and Means they wanted it restored to the original agreement.

Concerned if Rep. Schroeder's idea is to lower it again or stay with the original figures that we were led to believe were agreed upon at extensive meetings.

Would like to keep the bill in the House Water Policy Committee.

173 REP. SCHROEDER: I would change the bill only to the extent of the agreement with Bob Jacobsen and others.

Intent is not to trash the bill. Agriculture Committee has two members from the coast who have concern about the bill.

190 CHAIR NORRIS: Invites Rep. Sowa to attend Agriculture Committee meeting as a guest when the bill is heard.

195 VOTE: Without objection, SB 1202-B is referred to the House Committee on Agriculture, Forestry and Natural Resources.

200 REP. SOWA: The Fish and Wildlife budget which was recently turned down contained a proposal that, in order to balance the commercial fish side, wildlife money be taken to balance the commercial fish side. That is my concern. We should not use wildlife money to balance the commercial fish side. If the commercial fishermen do not want to pay their way, they should not have the programs. We have historically allowed them to have a low poundage fee because we backfilled their programs with General Fund money. We can no longer do that.

210 CHAIR NORRIS: Encourages Rep. Sowa to attend House Agriculture Committee meetings when SB 1202-B is heard.

225 REP. MARKHAM: How much more money will be raised from the commercial fishery by this bill?

220 REP. SOWA: The original fee was arrived at with the estimate that it would raise a certain amount of money. Commercial fishermen felt that amount could be raised with a lower fee and with that justification, convinced the Senate Committee to lower the fee.

Ways and Means has said we will use wildlife money to balance the additional \$1 needed. We have opposed that transfer historically.

227 REP. SCHROEDER: We are charging 1.09 or 1.25 ad valorem on (tape inaudible) which have never been taxed before and adding them into this program even though they do not benefit.

231 REP. MARKHAM: How much more money will the bill raise with the new rates?

235 REP. SCHROEDER: The bill will be revenue neutral.

247 CHAIR NORRIS: Closes work session on SB 1202-B

Opens Work Session on SB 162-A.

WORK SESSION SB 162-A

255 BETH PATRINO, COMMITTEE ADMINISTRATOR: Reviews provisions of SB 162-A.

260 REP. DWYER: Is there conflict between proposed amendments.

265 PATRINO: No.

270 MOTION: REP. DWYER: Moves adoption of 162-A5 amendment.

VOTE: Without objection, amendment is adopted.

MOTION: REP. DWYER: Moves adoption of 162-A3 amendment.

298 REP. SCHROEDER: Wants to further amend 162-A3 amendment on page 4, line 11. Replace "Coastal" with "Coastwide organization representing a majority of small ports and local governments".

303 REP. DWYER: Accepts that as friendly amendment.

315 REP. SOWA: Brought up issue of small ports to Sen. Bradbury. He proposed current language. Has the proposed amendment been approved by Sen. Bradbury?

326 REP. DWYER: Can work out any differences on the Senate side.

330 REP. SOWA: Thinks Rep. Bradbury was saying he wanted different port associations to be included and not be narrowed down and that was why the one mentioned was removed.

343 REP. SCHROEDER: At the present time OCSUMA is included, but this does not preclude other coastal organizations from organizing.

VOTE: Without objection, 162-A3 amendment as further amended, is adopted.

374 MOTION: REP. DWYER: Moves SB 162-A as amended to the Committee on Ways and Means with a do pass recommendation.

VOTE: On a roll call vote, motion passes unanimously. All members are present.

371 REP. MARKHAM: Requests unanimous consent to suspend the rules to allow him to vote on SB 247-A.

390 Rep. Markham votes No on SB 247-A.

404 CHAIR NORRIS: Adjourns meeting at 2:28 p.m.

Submitted by: Reviewed by:

Pat Zwick, Beth Patrino, Assistant Administrator

EXHIBIT LOG:

A - SB 247-A Testimony - Jeff Curtis - 2 pages B - SJM15

Testimony - Jim Myron - 1 page C - SB 162-A5 Amendment - Staff -
1 page D-SB 162-A3 Amendment - Staff - 1 page