

HOUSE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

March 21, 2005 Hearing Room C

9:00 A.M. Tapes 30 - 32

MEMBERS PRESENT: **Rep. Patti Smith, Chair**

Rep. Brian Boquist, Vice-Chair

Rep. Arnie Roblan, Vice-Chair

Rep. Terry Beyer

Rep. Chuck Burley

Rep. Mark Hass

Rep. Mac Sumner

STAFF PRESENT: **Patrick Brennan, Committee Administrator**

Jania Zeeb, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2656 – Public Hearing

HCR 8 – Public Hearing and Work Session

HB 2119 – Public Hearing and Work Session

HB 2120 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 30, A

004 Chair Smith Calls the meeting to order at 9:01 a.m. and opens a public hearing on HB 2656

HB 2656 – PUBLIC HEARING

013 Rep. George Gilman House District 55. Testifies in support of HB 2656.

030 Glen Stonebrink Executive Director, Oregon Cattlemen Association. Explains HB 2656. Submits and presents prepared testimony explaining HB 2656 (**EXHIBIT A**). Discusses the -1 amendments (**EXHIBIT B**).

072 Stonebrink Walks through HB 2656 and how the -1 amendments affect the measure (**EXHIBIT B**).

098 Stonebrink Explains the third bullet in the list (**EXHIBIT A, Page 1**).

120 Stonebrink Discusses rangeland research.

141 Stonebrink Talks about cattle production research.

146 Dave Nelson Oregon Dairy Farmers Association. Talks about where the funds created by HB 2656 will go toward and discusses the research function of the bill.

194 Nelson Discusses the benefit of the advertising aspect of HB 2656. Discusses the division between urban and agricultural people. Expresses the desire to help people reconnect with the land. Urges support of HB 2656.

220 Rep. Burley Asks Mr. Stonebrink to elaborate on what the federal law prohibits.

223 Stonebrink Discusses how the federal law affects HB 2656. Comments on section 4 of HB 2656. Talks about how HB 2656 affects the Oregon Beef Council.

248 Nelson Distinguishes between studying legislation and election politics and states that the money will not be used for campaigns.

253	Rep. Roblan	Inquires if the federal government would eventually take the money allocated by HB 2656.
257	Stonebrink	Responds that the Federal Check-Off Program is currently in a legal battle, therefore it is unlikely that there is a movement to increase the federal law and allow them to take the money.
272	Rep. Hass	Comments on the difficulty of keeping beef prices where they should be. Asks what effect the measure might have on beef prices.
278	Stonebring	Answers that the measure should not affect beef prices.
298	Rep. Hass	Comments on the change of the language from “animal science” to “cattle production” in the amendments and inquires why the change was made.
304	Stonebrink	Responds that the phrase animal science could cover many different types of animals, but since cattle farmers are paying for the research the research should be directed toward cattle.
319	Rep. Hass	Inquires why “rangeland” is preferable to “environmental issues”.
324	Stonebrink	Remarks that there is a certain level of trust with the department that deals with rangeland at Oregon State University (OSU).
344	Rep. Hass	Refers to page 1, line 18 of HB 2656 and inquires what institutions are being referred to.
355	Stonebrink	Responds that there is a desire for a degree of flexibility in order to allow for adjustment to future situations. Says that the intent is to use OSU as the primary research institution.
367	Rep. Hass	States why he is concerned with the language.
379	Nelson	Gives an example from the University of Oregon. Comments on the need for the ability to utilize the institution with the technology and scientific expertise to provide the answers to the questions.
398	Stonebrink	States that people in the science community would be encouraged to review and, if necessary, challenge the research.

416 Rep. Beyer Inquires what the current amount is that is brought in annually by the fees.

423 Stonebrink Responds that it equates to about \$800,000 depending on the number of animals sold in the state. Estimates that HB 2656 would bring in \$400,000 total.

TAPE 31, A

019 Rep. Beyer Inquires if there is a lot of disagreements on issues among the people who deal with cattle.

023 Stonebrink Talks about the discussion around HB 2656 and states that within the cattleman there was unanimous support for HB 2656.

037 Rep. Beyer Asks if there is a lot of disagreement on other issues.

042 Stonebrink Responds that there are differing views among cattlemen.

051 Nelson States that issues are debated and consensus is eventually arrived at.

077 Dalton Strauss Chair, Oregon Beef Council (OBC). Discusses the economics of the industry and the OBC.

099 Strauss Comments on how the new funds would be administrated by OBC.

128 Dr. Bill Krueger Head of the Department of Rangeland Resources, OSU. Submits and reads prepared testimony regarding HB 2656 (**EXHIBIT C**).

182 Rep. Hass Inquires if he sees HB 2656 as helping to create research into land use issues.

190 Dr. Krueger Remarks that it is a land use issue, as he sees it, with more ecology based questions.

198 Rep. Hass States that would contradict the amendment that adds the words cattle production.

200 Dr. Krueger

Responds that he is speaking specifically to the Department of Rangeland Resources at OSU's involvement, and that the cattle production would be through the Department of Animal Science.

211 Chair P. Smith Closes the public hearing on HB 2656 and opens a public hearing on HCR 8.

HCR 8 – PUBLIC HEARING

215 Roger Beyer Senate District 9. Gives a history behind HCR 8 and testifies in support of HCR 8

250 Chair P. Smith Closes the public hearing on HCR 8 and reopens the public hearing on HB 2656.

HB 2656 – PUBLIC HEARING

256 Rodger Huffman Animal Health and Identification Division Administrator, Oregon Department of Agriculture (ODA). Discusses how ODA would collect and disperse the assessment money.

289 Rep. Roblan Inquires if the fee of three percent for administrative costs would increase.

295 Huffman Responds that the cost of administration is not expected to increase.

309 Rep. Roblan Asks if the 50 cents that goes to the federal government has been assessed for the administrative fee.

312 Huffman Answers that the fee is off of the entire dollar, with fifty cents of the dollar going to the federal government.

321 Rep. Beyer Inquires if there is concern if two separated checks need to be issued.

330 Huffman Responds there would not be any additional effort, because the department would only have to issue two checks that it is already issuing.

335 Stonebrink Asks the committee why HB 2656 has a subsequent referral to Ways and Means

- 346 Patrick Brennan Committee Administrator. Answers that since there would be fees charged the measure has a subsequent referral to the Joint Committee on Ways and Means.
- 351 Sharon Livingston President Elect, Oregon Cattlemen Association. Testifies in support of HB 2656.
- 383 Jon Elliot Member, Oregon Cattlemen Association. Testifies in support of HB 2656.
- 401 Coy Cowart President, Oregon Cattlemen Association. Testifies in support of HB 2656. Comments that the fees have stayed the same for the last 10 years.

TAPE 30, B

- 034 Bob Skinner Former president, Oregon Cattlemen Association. Testifies in support of HB 2656. Comments on the need for good science to help provide farmers with quality research. Discusses the importance of image enhancement.
- 081 Rep. Hass Asks if there would be opposition to clarifying the language to specify an accredited university or institution.
- 091 Skinner Comments on other places that could perform research, but says OSU will be the first choice.
- 102 Stonebrink States that it is desirable to have flexibility with checks and balances in HB 2656. Explains the intent behind the language of alternative institution is a credited institution.
- 127 Chair P. Smith Asks Rep. Hass what he suggests with regard to language to address his concern.
- 128 Rep. Hass Answers that the language could define other intuitions.
- 136 Chair P. Smith Inquires if Mr. Stonebrink would have any objections to the change of language.
- 140 Stonebrink Responds that he would not object.

142	Rep. Hass	Emphasizes the need to ensure that the language is clear so that there are not problems in the future. Comments on the removal of the statement regarding the Department of Agriculture.
148	Stonebrink	Responds that the removal of the statement was suggested by the Attorney General's Office.
157	Nelson	Comments that as the language is being refined, care must be taken not to exclude private and public researchers. Gives an example from the Oregon seed industry.
173	Rep. Hass	Talks about the problem of the appearance of shopping for science that fits a particular agenda.
176	Nelson	Responds that the system would prevent the problem from happening.
178	Rep. Hass	Requests an explanation of how such problems would be prevented.
180	Nelson	Answers that credibility would be built into the system.
182	Rep. Hass	States that there is the appearance that non-credible research could be used.
184	Nelson	Comments that there is an obligation in the industry to select credible people for research.
187	Stonebrink	Discusses why the Department of Justice told the requesters to take the oversight of the Department of Agriculture out of HB 2656.
204	Rep. Roblan	Talks about the need for good science as opposed to junk science. Acknowledges that wording that would allow for private research institutions that are accredited would be helpful.
223	Rep. Burley	Asks if ORS 321.015 and 321.017 was used as a working model for language for the measure.
243	Nelson	Requests clarification as to whether ORS 321.015 addresses the forest commodity commission.
246	Rep. Burley	Clarifies what ORS 321 covers.

248	Nelson	Responds that such consideration occurred in the past but not in the drafting of HB 2656.
261	Stonebrink	Responds that he did not look at the two ORS numbers as a model, but rather looked at the existing law for the Oregon Beef Council and built on that.
269	Nelson	States that he would be happy to work with Rep. Hass to help clarify the language.
273	Chair P. Smith	Solicits opinions on whether HB 2656 should be moved at this time, or if the committee should instead work on amendments to address the concerns raised.
278	Stonebrink	States that he would be comfortable moving it, while still working on the needed language change.
281	Rep. Hass	Comments that he would be more comfortable with requesting new amendments.
285	Chair P. Smith	Closes the public hearing on HB 2656. Discusses with the committee whether they should open a work session.
293	Rep. Boquist	Comments that he is just as comfortable with either option.
301	Rep. Beyer	States that this is a policy issue and should be dealt with before sending it to Ways and Means.
322	Chair P. Smith	Closes the public hearing on HB 2656 and opens a public hearing on HCR 8.

HCR 8 – PUBLIC HEARING

325	Patrick Brennan	Committee Administrator. Summarizes HCR 8.
343	Jerod Broadfoot	Safari Club International (SCI) “First for Hunters.” Explains the -1 Amendments (EXHIBIT D). Reads HCR 8 into the record.

TAPE 31, B

- 013 Broadfoot Continues discussing HCR 8.
- 031 Broadfoot Comments on where the conservation funds for fish and wildlife are coming from. Gives an example of SCI's involvement with the Department of Fish and Wildlife in transplanting the white tailed deer in Oregon.
- 067 Broadfoot Urges support of HCR 8
- 080 Al Elkins Oregon Hunters Association. Submits prepared testimony in support of HCR 8 (**EXHIBIT E**). Refers to the chart on the Oregon Hunter's Associations Wildlife and Habitat Improvement projects (**EXHIBIT F**).
- 119 Elkins Testifies in support of HCR 8.

The following prepared testimony is submitted for the record without public testimony:

- Phil Donovan Oregon Guides & Packers Association. Prepared testimony in support of HCR 8 (**EXHIBIT J**).
- 123 Chair P. Smith Closes the public hearing and opens a work session on HCR 8.

HCR 8 – WORK SESSION

- 122 Rep. Boquist **MOTION: Moves to ADOPT HCR 8-1 amendments dated 03/18/05.**

- 124 **VOTE: 6-0-1**
EXCUSED: 1 - Burley

Chair P. Smith Hearing no objection, declares the motion CARRIED.

- 126 Rep. Boquist **MOTION: Moves HCR 8 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.**

- 129 Rep. Roblan Comments on the importance of these activities in the rural areas.

141 Rep. Burley States that he will support HCR 8.

147 **VOTE: 7-0-0**

AYE: In a roll call vote, all members present vote Aye.

Chair P. Smith The motion CARRIES.

REP. BURLEY will lead discussion on the floor.

158 Chair P. Smith Closes the work session on HCR 8 and opens the public hearing on HB 2119.

HB 2119 – PUBLIC HEARING

174 Patrick Brennan Committee Administrator. Summarizes HB 2119 and discusses the -1 amendments (**EXHIBIT G**).

176 Gary Lynch Assistant Director, Department of Geology and Mineral Industries (DOGAMI). Submits prepared testimony in support of HB 2119 (**EXHIBIT H**). Summarizes HB 2119 and talks about the -1 amendments.

270 Rich Angstrom President, Oregon Concrete and Aggregate Producers Association (OCAPA). Testifies in support of HB 2119. Comments that in the long term HB 2119 will protect the industry.

289 Rep. Burley Asks in Mr. Angstrom supports HB 2119 with the -1 amendments.

291 Angstrom Answers that he does.

294 Chair P. Smith Closes the public hearing and opens a work session on HB 2119.

HB 2119 – WORK SESSION

299 Rep. Boquist **MOTION: Moves to ADOPT HB 2119-1 amendments dated 03/15/05.**

301 **VOTE: 7-0-0**

Chair P. Smith **Hearing no objection, declares the motion CARRIED.**

HB **Rep. Boquist** **MOTION: Moves HB 2119 to the floor with a DO PASS AS AMENDED recommendation.**

320 **VOTE: 7-0-0**

AYE: **In a roll call vote, all members present vote Aye.**

Chair P. Smith **The motion CARRIES.**

REP. BEYER will lead discussion on the floor.

342 Chair P. Smith Closes the work session on HB 2119 and opens a public hearing on HB 2120.

HB 2120 – PUBLIC HEARING

350 Patrick Brennan Committee Administrator. Explains HB 2120.

354 Gary Lynch Assistant Director, Department of Geology and Mineral Industries (DOGAMI). Submits prepared testimony in support of HB 2120 (**EXHIBIT I**). Explains the measure.

397 Rich Angstrom President, Oregon Concrete and Aggregate Producers Association (OCAPA). Comments that the industry does not currently have an opinion on HB 2120.

TAPE 32, A

013 Angstrom Comments on the problems with the current system and why the industry does not currently have a position on HB 2120.

030 Rep. Beyer Inquires if there was a fee bill last session.

034 Angstrom Responds that the bill was passed last session, and explains what happened.

066	Rep. Beyer	Asks if HB 2120 is ready to go to the Ways and Means Committee or if it still needs to be worked on.
068	Angstrom	Answers that the issue could be worked on in Ways and Means.
076	Brennan	Relates that he talked with the budget analyst for DOGAMI, and it was indicated that it would be appropriate for the Ways and Means Committee to consider the issue.
082	Rep. Sumner	Asks for the explanation for the fee on page 1, line 20 of HB 2120.
084	Lynch	Answers that the measure lowers the current fee, and discusses the reasons for the fee.
100	Angstrom	Comments on his view of the reason for the fees.
125	Rep. Roblan	Concludes that the goal is to bring more equity into the fee structure.
132	Lynch	Comments that this is about working with the current formula.
157	Chair P. Smith	Closes the public hearing on HB 2120 and adjourns the meeting at 11:04 a.m.

EXHIBIT SUMMARY

- A. **HB 2656, prepared testimony, Glen Stonebrink, 2 pp**
- B. **HB 2656, -1 amendments, Glen Stonebrink, 1 p**
- C. **HB 2656, prepared testimony, Bill Krueger, 2 pp**
- D. **HCR 8, -1 amendments, staff, 1 p**
- E. **HCR 8, prepared testimony, Al Elkins, 1 p**
- F. **HCR 8, informational charts, Al Elkins, 4 pp**
- G. **HB 2119, -1 amendments, staff, 2 pp**
- H. **HB 2119, prepared testimony, Gary Lynch, 2 pp**
- I. **HB 2120, prepared testimony, Gary Lynch, 2 pp**
- J. **HCR 8, prepared testimony, Phil Donovan, 1 p**