

HOUSE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

March 9, 2005 Hearing Room C

9:00 A.M. Tapes 26 - 27

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 2581 – Public Hearing

HB 2111 – Public Hearing and Work Session

HJM 5 – Public Hearing and Work Session

HJR 8 – Work Session

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 26, A

003 Chair P. Smith Calls the meeting to order at 9:03 a.m. and opens a public hearing on HB 2581.

HB 2581 – PUBLIC HEARING

014 Patrick Brennan Committee Administrator. Summarizes HB 2581.

016 Dan Holcombe President, Oregon Soil Corporation. Discusses the benefits of vermiculture.

041 Holcombe Talks about how vermiculture would be used as an agricultural business and the benefits it can provide to farmers.

050 Holcombe Discusses other states that already have this industry.

080 Rep. Burley Comments that most people try to avoid government regulation. Inquires why Mr. Holcombe is seeking to be regulated.

087 Holcombe States that the law does not currently allow vermiculture to be the primary activity on exclusive farm use (EFU) land, unless it is regulated as an agricultural activity.

103 Rep. Roblan Asks if the worms feed on organic materials.

107 Holcombe Answers that any organic products can be used as feed for worms.

134 Rep. Roblan Inquires what kinds of worms are used in the operation.

136 Holcombe Responds that they are *eisenia Foetida*, also known as red wigglers.

150 Rep. Boquist Inquires if there have been discussions with the Department of Agriculture to see how vermiculture would be regulated.

157 Holcombe Responds that he has not talked with the department about the issue.

185 Rep. Sumner

References section 6 of HB 2581. Asks if the language allows the worms to be used as feed for other animals.

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| 189 | Holcombe | Answers that worms can be dried and made into pellets or fed live to aquaculture. Comments on the different animals worms can be fed to. |
| 196 | Rep. Sumner | Comments that bovine spongiform encephalopathy (BSE) is spread by feeding cattle parts to other cattle. Asks if feeding worms to animals has been thoroughly tested. |
| 198 | Holcombe | Concurs that this is how BSE was spread. Comments that worms are not on the same food chain and lack the tissue that is considered infectious. Discusses the pathogens that the worms are able to destroy. |
| 211 | Rep. Sumner | Comments that being included in agriculture in Oregon, vermiculture would be subject to inspections and wholesomeness tests. |
| 217 | Holcombe | Says that this would not be a problem. |
| 219 | Chair P. Smith | States that the committee has talked with the Department of Agriculture which indicated it has no objections with the bill. |
| 221 | Rep. Burley | Inquires how many people in the State of Oregon would benefit from HB 2581. |
| 225 | Holcombe | Responds that several hundred to several thousand farmers could benefit, and that it has the potential to benefit the entire state. |
| 248 | Rep. Roblan | Comments on <i>e. coli</i> and other negative products that can be generated from waste. Asks what happens with those waste products with worms. |
| 253 | Holcombe | Answers that they are destroyed by the worms' digestive process. |
| 276 | Chair P. Smith | Closes the public hearing on HB 2581 and opens a public hearing on HB 2111. |

HB 2111 – PUBLIC HEARING

280	Patrick Brennan	Committee Administrator. Summarizes HB 2111.
299	John Jackley	Oregon Department of Transportation (ODOT). Submits and presents prepared testimony in support of HB 2111 (EXHIBIT A) .
350	Rep. Hass	Inquires what problem HB 2111 is meant to solve.
353	Jackley	Responds that the problem is the legal conflict between the state constitution and statute with regard to proceeds from mineral resource rights, which the measure rectifies.
364	Rep. Hass	Asks if the conflict has happened already.
366	Jackley	Answers that the conflict currently exists and that the state has had such proceeds in the past, which have accrued to the State Highway Trust Fund.
371	Rep. Roblan	Summarizes how ODOT is currently handling the procedure and inquires if he is correct.
378	Jackley	Concurs with Rep. Roblan.
383	Chair P. Smith	Closes the public hearing and opens a work session on HB 2111.

HB 2111 – WORK SESSION

396	Rep. Hass	MOTION: Moves HB 2111 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.
399		VOTE: 7-0-0
	Chair P. Smith	Hearing no objection, declares the motion CARRIED.
401	Chair P. Smith	Closes the work session on HB 2111 and opens a public hearing on HJR 5.

HJM 5 – PUBLIC HEARING

409	Patrick Brennan	
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Committee Administrator. Summarizes HJM 5 and explains the -1 Amendments (**EXHIBIT B**).

423 Greg Addington Oregon Farm Bureau (OFB). Introduces the issue of Canada geese management.

TAPE 27, A

048 Roy Elicker Deputy Director, Oregon Department of Fish and Wildlife (ODFW). Submits and presents prepared testimony in support of HJM 5 (**EXHIBIT D**). Refers to the Pacific Flyway Management Plan (**EXHIBIT G**). Comments on the picture on the front of the *Agronomy Journal* (**EXHIBIT C**).

066 Elicker Points the committee to the list of the various subspecies of Canada geese that winter in the Willamette Valley, as outlined in the pamphlet on geese management (**EXHIBIT E, Page 20**).

099 Elicker Comments on problems with the federal government in regard to geese.

105 Addington Submits and presents prepared testimony (**EXHIBIT F**).

127 Addington Discusses what HJM 5 seeks to accomplish.

153 Addington Comments on his visits to Bethel, Alaska and the information gained through those trips. Discusses the -1 amendments.

209 Ron Anglin Wildlife Division Administrator, ODFW. Talks about the restrictions on hunters and the department when hunting Canada geese.

222 Elicker Comments that this is an issue that the department has worked closely with the Governor's Office on.

248 Al Elkins Oregon Hunters Association. Testifies in support of HJM 5.

274 Chair P. Smith Asks if there has been any response from Oregon's congressional delegation.

276 Elkins Answers that there has not been any response from them on the issue.

281	Rep. Sumner	Solicits reasons for the ten-fold growth in the number of geese over the last thirty years.
285	Elkins	Responds that he does not know.
291	Anglin	Outlines a series of events that have led to the increase.
307	Chair P. Smith	Asks why the geese did not continue to winter in California.
311	Anglin	Answers that the department does not know why the birds have made the shift.
320	Chair P. Smith	Closes the public hearing and opens a work session on HJM 5.

HJM 5 – WORK SESSION

327	Rep. Boquist	MOTION: Moves to ADOPT HJM 5 -1 amendments dated 3/08/05.
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330		VOTE: 7-0-0
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	Chair P. Smith	Hearing no objection, declares the motion CARRIED.
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336	Rep. Boquist	MOTION: Moves HJM 5 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
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339	Rep. Boquist	States that the agriculture crops in his district are affected by the geese. Discusses the impact of the geese on agriculture crops. Comments that geese do not differentiate between federally-managed reserves and private property.
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391	Rep. Beyer	Comments that the testimony was enlightening, and expresses hope that the federal government will be able to help.
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TAPE 26, B

015		VOTE: 7-0-0
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AYE: In a roll call vote, all members present vote Aye.

Chair P. Smith The motion CARRIES.

020 Chair P. Smith Closes the work session on HJM 5 and opens a work session on HJR 8.

HJR 8 – WORK SESSION

024 Patrick Brennan Committee Administrator. Discusses the -2 Amendments
(EXHIBIT H).

045 Rep. Roblan MOTION: Moves to ADOPT HJR 8 -2 amendments dated 3/08/05.

048 Rep. Burley Comments that to the amendments delete the word “European” from HJR 8. Inquires if they are going to delete the scientific name as well.

051 Brennan Responds that the scientific name will remain.

054 Chair P. Smith Reminds the committee that the word will be deleted from the summary when it is taken out of the body of the resolution.

056 Rep. Hass Asks if the fruit gift baskets referenced in the amendments are made only in Medford and Hood River.

059 Brennan Answers that the companies that produce the mail order baskets are based in Medford and Hood River.

063 Rep. Hass Comments that there are fruit baskets made everywhere.

065 Chair P. Smith Points out that they can try to change the language if needed.

068 Brennan States that all interested parties have seen the amendments and there were no objections.

069 VOTE: 7-0-0

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

070	Rep. Roblan	MOTION: Moves HJR 8 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
082		VOTE: 7-0-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair P. Smith	The motion CARRIES.
110	Chair P. Smith	Closes the work session on HJR 8 and adjourns the meeting at 10:05 a.m.

EXHIBIT SUMMARY

- A. HB 2111, prepared testimony, John Jackley, 1 p
- B. HJM 5, -1 amendments, staff, 1 p
- C. HJM 5, Agronomy Journal, Roy Elicker, 8 pp
- D. HJM 5, prepared testimony, Roy Elicker, 2 pp
- E. HJM 5, pamphlet on goose management, Roy Elicker, 30 pp
- F. HJM 5, prepared testimony, Greg Addington, 3 pp
- G. HJM 5, Pacific Flyway Management Plan, Roy Elicker, 53 pp
- H. HJR 8, -2 amendments, staff, 1 p