

HOUSE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

April 06, 2005 Hearing Room C

9:00 A.M. Tapes 41 - 42

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 3082 – Public Hearing

HB 2577 – Public Hearing

HB 3316 – Public Hearing

HB 2656 – 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
---------------	----------------	-----------------

TAPE 41, A

003 Chair Smith Calls the meeting to order at 9:05 a.m. and opens a public hearing on HB 3082.

HB 3082 – PUBLIC HEARING

016 Patrick Brennan Committee Administrator. Summarizes HB 3082.

024 Chair P. Smith Gives information about her involvement as a member of the Governor's Methamphetamine Task Force. Discusses the need for HB 3082 and states that she supports the bill.

040 John Trumbo Sheriff, Umatilla County. Submits and reads prepared testimony in support of HB 3082 (**EXHIBIT C**). Discusses an incident involving stolen anhydrous ammonia.

113 Rep. Boquist Asks how the product that is added to anhydrous ammonia affects the production of methamphetamine.

119 Trumbo Answers by giving information on what would happen to the methamphetamine if the chemical is added to the anhydrous ammonia.

123 Craig Durbin Drug Enforcement Section Commander, Oregon State Police (OSP). Submits and reviews prepared testimony with informational material in support of HB 3082 (**EXHIBIT A**). Discusses how meth is made, and how the ammonia is used in the process.

156 Drubin Lists how HB 3082 would benefit different people in Oregon.

184 Durbin Discusses Glo-Tell, a nontoxic dye that can be added to anhydrous ammonia.

197 Durbin Addresses problems that have been expressed to him in regard to HB 3082.

228 Chair P. Smith Inquires if any other states have similar legislation.

230 Durbin

Responds that there are other states that are working on this type of legislation.

234	Rep. Roblan	Asks if we have any evidence of the people who make meth targeting the large tanks of anhydrous ammonia.
236	Trumbo	States that they generally do not.
244	Durbin	Refers to the notice that would be placed on tanks of anhydrous ammonia that had been treated with Glo-Tell (EXHIBIT A, Page 10).
256	Rep. Beyer	Inquires when in the process is the Glo-Tell added.
263	Durbin	Responds by stating when Glo-Tell can be added.
270	Rep. Beyer	Asks how much it will cost to add the Glo-Tell.
272	Durbin	Answers that it costs about \$9 per ton of anhydrous ammonia treated.
281	Rep. Roblan	Inquires what a ton of the anhydrous ammonia costs.
285	Durbin	Responds that he is unsure of the cost.
298	Terry Witt	Executive Director, Oregonians for Food and Shelter (OFS). Submits prepared testimony and other informational material with comments on HB 3082 (EXHIBIT B).
367	Witt	Discusses suggestions for changes on HB 3082.

TAPE 42, A

007	Witt	Continues discussing suggestions for change. Talks about the cost of the additive. Talks about the amount of ammonia that is used in Oregon.
060	Witt	Continues discussing concerns with HB 3082. Refers to information in the packets about what other states are doing regarding the issue (EXHIBIT B, Page 5-12). States that they would be happy to work with other interested parties to improve HB 3082.

100	Rep. Sumner	Inquires if anhydrous ammonia is the same chemical that is used in commercial refrigeration.
102	Witt	Responds that it is.
107	Rep. Sumner	Suggests there are other people who should be involved in the discussion. Asks how the measure would affect people in the refrigeration industry.
113	Witt	Responds that they received information from the producers of Glo-Tell talking about it's corrosive nature to refrigerant components. States that this is an area that should be looked into.
132	Rep. Hass	States that the Rep. Sumner raises the important question of who might be next in line to receive the tax credit.
139	Chair P. Smith	Comments that the state is trying to fight the meth epidemic.
145	Witt	Talks about his experience on a Hazardous Material (HazMat) Response Team.
169	Rep. Roblan	Inquires how often farmers treat a field with anhydrous ammonia.
174	Witt	Responds that it depends on the crop but usually it is twice a year.
189	Rep. Beyer	Asks how HB 3082 interacts with the different methamphetamine bills that are currently in the Judiciary Committee.
196	Chair P. Smith	Responds that HB 3082 is part of the package of legislation that came out of the task force.
209	Trumbo	Comments on the theft of the ammonia, the damage that can occur during the theft, and the associated costs.
238	Durbin	Talks about the problems related to protecting the ammonia, noting that some business have given up trying to deter thieves and now leave their doors unlocked. States that this is a voluntary program. Comments that he will check into how the measure would affect commercial refrigeration.

291	Chair P. Smith	Asks if the panel would be willing to participate in a meeting to work out some of the issues.
292	Durbin	Answers that he would.
299	Rep. Burley	Asks if the chair can make sure that the tax credit captures all possibilities.
307	Rep. Roblan	Inquires if the amount that will be given to the distributor will be figured out.
310	Chair P. Smith	Responds that the Revenue Committee will figure out the amount that will be given to the distributor.
312	Chair P. Smith	Closes the public hearing on HB 3082 and opens a public hearing on HB 2577.

HB 2577 – PUBLIC HEARING

326	Patrick Brennan	Committee Administrator. Summarizes HB 2577.
345	Rep. Jeff Kropf	House District 17. Discusses the problem that the work group on Noxious Weeds dealt with. Comments on what they have tried to address in HB 2577.
404	Rep. Kropf	Discusses the issues that HB 2577 would cover.

TAPE 41, B

006	Rep. Kropf	Talks about the problems that HB 2577 would cover. Discusses HB 3316.
020	Rep. Kropf	Talks about what HB 2577 would do. Talks about the amendments they want to make.
031	Chair P. Smith	Inquires how soon the amendment will be ready.
032	Rep. Kropf	Answers that he will have it by next week.

035	Rep. Burley	Asks how we get the federal agencies involved in the process of eradicating noxious weeds.
039	Rep. Kropf	Talks about how HB 2577 and HB 3316 would encourage the federal agencies to get involved.
067	Rep. Hass	Asks how ivy is classified.
073	Rep. Kropf	Answers that it is classified as a noxious weed.
098	Rep. Sumner	Comments on the tansy ragwort problem from a few years ago.
115	Rep. Kropf	States that HB 3316 helps provide money for research to help eradicate the weeds. Says the measure also offers opportunity for the weed board to discuss how the money will be spent
131	Chair P. Smith	Opens a public hearing on both HB 2577 and HB 3316.

HB 2577 and HB 3316 – PUBLIC HEARING

135	Rep. Kropf	Discusses what HB 3316 does, and states that amendments are needed. Talks about the intent of the legislation.
160	Rep. Kropf	Offers the suggestion for how the Oregon Department of Agriculture could use leftover money in its weed budget.
184	Rep. Roblan	Comments that HB 3316 includes aquatic weeds, but HB 2577 does not. Asks if the plan is to include aquatic weeds in HB 2577.
188	Rep. Kropf	Concurs.
195	Dan Hilburn	Plant Division Administrator, Oregon Department of Agriculture (ODA). Comments on the work Rep. Kropf has put into this issue. Testifies in support of HB 2577 and HB 3316.
227	Tim Butler	Noxious Weed Program Supervision, ODA. Submits prepared testimony on HB 2577 (EXHIBIT D) and prepared testimony on HB 3316 (EXHIBIT E).
263	Butler	Comments on cooperation with federal agencies.

287	Butler	Discusses the problem with kudzu and how that has been dealt with. Highlights the importance of an active program.
308	Rep. Burley	Inquires how the department is dealing with kudzu.
313	Butler	Responds that chemical application is one of the best ways to eradicate kudzu
327	Rep. Burley	Comments on the federal government's management of its land and the need for rapid response when a noxious weed is found.
344	Butler	Discusses what federal agencies are doing in response to weeds.
359	Chair P. Smith	Talks about the problem with weeds in the Columbia Gorge area, and the fact that they are on federal land means the state cannot do anything about them. Uses scotch broom as an example.
368	Butler	States that there are roadblocks and that we need to continue working on the problem.
376	Butler	Talks about tansy ragwort. Comments on the environmental controls.

TAPE 42, B

015	Rep. Hass	Inquires about how the department deals with ivy.
020	Butler	Responds that there is no biocontrol agent that works on ivy. Reiterates that ivy is on the state noxious weeds list.
021	Rep. Hass	Asks how Mr. Butler would handle the ivy in Forest Park.
026	Butler	Comments that it depends on the situation but he would need to see the area.
041	Butler	Talks about ODA's position on HB 2577.
070	Butler	Gives ODA's position on HB 3316.

087	Justin Martin	The Nature Conservancy. Submits and presents prepared testimony in support of HB 2577 and HB 3316 (EXHIBIT F) .
097	Glen Stonebrink	Oregon Cattlemen's Association. Testifies in support of HB 2577 and HB 3316.
133	Chair P. Smith	Closes the public hearing on HB 2577 and HB 3316 and opens a work session on HB 2656.

HB 2656 – WORK SESSION

138	Rep. Boquist	MOTION: Moves to ADOPT HB 2656-4 amendments dated 4/5/05.
-----	--------------	--

140		VOTE: 6-0-1 EXCUSED: 1 - Hass
-----	--	--

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

142	Rep. Boquist	MOTION: Moves HB 2656 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Ways and Means by prior reference.
-----	--------------	---

146		VOTE: 6-0-1 EXCUSED: 1 - Hass
-----	--	--

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

152	Chair P. Smith	Closes the work session on HB 2656 and adjourns the meeting at 10:45 a.m.
-----	----------------	---

EXHIBIT SUMMARY

- A. HB 3082, prepared testimony with informational material, Craig Durbin, 10 pp
- B. HB 3082, prepared testimony with informational material, Terry Witt, 12 pp

- C. **HB 3082, prepared testimony, John Trumbo, 4 pp**
- D. **HB 2577, prepared testimony, Tim Butler, 1 p**
- E. **HB 2577, prepared testimony, Tim Butler, 1 p**
- F. **HB 2577 and HB 3316, prepared testimony, Justin Martin, 1 p**
- G. **HB 2656, -4 amendments, staff, 1 p**