

SENATE COMMITTEE ON ENVIRONMENT & LAND USE

March 31, 2005
7:00 A.M.

Hearing Room 343
Tapes 66 - 67

MEMBERS PRESENT: **Sen. Charlie Ringo, Chair**
 Sen. Jason Atkinson, Vice-Chair
 Sen. Roger Beyer
 Sen. Ginny Burdick
 Sen. Frank Shields

STAFF PRESENT: **Matt Shields, Committee Administrator**
 Katie Lowry, Committee Assistant

MEASURES/ISSUES HEARD:
 SB 890 – Public Hearing
 SB 125 – Work Session
 SB 737 – Work Session
 SB 861 – 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
TAPE 66, A		
005	Chair Ringo	Calls meeting to order at 7:11 a.m. and opens public hearing on SB 890.
<u>SB 890 – PUBLIC HEARING</u>		
008	Sen. Bruce Starr	Represents Senate District 15. Testifies in support of SB 890.
095	Sen. Shields	Discusses tax credits for purchases. Observes that SB 890 would provide a tax credit for the research and development phase. Wonders at what point in the process of research and development the tax credit would be applied.
108	Sen. B. Starr	Responds.
115	Sen. Beyer	Asks about alternate fuels.
121	Sen. B. Starr	Responds.
122	Sen. Beyer	Makes comment about language “for costs incurred” in SB 890.
127	Chair Ringo	Mentions hearing on Friday, March 25, 2005. Discusses use of fuels. Believes SB 890 is a move in the right direction.
136	Mike Grainey	Oregon Department of Energy. Testifies in support of SB 890. States that the governor’s office wants to see SB 890 moved to the Revenue committee.
155	Sen. Shields	Remarks on witness’ testimony.
169	Chair Ringo	Makes comments.
171	Chair Ringo	Closes public hearing on SB 890 and opens work session on SB 125.
<u>SB 125 – WORK SESSION</u>		
	Matt Shields	Committee Administrator. Submits SB 125-2 amendments for the record (EXHIBIT A).
183	Chair Ringo	Discusses SB 125.
187	Bill Fisher	Former Senator, and resident, Roseburg. Discusses the -2 amendments. Discusses specific language of the -2 amendments.

212	Roy Elicker	Deputy Director, Fish and Wildlife Programs, Oregon Department of Fish and Wildlife. Testifies in support of SB 125 with the -2 amendments.
216	Chair Ringo	Verifies that witness wants the -2 amendments moved.
217	Elicker	Replies yes.
220	Sen. Atkinson	MOTION: Moves to ADOPT SB 125-2 amendments dated 03/16/05. VOTE: 4-0-1 EXCUSED: 1 - Burdick Hearing no objection, declares the motion CARRIED.
221	Chair Ringo	
222	Sen. Atkinson	MOTION: Moves SB 125 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 4-0-1 EXCUSED: 1 - Burdick Hearing no objection, declares the motion CARRIED. SEN. RINGO will lead discussion on the floor.
224	Chair Ringo	
225	Chair Ringo	Closes work session on SB 125 and opens work session on SB 737.
<u>SB 737 – WORK SESSION</u>		
	Matt Shields	Committee Administrator. Submits SB 737-1 amendments for the record (EXHIBIT B) .
228	Chair Ringo	Explains that SB 737 was re-referred to the committee.
230	Mike Grainey	Oregon Department of Energy. Explains SB 737. Details concerns of language in SB 737. Explains the -1 amendments.
250	Sen. Atkinson	MOTION: Moves to ADOPT SB 737-1 amendments dated 03/28/05. VOTE: 4-0-1 EXCUSED: 1 - Burdick Hearing no objection, declares the motion CARRIED.
254	Chair Ringo	
255	Sen. Atkinson	MOTION: Moves SB 737 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 4-0-1 EXCUSED: 1 - Burdick Hearing no objection, declares the motion CARRIED. SEN. RINGO will lead discussion on the floor.
259	Chair Ringo	
260	Chair Ringo	Makes comments. Closes work session on SB 737 and opens public hearing on SB 861.
<u>SB 861 – PUBLIC HEARING</u>		
	Matt Shields	Committee Administrator. Submits SB 861-1 amendments for the record (EXHIBIT C) .
270	Sen. Doug Whitsett	Represents Senate District 28. Testifies in support of SB 861. Submits written testimony (EXHIBIT D) .
288	Chair Ringo	Asks if Sen. Whitsett is familiar with mentioned practice of force feeding of geese.
290	Sen. Whitsett	Replies.
293	Ted E. Keizer	Legislative Assistant, Sen. Joanne Verger's office. Introduces himself. Submits written testimony on behalf of Sen. Joanne Verger (EXHIBIT E) . Asks permission to show a six minute video.
304	Chair Ringo	Gives permission.
305	Keizer	Starts six minute video showing the force feeding of birds.
325	Chair Ringo	Asks where this video was taken.
326	Keizer	Explains.

330	Chair Ringo	Verifies location.
331	Keizer	Explains.
335	Keizer	Continues video on force feeding of birds.
TAPE 67, A		
011	Chair Ringo	Asks if witness has talked to the Oregon Restaurant Association regarding SB 861.
012	Keizer	Responds. States that the Oregon Grocer's Association is not opposed to SB 861.
030	Craig Sparks	North American Wildlife Alliance. Testifies in support of SB 861. Comments on video. Submits informational packet (EXHIBIT F) .
060	Chair Ringo	Discusses foie gras. Verifies that the practice of force feeding is in order to make the livers of geese larger.
063	Sparks	Replies yes.
064	Chair Ringo	States that foie gras could still be served in restaurants, but it would have to be made out of normal sized livers.
065	Sparks	Replies yes and discusses the market for foie gras.
070	Connie Theil	Citizen. Testifies in support of SB 861. Submits written testimony (EXHIBIT G) .
078	Sparks	Mentions that California recently banned the process of force feeding. States that there is pending legislation in New York as well.
081	Chair Ringo	Asks if the ban relates to the sale or production of foie gras.
083	Sparks	Believes both. States that the ban does not take effect until 2012 and explains.
084	Chair Ringo	Thanks witnesses for testimony.
087	Guillermo Gonzalez	Resident, Sonoma, California and foie gras producer. Testifies in opposition to SB 861. States that the video shown does not represent his farm or foie gras production as a whole.
150	Gonzalez	Continues testimony in opposition to SB 861.
192	Chair Ringo	Asks if witness has a video of his operation.
195	Gonzalez	Replies yes and states that it is a non-professional video.
196	Chair Ringo	Asks if witness has the video with him.
197	Gonzalez	Replies no, but offers to provide it to the committee.
200	Chair Ringo	Agrees that decisions need to be made on facts and not misinformation. States that he found the video disturbing.
202	Gonzalez	States that it is.
203	Chair Ringo	Says that it is important to be humane to animals. Asks witness if he force feeds the geese in the way depicted in the video.
206	Gonzalez	States that he was not able to observe the video. States that intubation is used to feed the birds.
207	Chair Ringo	Asks if intubation means to put a tube down the bird's throat.
208	Gonzalez	Replies yes. Continues explanation of the process of feeding.
221	Gonzalez	States that they do not use individual cages. Discusses foie gras operation.
242	Sen. Shields	Discusses inaccuracies in videos. Discusses tours. Asks how the accuracy of either video could be verified.
254	Gonzalez	Responds.
275	Sara Eickhoff	Resident, Multnomah County. Submits and reads written testimony in support of SB 861 (EXHIBIT H) .
309	Diane Luck	Resident, Multnomah County. Comments on Mr. Gonzalez' testimony. Testifies in support of SB 861. Submits written testimony (EXHIBIT I) .
338	Matt Rossell	Northwest Outreach Coordinator, In Defense of Animals. States

that In Defense of Animas did not initiate SB 861. Makes comments on Mr. Gonzalez' testimony. Testifies in support of SB 861. Submits written testimony **(EXHIBIT J)**.

TAPE 66, B

022	Geoff Latham	President, Nicky USA Inc. Testifies in opposition to SB 861. Submits written testimony (EXHIBIT K) .
056	Chair Ringo	Asks about witness' business.
057	Latham	Explains.
062	Chair Ringo	Asks for clarification of business.
063	Latham	Explains.
066	Latham	Continues testimony in opposition to SB 861.
080	Thomas Hurley	Chef owner, Portland. States that his restaurant has been targeted.
087	Chair Ringo	Asks what the name of the restaurant is.
088	Hurley	Replies Hurley's.
089	Hurley	Testifies in opposition to SB 861.
116	Chair Ringo	Makes comments on witness' testimony.
120	Hurley	Makes comments.
137	Pascal Sauton	Restaurant owner and chef, Portland. Testifies in opposition to SB 861. Submits written testimony (EXHIBIT L) .
195	Chair Ringo	Asks if witness thinks that people would still come to his restaurant if he no longer served foie gras.
201	Sauton	Replies.
205	Chair Ringo	Verifies that witness said he sold 200 orders of foie gras in the month of December.
206	Sauton	Confirms this.
207	Chair Ringo	Asks what the name of the restaurant is.
208	Sauton	Replies.
209	Hurley	States that there are other dishes, but there are people who come to the restaurant just for foie gras.
217	Sauton	Concludes testimony in opposition to SB 861.
236	Connie Durkee	Lighthouse Farm Sanctuary. Submits and reads written testimony on behalf of Wayne Geiger in support of SB 861 (EXHIBIT M) .
266	Piper Dixon	Resident, Multnomah County. Testifies in support of SB 861.
290	Sydney Most	Citizen. Testifies in support of SB 861.
325	Ellie McKay	Resident, Multnomah County. Testifies in support of SB 861.
336	Nancy McKay	Resident, Multnomah County. Testifies in support of SB 861.
340	Kelly Peterson	Humane Society of the United States. Testifies in support of SB 861. Submits written testimony (EXHIBIT N) .
348	Marcia Keith	Oregon Veterinary Medical Association. Testifies in support of SB 861. Submits written testimony (EXHIBIT O) .
The following prepared testimony is submitted for the record without public testimony:		
	Katie Fast	Oregon Farm Bureau. Submits written testimony in opposition to SB 861 (EXHIBIT P) .
353	Chair Ringo	Closes public hearing on SB 861 and adjourns meeting at 8:31 a.m.

EXHIBIT SUMMARY

- A. SB 125, -2 amendments, Staff, 1 p**
- B. SB 737, -1 amendments, Staff, 1 p**
- C. SB 861, -1 amendments, Staff, 1 p**
- D. SB 861, written testimony, Sen. Doug Whitsett, 1 p**

- E. SB 861, written testimony of Joanne Verger, Ted Keizer, 1 p**
- F. SB 861, informational packet, Craig Sparks, 5 pp**
- G. SB 861, written testimony, Connie Theil, 1 p**
- H. SB 861, written testimony, Sara Eickhoff, 1 p**
- I. SB 861, written testimony, Diane Luck, 1 p**
- J. SB 861, written testimony, Matt Rossell, 1 p**
- K. SB 861, written testimony, Geoff Latham, 1 p**
- L. SB 861, written testimony, Pascal Sauton, 2 pp**
- M. SB 861, written testimony of Wayne Geiger, Connie Durkee, 1 p**
- N. SB 861, written testimony, Kelly Peterson, 3 pp**
- O. SB 861, written testimony, Marcia Keith, 2 pp**
- P. SB 861, written testimony, Katie Fast, 1 p**