

**HOUSE COMMITTEE ON**  
**AGRICULTURE AND NATURAL RESOURCES**

March 18, 2003 Hearing Room HR D  
1:00 PM Tapes 41 - 42

**MEMBERS PRESENT:**        **Rep. Jeff Kropf, Chair**  
                                 **Rep. George Gilman, Vice-Chair**  
                                 **Rep. Terry Beyer**  
                                 **Rep. Dave Hunt**  
                                 **Rep. Donna Nelson**  
                                 **Rep. Patti Smith**

**MEMBER EXCUSED:**        **Rep. Kelley Wirth, Vice-Chair**

**STAFF PRESENT:**         **Ray Kelly, Committee Administrator**  
                                 **David Peffley, Committee Assistant**

**MEASURES HEARD:**         **HB 3102 – Public Hearing**  
                                 **HB 3026 – Public Hearing and Work Session**  
                                 **HB 2256 – Public Hearing and Work Session**

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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.

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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 41, A</b>		
003	Chair Kropf	Calls the meeting to order at 1:10 and opens a public hearing on HB 3102.
<b><u>HB 3102 – PUBLIC HEARING</u></b>		
015	Ray Kelly	Committee Administrator. Summarizes HB 3102.
022	Rep. Jerry Krummel	Submits ( <b>EXHIBIT A</b> ) and testifies in favor of HB 3102. Provides power-point presentation on the reasons why HB 3102 is necessary for good public health and fairness to business.
114	Chair Kropf	Asks Rep. Krummel about duplication in the law.
118	Rep. Krummel	Addresses what statutes should be maintained.
124	Rep. Hunt	Asks Rep. Krummel if he believes that the concerns which prompted the bill would be addressed by the original bill.
130	Rep. Krummel	States that the duplication is difficult on businesses and that this bill will address that problem.
168	Rep. Hunt	Asks about the breakdown of the law so that we can zero in on the problem parts.
182	Rep. Krummel	States that he mainly wants to get dialog on the books regarding this issue.
197	Rep. Beyer	Asks about duplication in the law.
206	Rep. Krummel	Describes the onerous process which needs to be addressed.
220	Rep. Beyer	Asks about the record keeping requirement.
226	Rep. Krummel	Talks about how non user-friendly the system is, which is unfair to the businesses involved. States that the problem is with the

		two systems they have to comply with.
244	Rep. Beyer	Asks if he believes that pesticides need to be reported.
249	Rep. Krummel	Replies that he really doesn't know. States that he supported the bill in 1999, but that it created too much duplication.
281	Rep. Beyer	Asks Rep. Krummel if he believes we're using the current law as a hammer.
284	Rep. Krummel	Believes that the current law is a hammer and has little to do with protecting our environment.
311	Matt Blevins	Oregon Environmental Council (OEC). Submits <b>(EXHIBIT B)</b> and testifies against HB 3102. States that they are in favor of making changes to the process, but that access to pesticide information is vital and that this law is not the solution.
391	Rep. Beyer	Asks about the duplication in the records.
400	Blevins	Affirms there are two separate pieces to the reporting system.
420	Vice-Chair Gilman	Asks Blevins if OEC's position on Rep. Close's bill, putting off the implementation date is still constant.
428	Blevins	States that it is.
<b>TAPE 42, A</b>		
005	Rep. Hunt	Asks Blevins to reaffirm concerns with this legislation.
013	Blevins	States skepticism with the 400-hour figure. Affirms the successes in California's similar program.
022	Glen Stonebrink	Submits <b>(EXHIBIT C)</b> and testifies in favor of HB 3102. States skepticism with the testimony of environmental groups. Believes that the burden of reporting is disproportionately placed on a select few.
070	Chair Kropf	Asks what the best way is to make reporting fair to everyone.
083	Stonebrink	Addresses concern with the paperwork involved and with the computer aspect to reporting.
096	Rep. Beyer	Mentions the successes of the California program. Asks about concerns that Californians have voiced about this program.
105	Stonebrink	States that he does not have any first-hand knowledge.
108	Rep. Beyer	Asks if he is still concerned about the contents of this bill ending up in the initiative process.
115	Stonebrink	States that he believes that the public is becoming more aware of the issue.
131	Rep. Beyer	Asks if he sees any benefit in reworking this bill.
135	Stonebrink	Replies that benefit could arise from readdressing the issue.
144	Michael Heumann	Department of Human Services (DHS). Submits <b>(EXHIBIT D)</b> and testifies in opposition to HB 3102. Testifies to the health risks of pesticide use and the need to protect the public health
217	Chair Kropf	Asks to confirm the assertion that urban pesticide usage is more profound than in rural areas.
225	Heumann	Confirms that studies have confirmed the higher danger in urban areas.
241	Chair Kropf	Asks Heumann to clarify the 187 investigations and the 190 cases which were reported and found not to be in violation.
252	Heumann	Affirms that 187 were valid claims and the 190 is a separate figure.
260	Chair Kropf	Asks if the urban/rural trend is typical.
266	Heumann	States that he's not sure, since they've only been tracking the trends for a couple years.
273	Rep. Nelson	Asks who conducts the disease control reports.
278	Heumann	Asserts that he is part of the team which reports.
287	Rep. Nelson	Expresses her concern about the heavily-detailed process. Asks

326	Heumann	whether we could use education instead of reporting. States that education is one part of the equation. Asserts that the surveillance is also necessary in order to learn about what is dangerous and what is not.
386	Rep. Nelson	Again asks about the role of education and where the money is best spent.
407	Chair Kropf	Replies that he sees some value in pesticide reporting, but reaffirms that education could be of value as well.
422	Heumann	States that the two go hand in hand.
<b>TAPE 41, B</b>		
002	Jim Myron	Submits <b>(EXHIBIT E)</b> and testifies that pesticide reporting is a key component for marketing of agricultural products and environmental protection.
020	Rep. Beyer	Asks Myron if the governor's office would be open to working this idea further.
027	Myron	States that the governor's office is not averse to resolving problems, but is not in favor of overturning protections.
035	Rep. Nelson	Asks Myron to talk with the governor about the educational aspect of the issue.
038	Myron	Assures Rep. Nelson that he will address the issue.
040	Rep. Gilman	Asks how we can make the bill more functional in K-12 education.
050	Myron	States that he is not sure how to address the answer to that question.
065	Chuck Craig	Oregon Department of Agriculture (ODA). States that ODA does not support HB 3102 and refers to public education and funding problems.
087	Rep. Gilman	Asks about individuals and homeowners in the pesticide reporting program.
100	Lisa Hansen	Assistant Director, ODA. Clarifies ODA's position regarding the law and the current system.
114	Rep. Beyer	Notes that this bill has brought out the subject of lack of funding and what was mentioned was that the record keeping and the reporting are two separate entities and asks about attempts to meld the two.
127	Hansen	Addresses similar systems in other states and notes that the systems need to be in place to merge them and that has not happened in Oregon.
144	Terry Witt	Oregonians for Food and Shelter (OFS). States that the pesticide use reporting program is broken and in need of fixing, although are not in favor of abolishing the program.
138	Chair Kropf	Closes a public hearing on HB 3102 and opens a work session on HB 3026.
The following prepared testimony is submitted for the record without public testimony for HB 3102.		
	Jason Heuser	Submits written testimony <b>(EXHIBIT F)</b> .
	Rhett Lawrence	Submits written testimony <b>(EXHIBIT G)</b> .
<b><u>HB 3026 – PUBLIC HEARING</u></b>		
235	Ray Kelly	Summarizes HB 3026.
242	Rep. Lane Shetterly	HD 23. Introduces and testifies in favor of HB 3026 in order to provide proper funding for county fair boards.
290	Rep. Beyer	Asks the difference between a fair board and a fair district.
296	Rep. Shetterly	States that the difference is a matter of funding.
302	Rep. Nelson	Asks whether a fair board would still be able to receive state

310	Rep. Shetterly	money.
317	Rep. Nelson	Responds that it depends on state appropriations.
322	Rep. Shetterly	Asks for clarification on the requirements for county fairs.
327	Rep. Nelson	States that it is custom, but not mandated.
332	Rep. Shetterly	Asks about local control.
354	Sheriff Ray Steele	States that the purpose of HB 3026 is to offer more flexibility to administer county fairs.
364	Rep. Nelson	President and Chairman, Polk County Fair Board. Introduces himself.
368	Steele	Restates question on state control versus local control.
420	Rep. Beyer	States that we are dealing with a funding issue. Explains the process to the committee and how HB 3026 would effect it.
		Asks if a fair district would preclude the board from taking county appropriations.

**TAPE 42, B**

003	Steele	States they would be on their own and unable to accept appropriations. Explains the genesis of the ideas behind HB 3026.
015	Rep. Shetterly	Adds that declining county budgets is at the root of this problem.
025	Rep. Nelson	Asks who makes the rules and why we don't just take county fairs out from state jurisdiction.
040	Kelly	Confirms this issue within the statutes and its repercussions.
068	Chair Kropf	Asks for further clarification.
073	Rep. Shetterly	Confirms the effects of this bill for Chair Kropf.
083	Rep. Nelson	Asks if Rep. Shetterly and Sheriff Steele would be willing to amend this bill to address concerns.
095	Rep. Shetterley	States that this bill is not appropriate to address Rep. Nelson's concerns.
100	Chair Kropf	Asks if there is any known opposition to HB 3026.
105	Steele	States that he doesn't know of any.
110	Rep. Nelson	Asks about the population of Washington County vis-à-vis that of Multnomah County and whether Multnomah County has a county fair.
135	Chair Kropf	Recesses meeting.
136	Chair Kropf	Reconvenes meeting.
138	Chair Kropf	Closes a public hearing on HB 3026 and opens a work session on HB 3026.

**HB 3026 – WORK SESSION**

140	Rep. Hunt	<b>MOTION: Moves HB 3026 to the floor with a DO PASS recommendation.</b>
149		<b>VOTE: 6-0</b>
156	Chair Kropf	<b>EXCUSED: 1 - Wirth</b>
171	Chair Kropf	<b>Hearing no objection, declares the motion CARRIED. SHETTERLY will lead discussion on the floor.</b>
		Closes the work session on HB 3026 and opens a public hearing on HB 2256.

**HB 2256 – PUBLIC HEARING**

174	Chair Kropf	Introduces -1 amendment ( <b>EXHIBIT H</b> ). Offers time to peruse the amendments.
175	Rich Angstrom	Oregon Concrete Aggregate Producers Association (OCAPA). Speaks with approval to the -1 amendments.
217	Gary Lynch	Expresses favor with the -1 amendments.
220	Rep. Nelson	Asks for clarification on -1 amendments.
227	Chair Kropf	Clarifies the amendments for Rep. Nelson.
233	Kelly	Offers further clarification.

240	Rep. Nelson	Asks about the relating clause.
243	Kelly	States that the amendment does not affect the relating clause.
254	Chair Kropf	Closes the public hearing on HB 2256 and opens a work session on HB 2256.
<b><u>HB 2256 – WORK SESSION</u></b>		
261	Rep. Beyer	<b>MOTION: Moves to ADOPT HB 2256-1 amendments dated 03/18/03.</b>
264		<b>VOTE: 5-0</b>
		<b>EXCUSED: 2 - Wirth, P. Smith</b>
265	Chair Kropf	<b>Hearing no objection, declares the motion CARRIED.</b>
267	Rep. Beyer	<b>MOTION: Moves HB 2256 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.</b>
274	Rep. Nelson	Explains her opposition to this bill, as her constituents can not afford any additional fees.
304	Rep. Hunt	States strong enthusiasm for HB 2256.
321	Chair Kropf	Shares his opinion of the importance of HB 2256 in relation to the 4(d) rules.
333		<b>VOTE: 4-1</b>
		<b>AYE: 4 - Beyer, Gilman, Hunt, Kropf</b>
		<b>NAY: 1 - Nelson</b>
		<b>EXCUSED: 2 - Smith P., Wirth</b>
344	Chair Kropf	<b>The motion CARRIES.</b>
355	Chair Kropf	Closes the work session on HB 2256 and closes the committee meeting at 3:07.

**EXHIBIT SUMMARY**

- A – HB 3102, written testimony, Rep. Jerry Krummel, 2 pp.**
- B – HB 3102, written information, Matt Blevins, 1 p.**
- C – HB 3102, written testimony, Glen Stonebrink, 1 p.**
- D – HB 3102, written testimony, Michael Heumann, 2 pp.**
- E – HB 3102, written testimony, Jim Myron, 1 p.**
- F – HB 3102, written testimony, Jason P. Heuser, 1 p.**
- G – HB 3102, written testimony, Rhett Lawrence, 1 pp.**
- H – HB 2256, -1 amendments, staff, 1 p.**