

HOUSE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

March 06, 2003 Hearing Room HR D
1:00 PM Tapes 37 - 38

MEMBERS PRESENT: Rep. George Gilman, Vice-Chair
 Rep. Kelley Wirth, Vice-Chair
 Rep. Terry Beyer
 Rep. Dave Hunt
 Rep. Donna Nelson
 Rep. Patti Smith

MEMBER EXCUSED: Rep. Jeff Kropf, Chair

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

MEASURE/ISSUES HEARD: SB 203A – Public Hearing
 SB 204 – Public Hearing
 SB 241A – Public Hearing
 SB 242A – 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 37, A		
004	Vice-Chair Gilman	Calls the meeting to order at 1:09 PM and opens a public hearing on SB 203A.
<u>SB 203A – PUBLIC HEARING</u>		
010	Ray Kelly	Summarizes SB 203A.
017	Lori Makinen	Director, Veterinary Medical Examining Board. Introduces herself and offers to answer questions.
033	Rep. Nelson	Asks about the status of the current director.
037	Makinen	States that she is currently serving as the chair.
043	Rep. Nelson	Asks if there is an expense contained in this bill.
047	Makinen	Responds that there is an expense of about \$2500 per biennium.
052	Rep. Nelson	Asks for the primary purpose of this board.
054	Makinen	Responds that the primary purpose is to approve veterinarians.
055	Rep. Nelson	Asks what her credentials are.
060	Makinen	States her credentials.
063	Rep. Nelson	Asks about the makeup of the board.
064	Makinen	Notes the makeup of the board.
066	Rep. Smith	Asks why we need an increase.
068	Makinen	Responds to current expenses and that this they are standard across the nation.
072	Marcia Keith	Submits (EXHIBIT A) and testifies in support of SB 203A, as an increase of one member is warranted by the increase in

095	Vice-Chair Gilman	workload. Closes the public hearing on SB 203A and opens a public hearing on SB 204.
<u>SB 204 – PUBLIC HEARING</u>		
110	Kelly	Summarizes SB 204.
116	Makinen	Introduces herself.
120	Keith	Submits (EXHIBIT B) and testifies in favor of SB 204.
123	Rep. Beyer	Asks how the Board supervises alternative veterinarians.
127	Makinen	Responds that the Practice Act doesn't distinguish between traditional and alternative medical practices.
140	Vice-Chair Gilman	Asks Makinen how the Board carries on investigations.
143	Makinen	Goes over the process involved and the authority required.
171	Rep. Nelson	Asks if there is a difference between the words <i>compel</i> and <i>require</i> .
180	Makinen	States that she isn't sure.
182	Kelly	Suggests that question to be directed to legislative counsel.
185	Rep. Smith	Asks what the problem is which the Board hopes to address.
191	Makinen	Responds that unlicensed practice of veterinary medicine is the problem.
215	Rep. Smith	Asks if advertising is the key.
219	Makinen	Expresses doubt that such is the case.
252	Rep. Nelson	Asks Makinen if she has any input to the board.
258	Makinen	Responds that she does play an active role.
265	Rep. Nelson	Asks for the differences in salary between the executives.
268	Makinen	Responds that no money is involved.
270	Rep. Nelson	Asks how many complaints the board gets and what the prevailing issue is.
275	Makinen	Replies that they get about ten to twelve complaints per month, mainly fee complaints.
291	Rep. Nelson	Asks how much the fees are.
294	Makinen	States that the Board does not regulate fees or business practices.
313	Rep. Nelson	States her concern to legislative counsel as to the word <i>compel</i> .
321	Charles Cheek	Explains the meaning of the legal consequences.
333	Rep. Nelson	Asks for more clarification on the difference of the words.
338	Cheek	Restates the legal consequences of the language.
347	Rep. Nelson	States that she seeks to avoid a misunderstanding with the language.
349	Cheek	Further clarifies the language.
362	Rep. Hunt	Asks if there are elements in this which deviate from the standard.
366	Cheek	Affirms that it's standard.
377	Keith	Speaks in support of SB 204.
387	Vice-Chair Gilman	Closes the public hearing on SB 204 and opens a public hearing on SB 241A.

SB 241A –PUBLIC HEARING

400	Ray Kelly	Summarizes SB 241A.
420	Chuck Craig	Submits (EXHIBIT C) and testifies in favor of SB 241A in order to extend the sunset provision to chapter 390.

TAPE 38, A

019	Craig	Continues testimony in support of SB 241A.
025	Dan Hilburn	Gives an example of how this legislation would work on a specific example of an orchard in a control area.

048	Rep. Nelson	Asks about responsibility assessment.
051	Hilburn	Confirms the responsibility for the damage assessment.
063	Rep. Hunt	Asks about the advantage of having a sunset date.
066	Hilburn	Mentions that he would prefer to eliminate the sunset altogether. but that the Christmas Tree Industry preferred it to ensure that the program is a good one before making it permanent.
077	Rep. Smith	Asks how control areas are determined.
080	Craig	Talks about the statutory process which is similar to the rule-making process.
097	Rep. Smith	Asks why agencies are exempt from the same rules as private citizens.
102	Craig	States that he doesn't think they are exempt.
107	Hilburn	Speaks to control areas and notes that they do not always work.
123	Scott Ashcom	Oregon Agriculture Alliance. Submits (EXHIBIT D) and testifies in favor of SB 241A in order to protect Oregon's effective plant health and safety program.
166	Shawn Miller	Pacific Northwest Christmas Tree Association. Informs the committee that the Christmas Tree Association did get an amendment on the Senate side to extend the sunset another two years. States continued support for this program.
195	Rep. Hunt	States concern with the sunset provision and with sunset provisions in general.
210	Miller	Responds as to the reasons for the sunset.
240	Vice-Chair Gilman	Closes the public hearing on SB 241A and opens a public hearing on SB 242A

SB 242A - PUBLIC HEARING

250	Ray Kelly	Summarizes SB 242A.
261	Chuck Craig	Oregon Department of Agriculture (ODA). Submits (EXHIBIT E) and testifies in support of SB 242A as necessary to certify entire processes.
292	John Szczepanski	Assistant Director ODA. Speaks to the quality and distribution of Oregon agriculture.
331	Jim Cramer	Administrator, Commodity Inspection Program. Speaks to their role in the certifying processes.
360	Rep. Nelson	Speaks to her concerns in defining science and the criteria for evaluation.
375	Cramer	Speaks to the voluntary program where the company decides what steps need verification. Notes that the program is not regulatory.
400	Rep. Nelson	States her concern about regulation and comparison. Wants to know how the rating system will be developed.
433	Cramer	Notes that they are not developing comparison standards.
TAPE 37, B		
012	Rep. Nelson	Asks to see a concept as to how this project will be developed so that it's not harmful.
022	Szczepanski	Addresses the key process matrices which have been developed by the United States Department of Agriculture.
038	Rep. Nelson	Asks for a copy of the rating system.
040	Craig	Explains that this is a verification system, not a rating system.
060	Rep. Nelson	Restates her serious concerns.
071	Szczepanski	Restates that these processes are largely in place already.
092	Rep. Smith	Confirms the voluntary nature of the program.
096	Rep. Nelson	Questions whether this program is a benefit to the producer. Speaks to price-fixing and tainting of products.

112	Cramer	Reaffirms Rep. Nelson that this process is necessary in the marketplace.
137	Gilman	Asks how we pay for this.
141	Kelly	Clarifies that SB 242 A has a referral to Ways and Means where the fiscal impact will be dealt with.
150	Szczepanski	Speaks to farmers' reaction to bio-terrorism in Klamath Falls area.
171	Lorna Walker	Speaks to the benefits of SB 242A, due to the possibility of contaminated foods. Asserts the desire to have accountability in the process.
220	Rep. Nelson	Asks Walker about the enforcement of these laws as they relate to farmers' markets.
227	Walker	States that we are responding to all kinds of markets.
249	Rep. Nelson	Refers to standards already in place.
262	Walker	Understands that, but also speaks to the whole process and to the importance of monitoring.
274	Vice-Chair Gilman	Closes the meeting at 2:22 and adjourns the meeting.

EXHIBIT SUMMARY

- A – SB 203 A, written testimony, Marcia Keith, 1 p.**
- B – SB 204, written testimony, Marcia Keith, 1 p.**
- C – SB 241 A, written testimony, Chuck Craig, 1 p.**
- D – SB 241 A, written testimony, Scott Ashcom, 1 p.**
- E – SB 242 A, written testimony, Chuck Craig, 1 p.**