

HOUSE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

April 29, 2003 Hearing Room D
1:00 PM Tapes 78 - 79

MEMBERS PRESENT: Rep. Jeff Kropf, Chair
 Rep. George Gilman, Vice-Chair
 Rep. Kelley Wirth, Vice-Chair
 Rep. Terry Beyer
 Rep. Patti Smith

MEMBERS EXCUSED: Rep. Dave Hunt
 Rep. Donna Nelson

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

MEASURES HEARD: SB 256A – Public Hearing and Work Session
 SB 281A – Public Hearing and Work Session
 SB 311 – Public Hearing and Work Session
 SB 478 – Public Hearing and Work Session
 SB 832A – Public Hearing
 HB 3270 – 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 78, A		
003	Chair Kropf	Calls the meeting to order at 1:22 P.M. and opens a public hearing on SB 256A.
<u>SB 256 A – PUBLIC HEARING</u>		
018	Marcia Keith	Oregon Veterinary Medical Association (OVMA). Submits (EXHIBIT A) and testifies in favor of SB 256A in order to enforce Veterinary licensing.
078	Chair Kropf	Asks about the codification of veterinary technicians.
084	Lori Makinen	OVMA. Speaks to licensing provisions and notes that SB 256A clarifies the veterinary board's authority.
100	Chair Kropf	Closes the public hearing on SB 256A and opens a work session on SB 256A.
<u>SB 256 A – WORK SESSION</u>		
102	Rep. Smith	Asks if SB 281A contains a fiscal impact.
103	Chair Kropf	Affirms that there is no fiscal impact.
104	Rep. Smith	MOTION: Moves SB 256A to the floor with a DO PASS recommendation.
106		VOTE: 5-0
		EXCUSED: 2 - Nelson, Hunt
108	Chair Kropf	Hearing no objection, declares the motion CARRIED.

109 Rep. Smith **MOTION: Moves SB 256A be placed on the CONSENT CALENDAR.**
 110 **VOTE: 5-0**
EXCUSED: 2 - Nelson, Hunt
 112 Chair Kropf **Hearing no objection, declares the motion CARRIED.**
 118 Chair Kropf Closes the work session on SB 256A and opens a public hearing on SB 281A.

SB 281 A – PUBLIC HEARING

117 Marcia Keith OVMA. Details changes in the statutes which would come about as a result of the passage of SB 281 and testifies in favor of the proposed legislation. Notes the support of the State Veterinarian.
 146 Chair Kropf Closes the public hearing on SB 281A and opens a work session on SB 281.

SB 281 A – WORK SESSION

156 Rep. Gilman **MOTION: Moves SB 281A to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.**

161 **VOTE: 5-0**
EXCUSED: 2 - Nelson, Hunt
 163 Chair Kropf **Hearing no objection, declares the motion CARRIED.**
 172 Chair Kropf Closes the work session on SB 281A and opens a public hearing on SB 311.

SB 311 – PUBLIC HEARING

177 Jeanette Holman Division of State Lands (DSL). Submits **(EXHIBIT B)** – written testimony and **(EXHIBIT C)** – testimony from the friends of South Slough and testifies in favor of SB 311. Addresses the important parts of the bill contained in the last four sections, dealing with volunteers on state lands.
 237 Chair Kropf References Page 19 of the bill and asks if that provision would be legal.
 244 Holman Responds that it is and elaborates.
 252 Chair Kropf Asks for a working definition and clarification of the word *volunteer* as it relates to SB 311 and the purpose of the program.
 256 Holman Confirms the Chair’s understanding.
 258 Chair Kropf Asks for clarification of the purpose of the program regarding the promulgation of rules.
 263 Holman Clarifies the language and reason for the changes.
 270 Chair Kropf Asks about the funding of publications.
 273 Holman Notes that the organization pays for them.
 278 Chair Kropf Closes the public hearing on SB 311 and opens a work session on SB 311.

SB 311 –WORK SESSION

285 Rep. Beyer **MOTION: Moves SB 311 to the floor with a DO PASS recommendation.**

288 **VOTE: 5-0**
EXCUSED: 2 - Nelson, Hunt
 291 Chair Kropf **Hearing no objection, declares the motion CARRIED.**
 294 Rep. Beyer **MOTION: Moves SB 311 be placed on the CONSENT CALENDAR.**

296 Rep. Smith **Questions placing SB 311 on the consent calendar sensing that there may be some questions which need to be addressed.**

301 Rep. Beyer **Withdraws her motion to place SB 311 on the consent calendar. REP. BEYER will lead discussion on the**

		floor.
307	Chair Kropf	Closes the work session on SB 311 and opens a public hearing and work session on SB 478.
<u>SB 478 –PUBLIC HEARING AND WORK SESSION</u>		
317	Ray Kelly	Committee Administrator. Summarizes SB 478 and mentions the subsequent referral to ways and means.
327	Michael Grainey	Director, Office of Energy. Testifies in favor of SB 478 and gives rationale for the name change. Attests that there is no fiscal impact.
374	Chair Kropf	Closes the public hearing on SB 478, leaves the work session open.
<u>SB 478 WORK SESSION</u>		
381	Rep. Gilman	MOTION: Moves SB 478 to the floor with a DO PASS recommendation and the SUBSEQUENT REFERRAL to the committee on BE RESCINDED.
383		VOTE: 5-0
385	Chair Kropf	EXCUSED: 2 - Nelson, Hunt
386	Rep. Gilman	Hearing no objection, declares the motion CARRIED.
387		MOTION: Moves SB 478 to the floor with a DO PASS recommendation.
388		VOTE: 5-0
388	Chair Kropf	EXCUSED: 2 - Nelson, Hunt
390	Rep. Gilman	Hearing no objection, declares the motion CARRIED.
393	Chair Kropf	MOTION: Moves SB 478 be placed on the CONSENT CALENDAR.
396	Chair Kropf	VOTE: 5-0
		EXCUSED: 2 - Nelson, Hunt
		Hearing no objection, declares the motion CARRIED.
		Closes the work session on SB 478 and opens a public hearing on SB 832A.
<u>SB 832 A – PUBLIC HEARING</u>		
403	Ray Kelly	Summarizes SB 832A. Emphasizes that fiscal impact has yet to be ascertained.
430	Terry Witt	Executive Director, Oregonians for Food and Shelter (OFS). Submits (EXHIBIT D) and testifies in support of SB 832A in order to allow the authority to safely and effectively trap nuisance animals.
TAPE 79, A		
010	Terry Witt	Concludes testimony.
031	Ron Anglin	Wildlife Director, Oregon Department of Fish and Wildlife (ODFW). Submits (EXHIBIT E) and reaffirms OFS's testimony in strongly encouraging the passage of SB 832A.
045	Rep. Beyer	Asks about the genesis of this bill and the differing regulations in different cities.
052	Anglin	Responds to the current process and the exceptions which have caused the need for this legislation.
061	Rep. Beyer	Asks if this bill gives the authority to go after an animal when it's a nuisance.
070	Anglin	Affirms that is correct.
074	Witt	Adds that Swanson Pests in Eugene gets 200-300 cases per year.
079	Rep. Wirth	Asks about the current law and what kind of traps this legislation would authorize.
084	Anglin	States that the bill does not specify the type of traps, but affirms

090	Rep. Wirth	that it would be some type of live trap. Describes a live trap.
094	Anglin	Asks about permits and other traps.
108	Rep. Wirth	States that ODFW doesn't ordinarily authorize leg-hold traps within city limits.
115	Anglin	Asks if she could set up a wire-cage trap or shoot an animal under the proposed legislation.
128	Rep. Wirth	Notes that firearms are not permitted to be discharged within city limits.
131	Anglin	Asks what this bill authorizes homeowners to do which is not allowed now.
144	Rep. Wirth	States that SB 832A adds the provision to include animals which fall into the nuisance category that of animals causing damage.
157	Anglin	States concern that citizens might get the impression that they can use traps willy-nilly.
172	Rep. Wirth	Reaffirms the need for a permit from the city in order to set a trap in order to prevent against such actions.
181	Witt	States concern for extending authority to city people who don't know how the traps work.
197	Rep. Wirth	Affirms the bill's intention and what it can not do with regard to the homeowner.
205	Witt	States concern with ODFW being deluged with frivolous complaints and permit requests.
214	Rep. Wirth	Affirms that this bill does not pertain to game animals.
219	Witt	Restates her concern not necessarily about the bill itself, but rather the perceptions of the public concerning the bill.
228	Anglin	Restates that this bill adds clarification.
235	Rep. Smith	Reaffirms Witt's clarification.
245	Anglin	Asks why it is necessary to amend ORS 498.164.
256	Rep. Smith	Notes that the cited ORS needs clarification to avoid confusion.
260	Anglin	Asks if SB 832A will have any effect on the bill just passed out of committee.
268	Chair Kropf	States that he is not sure and that he would have to do some research to make sure there is no conflict.
271	Witt	Asks which bill would prevail in the event of conflicting statutory changes.
286	Rep. Beyer	States that a conforming amendment would be necessary.
306	Chair Kropf	Asserts that her constituents are feeling hamstrung and are frustrated by the restrictions in the present ORS.
		Notes that the bill needs clarification on the potential conflict before moving the bill. Closes the public hearing on SB 832A and opens a work session on HB 3270.

HB 3270 – WORK SESSION

340	Chair Kropf	Introduces changes to HB 3270 as evidenced in the -5 amendments to HB 3270 (EXHIBIT F). Admits Gil Riddell's testimony from the Association of Oregon Counties (AOC) (EXHIBIT G) and notes their concerns.
390	Rep. Gilman	Asks for clarification of the language.
394	Chair Kropf	Explains the intention of the legislation and how the language relates to the bill.
403	Katie Fast	Oregon Cattlemen's Association (OCA). Speaks with support for the -5 amendments but states that they will work together with the counties if they must to amend the bill further. Speaks to the benefits of this legislation.
429	Greg Addington	Oregon Farm Bureau (OFB). States approval with the changes to

452	Chair Kropf	the bill and affirms OFB's dedication to moving the bill. States that he does not intend to move the bill today, but that he will schedule another work session.
460	Rep. Wirth	Asks if meat processing facilities qualify for a tax expenditure for farming equipment.
TAPE 78, B		
007	Fast	States that she's not sure, but adds that she believes that the credit is not intended for this purpose.
020	Chair Kropf	Asks how the Economy and Community Development Department (ECDD) would view the change in the language of the bill from <i>priority</i> to <i>serious</i> .
023	Doris Penwell	ECDD. States comfort with the word <i>serious</i> , and clarifies the difference between <i>serious</i> and <i>priority</i> . Affirms support for the changes.
033	Chair Kropf	Confirms the repeal of the statute.
044	Rep. Smith	Asks about the tax credit.
048	Chair Kropf	Clarifies the bill with regard to the tax credit. Closes the work session on HB 3270 and adjourns the meeting at 2:24 p.m.

EXHIBIT SUMMARY

- A – SB 256 A, written testimony, Marcia Keith, 2 pp.**
- B – SB 311, written testimony, Jeanette Holman, 2 pp.**
- C – SB 311, written testimony, Jeanette Holman, 2 pp.**
- D – SB 832 A, written testimony, Terry Witt, 1 p.**
- E – SB 832 A, written testimony, Ron Anglin, 2 pp.**
- F – HB 3270, -5 amendments, staff, 5 pp.**
- G – HB 3270, written testimony, Rep. Jeff Kropf, 1 p.**