

SENATE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

March 19, 2003
8:00 AM

Hearing Room C
Tapes 42 - 43

MEMBERS PRESENT: **Sen. Frank Shields, Chair**
 Sen. Roger Beyer, Vice-Chair
 Sen. Tony Corcoran
 Sen. Bill Fisher

STAFF PRESENT: **Judith Callens, Committee Administrator**
 Patricia Nielsen, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2546 – Work Session**
 SB 95 – 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 42, A		
005	Chair Shields	Calls meeting to order at 8:37 a.m. Opens work session on HB 2546.
<u>HB 2546 – WORK SESSION</u>		
010	Judith Callens	Committee Administrator. Provides overview of HB 2546, which deletes the requirement that government fleet vehicles annually certify compliance with pollution control equipment requirements.
030	Sen. Beyer	Clarifies that all fleets over fifty vehicles can do their own testing.
035	Chair Shields	Points out the Department of Environmental Quality (DEQ) could change private fleet requirements by rule, but not government fleets.
050	Sen. Beyer	MOTION: Moves HB 2546 to the floor with a DO PASS recommendation.
055		VOTE: 3-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Corcoran The motion CARRIES. SEN. BEYER will lead discussion on the floor.
	Chair Shields	
058	Chair Shields	Closes work session on HB 2546. Opens public hearing on SB 95.
<u>SB 95 – PUBLIC HEARING</u>		
060	Judith Callens	Committee Administrator. Presents overview of SB 95, which exempts reusable syringes used in animal husbandry from infections waste disposal requirements. Discusses -1 amendments dated 3-17-03 (EXHIBIT A).
070	Sen. Beyer	Points out letter from DEQ listing how other states regulate: <ul style="list-style-type: none">• Washington state has county, not state regulations• In California, a farmer using syringes for his own livestock

is exempt from the California Medical Waste Management Act

- Idaho does not regulate this type of syringe as medical waste
- Nevada has regulatory exemption from solid waste generated by agriculture

Points out the amendment makes Oregon the same as neighboring states.

085	Nora Schliske	Sheep rancher, Aumsville. Testifies in support of SB 95. Raises concerns about -1 amendments, as not doing what they should. Provides background about ranching regulations.
155	Schliske	Continues and suggests change to original bill. Suggests syringes used on animals, without needles, could be brought to solid waste transfer site.
160	Sen. Beyer	Asks whether she supports the -1 amendments.
170	Schliske	Expresses confusion over meaning. Discusses destroying syringes.
180	Callens	Clarifies that destroyed is not defined in statute, so falls to common dictionary definition.
190	Brendan McCarthy	Legislative Counsel. Discusses meaning of word destroy.
250	Marcia Keith	Oregon Veterinary Medical Association. Testifies in favor of SB 95. Raises concern over -1 amendment, because does not specifically list veterinarians as exempt from hazardous waste management practices. Submits written testimony of Glen Kolb (EXHIBIT B) .
285	Sen. Fisher	Suggests language to clarify wording.
300	Sen. Beyer	Clarifies in California veterinary syringes are included in medical waste but farmers and ranchers are exempt. Desires to bring Oregon into line with nearby states.
320	Sen. Fisher	Comments the regulations are too restrictive; a farmer or rancher should be able to let the veterinarian do it.
340	Kristin Mitchell	Representing solid waste handlers. Testifies in opposition to SB 95 and -1 amendment. Explains enforcement problems remain the same if a syringe is recognizable as a syringe. Suggests clarifying that the needle removed still needs to be in a sharps container.
TAPE 43, A		
010	Sen. Fisher	Points out that broken plastic syringes are no more dangerous than broken glass.
015	Sen. Corcoran	Discusses sharps and appropriate disposal of sharps due to dangers.
030	Chair Shields	Clarifies the problem is that human and animal syringes look alike once in the waste stream.
035	Sen. Beyer	Asks if change to presumption in law would alleviate concerns.
038	Mary Kanz	Mid-Valley Garbage and Recycling Association; manager, Marion Environmental Services. Testifies in opposition to SB 95. Responds there is no way to determine where an item comes from, and seeing one syringe shuts down their system. Expresses fear and same concerns raised when handling statutes were first discussed in the 1980s.
063	Sen. Beyer	Asks about possibility of changing law to exclude destroyed syringes.
065	Mitchell	Explains if the syringe cannot be recognized, that takes care of a big portion of enforcement.

080	Sen. Beyer	Distinguishes between illegal disposal of syringes and finding destroyed syringe in waste stream.
095	Chair Shields	Elaborates that drug-user syringes will not look like what the farmer uses. Suggests a syringe without a needle would satisfy.
115	Mitchell	Points out that in disposal syringes can be crushed anyway. Advises trying to make it unrecognizable as a syringe.
120	Sen. Beyer	Asks about experiences in nearby states with this exemption.
135	Bob Danko	DEQ. Discusses information about other states. Points out they have not researched it thoroughly enough. Comments that a majority of states do consider ranching and farming syringes as medical waste. Distinguishes between veterinary point of view and waste handler's point of view.
180	Chair Shields	Asks about transmission of animal diseases to disposal workers.
190	Dr. Emilio DeBess	State Public Health Veterinarian, Health Division, Department of Human Services (DHS). Discusses transmission of scrapies from sheep to humans. Advises many diseases can be transferred from animals to humans.
235	Katie Fast	Oregon Cattlemen's Association. Raises concern that -1 amendment does not allow for re-use of syringes. Suggests allowing delivery to recycling facility by farmer or rancher.
260	Chair Shields	Suggests that interested parties come back with a solution. Opines it is too dangerous to move forward over the stated objections.
270	Sen. Beyer	Suggests there is no solution. Comments that if ranchers were treated fairly this would not have come out.
290	Chair Shields	Renews offer to put a work group together and consider a compromise.
300	Sen. Beyer	Requests additional information from other states about problems due to exemption.
310	Sen. Fisher	Asks Dr. DeBess about viability of pathogens.
315	Dr. DeBess	Discusses list of diseases transferable to humans. Clarifies that survivability of organisms depends on environment and organism.
360	Chair Shields	Closes public hearing. Adjourns the committee at 9:29 a.m.

EXHIBIT SUMMARY

A – SB 95, -1 amendments (3-17-03), staff, 1 p

B – SB 95, written testimony, Marcia Keith, 1 p