

HOUSE COMMITTEE ON AGRICULTURE & FORESTRY

February 15, 2001
3:30 PM

Hearing Room 50
Tapes 31 - 32

MEMBERS PRESENT: **Rep. Jeff Kropf, Chair**
 Rep. Donna Nelson, Vice-Chair
 Rep. Robert Ackerman
 Rep. Dan Doyle
 Rep. Elaine Hopson
 Rep. Wayne Krieger
 Rep. Mary Nolan
 Rep. Tootie Smith

MEMBER EXCUSED: **Rep. Al King, Vice-Chair**

STAFF PRESENT: **Ray Kelly, Committee Administrator**
 Michael Reiley, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2552 – Public Hearing**
 HB 2604 – Public Hearing and Work Session
 HB 2606 – Public Hearing and Work Session
 SB 308 – Public Hearing and Work Session
 SB 309 – Public Hearing and 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 31, A		
003	Chair Kropf	Calls meeting to order at 3:36 p.m. Opens public hearing on HB 2552.
<u>HB 2552 – PUBLIC HEARING</u>		
011	Ray Kelly	Committee Administrator. Reads summary of HB 2552.
018	Chair Kropf	Points out that HB 2552 is sponsored by Rep. Tom Butler. States that he has proposed similar legislation that Rep. Butler is now supporting.
033	Mike Dewey	Oregon Wheat Growers League. Supports concept of legislation. Testifies against HB 2552. Gives history of legislation regarding how grain warehouses are inspected. Explains provisions of HB 2552.
086	Rep. Ackerman	Asks if HB 2552 becomes a part of Oregon Revised Statutory section.
093	Dewey	Answers no, it would be separate.
098	Rep. Ackerman	Asks about rule making with regard to legislation.
108	Dewey	Argues that there should be parameters to guide rule making.
128	Rep. Nelson	Asks how many individuals would be impacted by legislation.
130	Dewey	Answers that he does not know how many grain growers there

147	Chuck Craig	are. Explains that not all growers belong to Oregon Wheat Growers League, but it would affect a significant number of growers. States that he can obtain information for committee. Deputy Director, Oregon Department of Agriculture (ODA). Testifies in support of concept of HB 2552.
157	Rep. Nelson	Asks why legislation has never addressed this issue before.
161	Craig	Answers that often no action is taken until something bad happens.
172	Chair Kropf	Closes public hearing on HB 2552. Opens public hearing on HB 2604.

HB 2604 – PUBLIC HEARING

177	Kelly	Reads summary of HB 2604.
191	Representative Bob Jenson	House District 57. Explains provisions of HB 2604.
230	Bill Hancill	Umatilla County Commissioner and Chair of the State Noxious Weed Board. Testifies in support of HB 2604. Expresses importance of integrated management. Questions adding more bureaucracy when operations have been working well.
321	Chair Kropf	Asks for explanation of the HB 2604–1 amendments (EXHIBIT A).
327	Hancill	Explains amendments. Points out that ODA was consulted on the amendments.
340	Rep. Krieger	Asks if HB 2604 would change the manner or amount of pesticides applied.
342	Rep. Jenson	Answers that it would not, all rules would still have to be followed.
346	Rep. Nelson	Asks if licensing applies throughout the state.
359	Hancill	Answers and explains how counties are working together regarding jurisdiction of pesticide application.
384	Rep. Nelson	Asks about jurisdiction for pesticide application.
392	Hancill	Answers that they contract transportation and equipment services for pesticide application.
397	Rep. Nelson	Asks which division of government will be responsible for weed control.
402	Hancill	Answers that it depends on regulations within each county.
TAPE 32, A		
024	Sue Chase	Oregon Department of Transportation. Submits and reads prepared testimony in support of HB 2604 (EXHIBIT B).
047	Craig	Submits and summarizes prepared testimony in support of HB 2604 (EXHIBIT C).
063	Chris Kirby	Administrator, Pesticide Division, Oregon Department of Agriculture. Explains HB 2604–1 amendments (EXHIBIT D).
129	Rep. Krieger	Asks if there are differences in pesticides in terms of licensing.
134	Kirby	Answers that when government agencies apply pesticides, they must be licensed like commercial applicators.
140	Rep. Krieger	Asks what is meant by “restricted use.”
143	Kirby	Answers that Environmental Protection Agency makes determination, explains restricted use.
146	Rep. Krieger	Asks, if pesticide is not on the restricted use list, would employees be required to be licensed.
148	Kirby	Answers no, explains relationship between restricted use and licensing.
151	Rep. Nolan	Asks if amendments are acceptable to the sponsors of the bill.
158	Hancill	Answers yes, they have worked together to propose

170 Chair Kropf amendments.
Reads into record prepared testimony from Oregonians For Food & Shelter in support of HB 2604 (**EXHIBIT D**). Closes public hearing on HB 2604. Opens work session on HB 2604.

HB 2604 – WORK SESSION

200 Rep. T. Smith **MOTION: Moves to ADOPT HB 2604-1 amendments dated 2/15/01.**

VOTE: 8-0

AYE: 8 – Ackerman, Doyle, Hopson, Krieger, Nelson, Nolan, Smith T, Kropf

EXCUSED: 1 – King

206 Chair Kropf
210 Rep. Nolan

The motion CARRIES.

MOTION: Moves HB 2604 to the floor with a DO PASS AS AMENDED recommendation.

VOTE: 8-0

AYE: 8 – Ackerman, Doyle, Hopson, Krieger, Nelson, Nolan, Smith T, Kropf

EXCUSED: 1 – King

216 Chair Kropf

The motion CARRIES.

REP. KRIEGER will lead discussion on the floor.

219 Chair Kropf

Closes work session on HB 2604. Opens public hearing on HB 2606.

HB 2606 – PUBLIC HEARING

224 Kelly

Reads summary of HB 2606.

249 Kirby

Submits and reads prepared testimony in support of HB 2606 (**EXHIBIT E**).

282 Rep. Doyle

Asks for explanation of weed control districts.

286 Craig

Explains weed control districts.

292 Rep. Doyle

Asks if every county in Oregon has a weed control district.

295 Craig

Answers that not every county does have one, but every county could have one.

308 Rep. Ackerman

Asks if permission to go on an owner's land to deal with weeds would need to be written or oral.

316 Craig

Answers that oral permission would be adequate, but written permission could be implemented if deemed necessary.

324 Chair Kropf

Clarifies that the intent is to respect private property and foster cooperative working relationship with landowners.

328 Craig

Answers yes, and that unnecessary notice provision is eliminated.

335 Rep. Nelson

Asks about weed control districts filing liens.

344 Kirby

Explains how weed control efforts are conducted.

358 Craig

Further clarifies that it is the intent of HB 2606 to allow weeds to be controlled in a manner that is neither confrontational nor involuntary. Asserts that nuisance abatement authority of the local weed control districts has not been eliminated.

378 Rep. Nelson

Asks if there are many violations or refusals to cooperate.

390 Hancill

Explains weed control districts in Umatilla County and reports that refusals to cooperate have only been owners of foreclosed properties and railroads.

TAPE 31, B

010 Chair Kropf

Asks how long the state has had authority to address problem and file liens.

013 Hancill

Answers that laws have been in effect since the 1920s or 1930s.

016 Rep. Nelson

Asks what happens if a county does not have an active weed

control district.

021 Hancill Answers that state would be able to provide some control in cooperation with local landowners.

029 Rep. Krieger Asks about cost of control and length of time dealing with the problem. Also asks about weeds on federal land that may affect private land.

040 Craig Answers that they do not have the authority to go onto private lands. Explains that for governmental lands, ODA tries to work cooperatively with organizations to work on problems of mutual significance.

053 Chair Kropf Closes public hearing on HB 2606. Opens work session on HB 2606.

HB 2606 – WORK SESSION

058 Rep. Ackerman HB 2606-1 amendments submitted by staff (**EXHIBIT F**).
MOTION: Moves to ADOPT HB 2606-1 amendments dated 2/15/01.
VOTE: 8-0
AYE: 8 – Ackerman, Doyle, Hopson, Krieger, Nelson, Nolan, Smith T, Kropf
EXCUSED: 1 – King
The motion CARRIES.

066 Chair Kropf **MOTION: Moves HB 2606 to the floor with a DO PASS AS**
069 Rep. Ackerman **AMENDED recommendation.**
VOTE: 8-0
AYE: 8 – Ackerman, Doyle, Hopson, Krieger, Nelson, Nolan, Smith T, Kropf
EXCUSED: 1 – King
The motion CARRIES.

082 Chair Kropf **REP. ACKERMAN will lead discussion on the floor.**

087 Chair Kropf Closes work session on HB 2606. Opens public hearing on SB 308.

SB 308 – PUBLIC HEARING

092 Kelly Reads summary of SB 308.

111 Dr. Andrew Clark State Veterinarian, Oregon Department of Agriculture. Submits and summarizes prepared testimony in support of SB 308 (**EXHIBIT G**).

140 Rep. Nelson Asks why all livestock is not included.

146 Clark Answers that garbage has only been fed to swine.

160 Rep. Nelson Asks for definition of “tissue.”

166 Clark Defines tissue as anything of animal origin. Offers further clarification.

169 Chair Kropf Clarifies summary of SB 308 as to what may be fed to swine.

172 Clark Explains that cannery waste and bakery waste does not contain animal tissues so it is acceptable feed.

200 Rep. Nelson Expresses concern that only one type of livestock is being addressed in legislation.

211 Chair Kropf Clarifies Rep. Nelson’s question and asks if “mad cow disease” is of great concern in Oregon.

214 Clark Answers that it is of concern throughout the United States to prevent infestation.

227 Chair Kropf Asks if Food and Drug Administration has control over what is being fed to animals to prevent disease.

230 Clark Answers yes.

233 Rep. Nelson Asks if fish are covered in SB 308.
235 Clark Answers yes.
240 Chair Kropf Closes public hearing on SB 308. Opens work session on SB 308.

SB 308 – WORK SESSION

249 Rep. Ackerman **MOTION: Moves SB 308 be sent to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.**

VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 2 - King, Krieger

The motion CARRIES.

261 Chair Kropf
268 Chair Kropf

Closes work session on SB 308. Opens public hearing on SB 309.

SB 309 – PUBLIC HEARING

279 Clark Submits and summarizes prepared testimony in support of SB 309 (**EXHIBIT H**).

308 Chair Kropf Reads letter from Oregon Veterinary Medical Association in support of SB 309 (**EXHIBIT I**).

315 Clark Points out that Oregon Cattlemen’s Association supports SB 309.

320 Chair Kropf Declares that Oregon Cattlemen’s Association supports SB 308 and SB 309.

331 Rep. Nelson **MOTION: Moves SB 309 to the floor with a DO PASS recommendation.**

VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 2 - King, Krieger

The motion CARRIES.

358 Chair Kropf
363 Rep. Doyle

MOTION: Moves SB 309 be placed on the CONSENT CALENDAR.

VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 2 - King, Krieger

The motion CARRIES.

371 Chair Kropf
380 Chair Kropf

Adjourns meeting at 4:56 p.m.

Submitted By,

Reviewed By,

Michael Reiley,
Committee Assistant

Ray Kelly,
Committee Administrator

EXHIBIT SUMMARY

- A – HB 2604, -1 amendments, staff, 6 pp**
- B – HB 2604, written testimony, Sue Chase, 1 p**
- C – HB 2604, written testimony, Chuck Craig, 1 p**
- D – HB 2604, written testimony, Terry Witt, 1 p**
- E – HB 2606, written testimony, Chris Kirby, 1 p**
- F – HB 2606, -1 amendments, staff, 1 p**

G – SB 308, written testimony, Dr. Andrew Clark, 1 p
H – SB 309, written testimony, Dr. Andrew Clark, 1 p
I – SB 309, letter of support, Doug Corey, 1 p