

# HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 20, 2001  
8:30 AM

Hearing Room D  
Tapes 160 - 162

**MEMBERS PRESENT:** Rep. Carl Wilson, Chair  
Rep. Richard Devlin, Vice-Chair  
Rep. Dan Doyle, Vice-Chair  
Rep. Dan Gardner  
Rep. Bill Garrard  
Rep. Steve March  
Rep. Bruce Starr  
Rep. Joanne Verger  
Rep. Cheryl Walker

**STAFF PRESENT:** Cara Filsinger, Committee Administrator  
Sandy Thiele-Cirka, Committee Administrator  
Sara Noble, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 3742A – Work Session  
SB 41A – Public Hearing

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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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 160, A</b>		
004	Chair Wilson	Calls the committee to order at 8:38 a.m. and states that SB 885A will not be heard today. Opens a work session on HB 3742A.
<b><u>HB 3742A – WORK SESSION</u></b>		
012	Cara Filsinger	Committee Administrator. Submits the –A6 amendment <b>(EXHIBIT A)</b> and summarizes.
019	Dawn Phillips	Legislative Aide, Rep. Jim Hill. Explains the change made by the –A6 amendment.
024	Rep. Starr	Asks about the operative date.
026	Phillips	Gives explanation on the change of the operative date.
031	Chair Wilson	Asks if Ms. Phillips is aware of the new fiscal.
032	Phillips	Responds affirmative.
035	Ruth Bendl	Private citizen, Portland, OR. Testifies in opposition of HB 3742A.
053	John Lindback	Director of Elections. Submits written information <b>(EXHIBIT B)</b> and testifies on concerns regarding more people voting later and the use of postage meters.
092	Rep. March	Expresses concern regarding the use of postage meters.
106	Rep. Jim Hill	House District 5. Testifies that without a postmark the ballot would not be valid and the postmark is different than a postage meter stamp.
120	Phillips	Gives additional testimony.
128	Rep. Starr	<b>MOTION: Moves to ADOPT HB 3742-A6 amendments dated 6/14/01.</b>
		<b>VOTE: 9-0</b>
130	Chair Wilson	<b>Hearing no objection declares the motion CARRIED.</b>

131	<b>Rep. Starr</b>	<b>MOTION: Moves HB 3742A to the floor with a DO PASS AS AMENDED recommendation.</b>
136	Chair Wilson	Expresses thoughts regarding the issue.
153	Rep. Starr	Conveys additional thoughts on the issue.
		<b>VOTE: 7-2</b>
		<b>AYE: 7 – Devlin, Doyle, Gardner, Garrard, Starr, Walker C, Wilson</b>
		<b>NAY: 2 – March, Verger</b>
160	<b>Chair Wilson</b>	<b>The motion CARRIES.</b>
		<b>REP. STARR will lead discussion on the floor.</b>
170	Chair Wilson	Closes the work session on HB 3742A and opens a public hearing on SB 41A.
<b><u>SB 41A – PUBLIC HEARING</u></b>		
182	Sen. Bill Fisher	Senate District 23. Testifies in support of SB 41A.
251	Sen. Fisher	Continues with his testimony.
266	Rep. C. Walker	Asks if identification tattooing is required on domestic elk.
272	Sen. Fisher	Defers the question to the elk ranchers.
279	Rep. Garrard	Questions the average herd size and possible increases upon passage of SB 41A.
281	Sen. Fisher	Defers the question to the elk ranchers.
296	Pete Test	Associate Director of Governmental Affairs for the Oregon Farm Bureau Federation. Submits written testimony ( <b>EXHIBIT C</b> ) and testifies in support of SB 41A.
<b>TAPE 161, A</b>		
013	Mike Kilpatrick	Private citizen from Grant County / President, North American Elk Breeders Association. Submits written information ( <b>EXHIBITS D, E, F</b> ) and testifies in support of SB 41A.
093	Rep. C. Walker	Asks what type of fencing is used for elk.
099	Kilpatrick	Responds 8' woven wire fence and fencing requirements are covered by Fish and Wildlife regulation.
103	Rep. C. Walker	Asks what are the feed conversions between elk and beef.
109	Kilpatrick	Responds elk need higher protein than cattle.
114	Rep. Verger	Questions the perception of Chronic Wasting Disease (CWD).
122	Kilpatrick	Explains the concern would be addressed by slaughtering the elk in a federal plant. States that CWD is not limited to private herds.
147	Rep. March	Questions elk ranch acreage. Asks if cattle are raised simultaneously.
151	Kilpatrick	States approximately 120 acres of 4000 are fenced for elk. Responds affirmatively.
168	Chair Wilson	Asks for clarification on the number of legal elk breeders in the state. Asks for information on background on the licensure program.
171	Roy Elicker	Legislative Coordinator, Oregon Department of Fish and Wildlife (ODFW). Explains information on elk breeding in Oregon and notes that currently there are 16 licensed breeders.
217	Elicker	Submits written testimony ( <b>EXHIBIT G</b> ) and testifies in support of the amendments to SB 41A.
241	Rep. March	Asks about the issue of selling rights to trespassing fees.
257	Elicker	Explains requirements for elk farming and the issue of wild herds.
282	Rep. March	Asks if there are any records of diseases or escapes of domestic elk.
287	Elicker	Responds there may be some record of escapes from domestic herds.

295	Chair Wilson	Clarifies that ODFW will by rule be determining how many people are in this market.
302	Rep. Verger	Clarifies the different areas that will be handled by the Department of Agriculture and ODFW.
313	Elicker	Responds that is correct.
315	Rep. Verger	Asks about the division of wild stock being regulated under different departments with the state.
321	Elicker	Explains the requirements outlined in the bill.
342	Sen. Ken Messerle	Senate District 24. Testifies in support of SB 41A and the amendments.
388	Dave Wiley	Private citizen from Salem, OR. Submit written testimony <b>(EXHIBIT H)</b> and testifies in opposition of SB 41A.
<b>TAPE 160, B</b>		
025	Wiley	Continues with his testimony.
061	Pat Ackerman	District Chairman for the Rocky Mountain Elk Foundation (RMEF) in Oregon. Submits written testimony <b>(EXHIBIT I)</b> and testifies in opposition of SB 41A.
138	Chair Wilson	Questions the discrepancy relating to the fiscal impact.
144	Ackerman	Explains theirs was an estimated figure.
155	Rep. Verger	Asks how many Oregonians eat wild elk meat.
158	Ackerman	Responds he does not have that information.
163	Rep. Verger	References information regarding the disease. Questions if CWD is more prevalent in wild elk than domestic. Asks if there is concern associated with hunters eating wild elk.
171	Ackerman	Responds he is not in agreement with the larger presence of CWD in wild elk. States that CWD is a virus not a bacteria.
180	Rep. Verger	Asks if CWD is different than E.coli.
187	Ackerman	States that it cannot be cooked out of the meat.
195	Russ Wohlers	Private citizen from Bend, OR. Testifies in support of SB 41A.
227	Earl Brooks	Private citizen from Keizer, OR. Testifies in opposition of SB 41A.
269	Rep. Garrard	References a statement from state veterinarian Sam Holland from Missouri. Asks how hunters are effected.
290	Brooks	Responds the concern is CWD.
306	Sen. David Nelson	Senate District 29. Testifies in support of SB 41A and the amendments.
344	Lonnie Woosley	Private citizen, Florence, OR. Testifies in support of SB 41A.
<b>TAPE 161, B</b>		
034	Chair Wilson	Questions the durability of fencing.
038	Woosley	Explains his fencing has been in place for 23 years.
052	Mike Babcock	Private citizen, Creswell, OR. Testifies in a support of SB 41A.
068	Jim Welsh	Representing the Oregon Family Farm Association. Submits written information <b>(EXHIBIT J)</b> and testifies in support of SB 41A.
131	Rep. March	Asks if SB 41A is the doorway for economic expansion and development.
137	Welsh	Responds no this is strictly about selling their product within the state.
142	Phil Donovan	Representing the Oregon Guides and Packers Association. Testifies in opposition of SB 41A.
184	Chair Wilson	Asks if hunters hunt for the taste of elk or for the adventure.
195	Donovan	Explains various reasons for the use of guides and packers.
205	Rep. March	Asks the number of guides and packers in Oregon and how many ranchers allow hunts on their property.

212	Donovan	Explains that they have approximately 1200 members. States that he does not have a number on how many people lease property to outfitters.
235	Rep. Garrard	Questions the apprehension in the area of expansion.
242	Donovan	Responds with the reasons behind the concerns.
254	Rep. Garrard	Asks for clarification that it is okay for a hunter to go out shoot an elk take it home and eat it but it is not okay for a domestic elk rancher to do the same thing.
259	Donovan	Responds that is the associations position and explains.
267	Rep. Verger	Asks if the chance of getting CWD from eating wild elk is greater than eating processed meat.
279	Donovan	States no. Notes that CWD can be transferred to humans by processing and explains.
322	Al Elkins	Representing the Oregon Hunters Association. Testifies in opposition of SB 41A.
360	Rod Harder	Executive Director, Oregon Sportsmen’s Defense Fund, Inc. Testifies in opposition of SB 41A. States that the sunset and proposed amendment raises their comfort level and could be supported.
<b>TAPE 162, A</b>		
006	Rep. Devlin	Requests clarification on support of the amendment but you not support the bill.
009	Harder	Explains the reason for opposition to the bill.
019	Sen. Fisher	Provides additional testimony.
044	Jeff King	Elk rancher from Jacksonville, OR. Testifies in support of SB 41A.
073	Chair Wilson	Closes the public hearing on SB 41A and adjourns the committee at 10:25 a.m.

Submitted By,

Reviewed By,

Sara Noble,  
Committee Assistant

Cara Filsinger,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – HB 3742, -A6 amendment, Cara Filsinger, 9 pp.**
- B – HB 3742, written information, John Lindback, 12 pp.**
- C – SB 41, written testimony, Pete Test, 1 p**
- D – SB 41, written information, Mike Kilpatrick, 12 pp.**
- E – SB 41, written information, Mike Kilpatrick, 1 p**
- F – SB 41, written information, Mike Kilpatrick, oversize**
- G – SB 41, written testimony, Roy Elicker, 1 p**
- H – SB 41, written testimony, David Wiley, 2 pp.**
- I – SB 41, written testimony, Pat Ackerman, 4 pp.**
- J – SB 41, written information, Jim Welsh, 1 p**

# HOUSE COMMITTEE ON RULES, REDISTRICTING, AND PUBLIC AFFAIRS

June 20, 2001  
2:00 PM

Hearing Room D  
Tapes 163

**MEMBERS PRESENT:** Rep. Carl Wilson, Chair  
Rep. Richard Devlin, Vice-Chair  
Rep. Dan Doyle, Vice-Chair  
Rep. Dan Gardner  
Rep. Bill Garrard  
Rep. Steve March  
Rep. Bruce Starr  
Rep. Joanne Verger

**MEMBER EXCUSED:** Rep. Cherryl Walker

**STAFF PRESENT:** Sandy Thiele-Cirka, Committee Administrator  
Sara Noble, Committee Assistant

**MEASURE/ISSUES HEARD:** Work Session – For the purpose of Bill Introduction  
SB 41A – Work Session  
HB 4001 – Work Session

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 163, A</b> 004	Chair Wilson	Calls the committee to order at 4:30 p.m. and opens a work session for the purpose of bill introduction.
<b><u>WORK SESSION</u></b>		
007	Rep. Starr	<b>MOTION: Moves LC 4360 BE INTRODUCED as a committee bill.</b> <b>VOTE: 8-0-1</b> <b>EXCUSED: 1 - Rep. C. Walker</b>
012	Chair Wilson	<b>Hearing no objection declares the motion CARRIED.</b>
017	Chair Wilson	Closes the work session and opens a work session on SB 41A.
<b><u>SB 41A – WORK SESSION</u></b>		
026	Staff Rep. Starr	Submits the –A8 amendments ( <b>EXHIBIT A</b> ). <b>MOTION: Moves to ADOPT SB 41-A8 amendments dated 6/20/01.</b> <b>VOTE: 8-0-1</b> <b>EXCUSED: 1 - Rep. C. Walker</b>
028	Chair Wilson	<b>Hearing no objection declares the motion CARRIED.</b>
031	Rep. Starr	<b>MOTION: Moves SB 41A to the floor with a DO PASS AS AMENDED recommendation.</b>
033	Rep. March	Expresses concerns and opposition to SB 41A.
043	Rep. Garrard	Expresses support for SB 41A.
048	Rep. Devlin	States opposition to SB 41A. <b>VOTE: 6-2-1</b> <b>AYE: 6 - Doyle, Gardner, Garrard, Starr, Verger, Wilson</b> <b>NAY: 2 - Devlin, March</b>

049	<b>Chair Wilson</b>	<b>EXCUSED: 1 - Walker C</b> <b>The motion CARRIES.</b> <b>REP. GARRARD will lead discussion on the floor.</b>
058	Chair Wilson	Closes the work session on SB 41A and opens a work session on HB 4001.
<b><u>HB 4001 – WORK SESSION</u></b>		
066	Russ Spencer	Representing The American Plastics Council. Testifies in support of HB 4001.
087	Rep. Devlin	Notes the support received from earlier reviews.
093	<b>Rep. Devlin</b>	<b>MOTION: Moves HB 4001 to the floor with a DO PASS recommendation.</b> <b>VOTE: 8-0-1</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Rep. C. Walker</b> <b>The motion CARRIES.</b>
096	<b>Chair Wilson</b>	<b>MOTION: Moves HB 4001 be placed on the CONSENT CALENDAR.</b>
104	<b>Rep. Devlin</b>	<b>VOTE: 8-0-1</b> <b>EXCUSED: 1 - Rep. C. Walker</b> <b>Hearing no objection declares the motion CARRIED.</b>
106	<b>Chair Wilson</b>	Closes the work session on HB 4001 and adjourns the committee at 4:43 p.m.
107	Chair Wilson	

Submitted By,

Reviewed By,

Sara Noble,  
Committee Assistant

Cara Filsinger,  
Committee Administrator

**EXHIBIT SUMMARY**

**A – SB 41A, -A8 amendment, staff, 1 p**