

## **HOUSE COMMITTEE ON AGRICULTURE AND FORESTRY**

**April 20, 1999 Hearing Room D**

**8:30 a.m. Tapes 48 - 49**

**MEMBERS PRESENT: Rep. Larry Wells, Chair**

**Rep. Terry Thompson, Vice-Chair**

**Rep. Jeff Kropf, Vice-Chair**

**Rep. Roger Beyer**

**Rep. Ryan Deckert**

**Rep. Jim Hill**

**Rep. Elaine Hopson**

**Rep. Jerry Krummel**

**Rep. Judy Uherbelau**

**STAFF PRESENT: B. Harrison Conley, Administrator**

**Samantha Demchak, Administrative Support**

**MEASURE/ISSUES HEARD: HB 2425 Work Session**

**HB 3429 Public Hearing and Work Session**

**HB 2373 Public Hearing**

**HB 3297 Public Hearing and Work Session**

TAPE/#	Speaker	Comments
<b>TAPE 48, A</b>		
003	Chair Wells	Opens hearing at 8:30 a.m. Opens work session on HB 2425.
<b><u>HB 2425 WORK SESSION</u></b>		
010	Judge Thomas Branford	Newport. Testifies in support of HB 2425.
		Staff distributes draft ??? hand-engrossed ???Legislative Council hand engrossed draft version of HB 2425 ( <b>EXHIBIT A</b> ).
030	Harrison Conley	Committee Administrator. Discusses new language in HB 2425 reflected in <b>EXHIBIT A</b> .
070	Rep. Uherbelau	Asks for clarification of ORS 609AAA (1) (c).line C on page 4. This reference is not clear. Try page 4, line #.
080	Branford	Indicates that criteria was suggestedet forth by the Oregon Humane Society.
095	Rep. Uherbelau	Asks if Branford was hearing the case, would line C, page 4, ORS 609 AAA (1) (c) have an impact on his verdict.
101	Branford	Answers that is not intended to be the only factor.
116	Theresa Miller	Oregon Humane Society. Notes there had to be other options otherather than killing the dog.
121	Rep. Beyer	Asks if Sub-section 2 on page 4 in HB 2425of the new section negates all the language above it.
127	Branford	Notes the requirement is to consider these factors. iIt is toowould be difficult to have to prove all the factors in HB 2425 to destroy a dog.
140	Rep. Krummel	Asks if changing the language to any "one" factor would clarify the issue.
148	Branford	Notes the addition of the word "one" is fine.
157	Conley	Continues discussing new language in HB 2425.

166	Rep. Uherbelau	Asks for clarification on Section E and Section D on page 5ORS 609/0959(1)(d) and (e).
185	Conley	Notes under HB 2425 a dog could only be killed for biting or menacing. Continues discussing new language in HB 2425.
230	Chair Wells	Notes this language is part of the ñl amendments.
239	Rep. Hill	Asks what is the need for a microchipping and sterilization.
260	Miller	Responds microchipping permits accurate identification of an animal offender. A dog that is not sterilized tends to roam and is more aggressiveit is to keep track of the dog and to keep the dog from breeding.
267	Chair Wells	Asks if Branford is satisfied with the changes.
273	Branford	Indicates he is.
278	Rep. Deckert	Asks who determines what dog gets a microchip.
293	Miller	Notes that is to better track the dog.
297	Rep. Deckert	Asks if other states use microchips.
301	Miller	Indicates she is unsure.
312	Rep. Beyer	Asks about a dog in the back of a pick-up truck.
319	Branford	Notes the dog should be restrained in the back of the truck. Adds that HB 2425 applies only to a dog running at large.
333	Rep. Beyer	Asks if the dog keeper could get a ticket for the dog not tethered in the truck.
347	Branford	Indicates that is correct. Adds police officers will not waste their time on that issue.
358	Chair Wells	Notes it is a good idea.
364	Branford	Notes whether the dog is tethered or not it could be considered running at large.
374	Rep. Thompson	Makes a motion to move the ñl amendments to HB 2425.

379	Rep. Deckert	Indicates he supports Rep. Krummel's addition of the word "one".
382	Rep. Hill	Indicates he will not support the -1 amendments.
385	Rep. Beyer	Notes concerns with HB 2425. Indicates the section on the micro-chipping and the section about tethering a dog in the back of a pick-up.
<b>TAPE 48, A</b>		
006	Rep. Uherbelau	Notes the committee should examine current laws that exist now. Indicates she has a problem with micro-chipping.
049	Conley	Notes it would satisfy parliamentary procedure to vote on Rep. Thompson's motion and then vote to conceptually amend the word "one" into HB 2425.
<b>053</b>	<b>Rep. Thompson</b>	<b>MOTION: Moves to ADOPT HB 2425-1 amendments dated 3/31/99.</b>
<b>083</b>	<b>Chair Wells</b>	<b>VOTE: 5-4</b>  <b>AYE: 5 - Deckert, Hopson, Krummel, Thompson, Wells</b>  <b>NAY: 4 - Beyer, Hill, Kropf, Uherbelau</b>
	<b>Chair Wells</b>	<b>The motion CARRIES.</b>
092	Chair Wells	Closes work session on HB 2425. Opens public hearing on HB 3429
<b><u>HB 3429 PUBLIC HEARING</u></b>		
100	Conley	Discusses provisions of HB 3429.
120	Pat Egan	Oregon Winegrowers Association (OWA). Testifies in support of HB 3429 <b>(EXHIBIT B)</b> . States HB 3429 would allow Oregon Liquor Control Commission (OLCC) to allow more than one license per premise.
141	Eric Hamacher	Winemaker. Testifies in support of HB 3429 <b>(EXHIBIT C)</b> .
190	Hamacher	Continues testimony. Indicates that without HB 3429 the Oregon wine industry is becoming more prohibitive to the types of operations that built the industry.

200	Chair Wells	Asks what type of license Hamacher has.
208	Hamacher	Indicate he has a wholesalers license.
234	Karen Walsh	Oregon Winegrowers Commission (OWC). Indicates a large winery could separate their supply enough to avoid paying taxes. States there are amendments to address that issue.
263	Conley	Indicates there is a ñ1 amendment for HB 3429.
268	Egan	Indicates the Commission is comfortable passing HB 3429 today.
305	Chair Wells	Asks if there is another amendment needed.
310	Egan	Reiterates it is fine to pass HB 3429 and make any changes later.
317	Conley	Notes that Egan, OLCC and staff discussed another amendment, but there is no reason to move it if need OLCC is unconcerned about a possible revenue impactto make changes not recommended by OLCC.
328	Chair Wells	Opens work session on HB 3429.
<b><u>HB 3429 WORK SESSION</u></b>		
341	Rep. Thompson	<b>MOTION: Moves HB 3429 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 9-0</b>
350	Chair Wells	<b>Hearing no objection, declares the motion CARRIED.</b>  <b>REP. HILL will lead discussion on the floor.</b>
369	Chair Wells	Closes work session on HB 3429. Opens public hearing on HB 2373.
<b><u>HB 2373 PUBLIC HEARING</u></b>		

383	Rep. Roger Beyer	District 28. Indicates there are amendments to HB 2373 that require a person to have if someone wants to harvest clams, a valid fishing license to harvest clams is needed.
<b>TAPE 48, B</b>		
004	Wayne VanDyke	Mount Angel. Testifies in support of HB 2373. Indicates Washington residents do not need a license to clam in Oregon. Adds the funds will help pay for the law enforcement of clamming in Oregon.
034	Rep. Hopson	Asks why crabbing was deleted from HB 2373.
037	Rep. Beyer	Indicates it was due to the concerns of residents on the coast. Adds for crab fishing there is no need for research. Indicates that clamming is regularly closed for health protection. More research is indicated to have a toxin that needs to be researched.
062	Rep. Hill	Asks if the relating clause is relating to shell-fish tags.
074	Conley	Indicates that is language that changes the grammatical structure.
084	Rep. Beyer	Notes that may be a concern. Adds he will check with Legislative Council.
096	Chair Wells	Closes hearing on HB 23273. Opens hearing on HB 3297.
<b><u>HB 3297 PUBLIC HEARING</u></b>		
112	Conley	Discusses provisions of HB 3297.
118	Rep. Hill	Asks if there is a subsequent referral to Revenue.
125	Conley	Indicates there is.
148	Rep. Uherbelau	Asks why the amount of the credit approval was lowered.
165	Conley	States there is a \$3.3 million dollar total annual limit. After dedicating 10 percent or \$330,000 for onsite projects, the remainder is the \$2.97 million.
171	John McCulley	Tree Fruit Growers. Testifies in support of HB 3297. Indicates there is concern with how the credit was being used. Adds the credit is used for construction to build or repair housing. Indicates grower projects usually cost approximately \$45,000.00 <b>(EXHIBIT D)</b> .

213	McCulley	Continues that 3.3 million and set aside 10 percent for on farm grower provided housing.
227	Chair Wells	Asks what type of credit is given.
232	McCulley	Indicates it is a 30 percent tax credit.
235	Rep. Krummel	Asks what type of credit it is.
241	McCulley	Answers it is a credit towards income tax.
246	Rep. Krummel	Asks if HB 3297 creates a tax shift.
248	McCulley	Indicate it will put \$3.3 million less into the general revenue.
255	Rep. Uherbelau	Asks if this program has been used to the limit by farm owners.
270	McCulley	Refers to <b>EXHIBIT D page 2.</b>
324	Thom Nelson	Hood River Growers Shippers. Testifies in support of HB 3297. Indicates HB 3297 sets aside 10 percent of the funds available for the farm labor housing construction tax credit.
369	Rep. Hill	Indicates the houses being discussed are not always very nice. Asks why should owners get tax credit for those houses.
392	Chair Wells	Responds there are some nice facilities in the area.
400	McCulley	Indicates there are some unlicensed facilities. Notes that this is an incentive to increase the quality of the housing.
011	Peter Hainley	Executive Director, Community and Shelter Assistance Corporation (CASA). Testifies in opposition to HB 3297. Encourages housing within the communities. States farm workers should have the opportunity to integrate into society. Notes HB 3297 does not promote that. Encourages the committee to look at SB 981 to revise the tax credit ( <b>EXHIBIT E</b> ).
042	David Nebel	Oregon Law Center. Testifies in opposition to HB 3297. Indicates there is no preference for on farm housing. Notes HB 3297 would limit the amount of credit the growers have access to. States if credits are provided for on farm housing for a 30 year period there is no guarantee that the land will be farmed for that whole period of time.

081	Chair Wells	Closes public hearing on HB 3297. Opens work session on HB 3297.
<b><u>HB 3297 Work Session</u></b>		
110	Rep. Hill	<b>MOTION: Moves HB 3297 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Revenue.</b>
		<b>VOTE: 6-1</b>  <b>AYE: 6 - Beyer, Hill, Hopson, Kropf, Krummel, Wells</b>  <b>NAY: 1 - Deckert</b>  <b>EXCUSED: 2 - Thompson, Uherbelau</b>
	Chair Wells	<b>The motion CARRIES.</b>
120	Chair Wells	Closes work session HB 3297. Adjourns Hearing at 10:12 a.m.

Submitted By, Reviewed By,

Samantha Demchak, B. Harrison Conley,  
Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A - HB 2425, proposed amendments, staff, 8 pp.**

**B - HB 3429, written testimony, Pat Egan, 3 pp.**

**C - HB 3429, written testimony, Eric Hamacher, 1 p.**

**D - HB 3297, written testimony, John McCulley, 2 pp.**

**E - HB 3297, written testimony, Peter Hainley, 2 pp.**