

HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

January 23, 1997 Hearing Room D

08:30 AM Tapes 07 - 08

MEMBERS PRESENT:

Rep. Charles Starr, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Dennis Luke

Rep. Ken Messerle

Rep. Kurt Schrader

Rep. Judith Uherbelau

Rep. Larry Wells

MEMBER EXCUSED:

STAFF PRESENT:

Judith Gruber, Administrator

Linda Kowal, Administrative Support

MEASURE/ISSUES HEARD:

HB 2037 Public Hearing

HB 2136 Pubic 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 07, A		
010	Chair Starr	Meeting called to order. Asks staff to introduce HB 2037.
<u>HB 2037</u> <u>PUBLIC</u> <u>HEARING</u>		
		Policy Analyst, gives overview of HB 2037.

	Judith Gruber	
	Chair Starr	Calls Molly Emmons
037	Molly Emmons	Executive Officer of the Veterinary Medical Examining Board. States the Veterinary Board protects the health and safety of Oregonians and animals by regulating veterinary medical practices in Oregon, enforced through ORS Chapter 686.
053	Emmons	Refers to written testimony (EXHIBIT A) Explains the conflicting language of ORS 686.045 and ORS 686.085. The Oregon Veterinary Medical Examining Board wants to change the sentence so it is consistent with ORS 686.085 through Section 1 of HB 2037.
059	Emmons	Referring to Section 2 of HB 2037 The Oregon Veterinary Medical Examining Board wants Statutes to reflect current practice. States it is not practical to the change rules every January.
	Chair Starr	Asks if there are questions from the representatives.
060	Rep. Luke	Asks if Emmons knows of any opposition to the bill.
	Emmons	Responds the Oregon Veterinary Medical Association has expressed their support.
068	Rep. Schrader	Expresses that he has some concern regarding internship. Makes suggestions with regard to language about internships and arms length supervision.
105	Emmons	Responds there are extensive rules regarding arms length supervision and internships currently require 3 or 6 weeks of direct supervision .
136	Rep. Messerle	Asks if the arm length supervisor documents the internship.
141	Emmons	Responds that documentation is not mandated but is suggested. The decision is up to the judgment of supervisor.
149	Rep. Messerle	Regarding Rep. Schrader's comments on documenting the internship, inquires from a liability standpoint.
152	Emmons	Responds in agreement but there are not a lot of complaints on new graduates. In general they do not feel they need to police the internship experience that closely.
162	Rep. Uherbelau	Asks what is meant by territories, are they defined.
175	Emmons	Responds this is basic language and in other parts of the practice act. Legislative counsel would know if its defined.
	Chair Starr	Thanks Emmons and calls Dave Barrow.
180	Dave Barrow	Representing the Oregon Veterinarian Medical Association. States they have no objection to the bill in its form and his belief is there would be no objections to the suggestions of Rep. Schrader.

194	Chair Starr	Suggests that Rep. Schrader get together with the board and bring forward amendments for a hearing and work session at a later date.
<u>HB 2136</u> <u>PUBLIC</u> <u>HEARING</u>		
	Chair Starr	Opens public hearing on HB 2136
204	Gruber	Summarizes HB 2136.
249	Gary Lynch	Supervisor of the Mined Land Reclamation Program for the Oregon Department of Geology and Mineral Industries. Submits written testimony (EXHIBIT B) and begins a slide presentation as an overview.
	Lynch	Begins slide presentation, shows different mining practices in Oregon.
353	Lynch	Continues with presentation, shows reclamation projects.
391	Lynch	Continues with presentation, shows a slide in the Eugene area.
414	Lynch	Continues with presentation, shows mining problems.
433	Lynch	States that larger sites encounter ground water.
TAPE 08, A		
081	Lynch	Continues with slide presentation. Refers to education and awards program.
090	Lynch	Continues with presentation, shows slides of re-contouring and re-vegetation.
100		Concludes presentation.
	Rep. Luke	Inquires about violations since new laws were put into effect.
122	Lynch	Responds the mining laws are very strict, violations are tracked and small in number.
		Discussion about laws and penalties.
143	Rep. Thompson	Asks how many enforcement officers do the have.
148	Lynch	Responds they have two clerical, four reclamation and himself doing 1400 inspections per biennium and all the enforcement action.
	Rep. Thompson	Asks, they have two people doing 1400 inspections in the state.
	Lynch	Responds they have four in the field.
151	Rep. Thompson	Asks about their control of environmental situations that could cause stream pollution.
156	Lynch	Responds they balance by priority and enforcement is a high priority. States there are various types of inspections.
170		Asks to clarify violations.

	Rep. Messerle	
176	Lynch	Responds: * Notice of non-compliance * Closure order * Notice of abandonment
214	Rep. Wells	Asks what is the time line that determines when a site is abandoned.
228	Lynch	Responds that for sites that were operating before 1972 they have no authority for reclamation.
266	Rep. Schrader	Asks if the bonding is for the full cost of the reclamation.
		Responds affirmatively.
272	Rep. Luke	Asks about dust control.
280	Lynch	Responds that the issues of dust, hours, and truck traffic are regulated by counties.
291	Rep. Messerle	Asks who monitors the drainage system and water quality.
301	Lynch	Responds they do a lot of work with DEQ.
318	Lynch	States they are totally fee based. Renewal fee based on the previous years production to fund the hydrologist.
339	Chair Starr	Refers to the decision to not use amendment.
345	Lynch	States they advertise nationally and agrees with leaving out the amendment.
351	Chair Starr	Asks about the Farmington site and a hydrologist at that site.
359	Lynch	States the ability to predict ground water is very important.
TAPE 07, B		
008	Chair Starr	States this is for hearing only today, and that they have agreed not to sunset.
	Rep. Luke	Suggests there be a check for a referral.
	Rep. Schrader	Asks the Chair what the implications are if referred to Ways and Means.
	Rep. Luke	Clarifies that Ways and Means would need to give them a budget to spend the fee increase.
020	Lynch	Addresses Chair Starr that he will write a letter with regard that they will report to the 71st assembly.
026	Rep. Messerle	Asks if he is aware of any opposition.

028	Lynch	Responds there was one negative response.
	Chair Starr	Calls industry witnesses.
034	Rich Angstrom	Managing Director, Oregon Concrete Aggregate Producers Association. States support for the increase. Expand on three parts. * Subsection 1a.- states the Department is reliable and helpful. * Extraordinary departmental expenses which is fair
	Angstrom	* States the industry is in support of the fee increase to finance the hydrologist position. This will help them stay ahead of ground water impacts and spreads the costs through the industry.
082	Rep. Wells	Refers to line 19 on the second page of HB 2136 and asks for clarification.
090	Lynch	Responds this fee is a \$50 increase over the current fee which is based on covering the expense to inspect an abandoned site.
111	Rep. Wells	States his understanding of this extra fee.
117	Richard Angstrom Sr.	Oregon Concrete Aggregate Producers Association. Offers history on this bill and the law. Penalty for operators who deliberately violate the law.
134	Rep. Thompson	Comments whether the amount is enough.
137	Rep. Luke	States that this gives them statutory authority.
143	Lynch	Responds at the notice of abandonment.
147	Rep. Messerle	Asks Angstrom if he knows of any opposition in the industry.
149	Angstrom	Responds, no one he knows of.
	Chair Starr	Calls Tom Barrows.
153	Tom Barrows	Representing the Northwest Mining Association. States they are in complete support of HB 2136.
163	Chair Starr	Moves HB 2136 to a work session next week. Adjourns meeting.

Submitted By, Reviewed By,

Linda Kowal, Judith Gruber,

Administrative Support Administrator

EXHIBIT SUMMARY

A. HB 2037 written testimony, Oregon Veterinary Medical Examining Board, Molly Emmons, 2 pp.

B - HB 2136 written testimony, Oregon Department of Geology and Mineral Industries, Gary Lynch, 3 pp.