

HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

March 6, 1997 Hearing Room D

08:30 AM Tape 37 - 38 Tapes

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 2659 Work Session

HB 2728 Public Hearing

HB 2741 Public Hearing

SJR 8 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 37, A		
011	Chair Starr	Calls meeting to order at 8:34 a.m.

<u>HB 2659</u>		
<u>WORK</u>		
<u>SESSION</u>		
012	Chair Starr	Opens work session on HB 2659.
017	Rep. Luke	MOTION: Moves to ADOPT HB 2659-1 amendments dated 3/3/97.
	Chair	Hearing no objection, declares the motion CARRIED.
022	Rep. THOMPSON:	MOTION: Moves HB 2659 be sent to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 AYE: 6 - Thompson, Luke, Schrader, Wells, Uherbelau, Starr EXCUSED: 1 - Messerle
	Chair	The motion CARRIES. REP. THOMPSON will lead discussion on the floor.
035	Chair Starr	Closes work session on HB 2659.
<u>HB 2728</u>		
<u>PUBLIC</u>		
<u>HEARING</u>		
036	Chair Starr	Opens public hearing on HB 2728.
040	Larry Sowa	State Representative, District 26, testifies in support of HB 2728.
055	Rep. Luke	Asks how products which come from more than one cow are tracked.
060	Rep. Sowa	Marked with the country of origin and the processing plant where the product came from.
065	Ted Ferrioli	State Senator, District 28. Testifies in support of HB 2728. There has been a great deal of concern regarding E. coli breakouts and the inability to trace the infected beef. Brand identification is a marketing tool that will help Oregon compete in regional and world markets.
099	Rep. Luke	Comments that it takes time and effort to label. Asks if it would be agreeable if the beef was labeled whether it came from outside the country.
103	Sen. Ferrioli	That would be agreeable, however, the purpose is brand identification. In the retail outlets, there are several labels being placed on beef products. There are the usual labels regarding weight, price, and dates, and there are also labels for safe handling practices. It would not be beyond existing technology to put a country of origin label on too.
114	Rep. Luke	

		Asks if it will be required to label beef products indicating antibiotic injections.
119	Sen. Ferrioli	This refers to the chemical preservatives used in the processing of that food.
121	Rep. Luke	Comments that the language does not clearly indicate that antibiotics would be exempted.
124	Rep. Sowa	No intention of making it more difficult for beef producers. Asked Legislative Counsel to pattern this after the fryer chicken labeling process. This language may have come from there, and may not even apply in the beef industry.
131	Rep. Messerle	Comments on beef industry background. Concerned that the difference between the fryer chicken situation and the beef situation is that there is little processing of beef in Oregon. Agree with the out of country issue. There may be logistics problem when the majority of beef is processed in Washington and Idaho.
146	Sen. Ferrioli	States that he would be willing to participate in a work group regarding this issue.
153	John McCulley	Representing Oregon Cattlemen's Association. Introduces Diane Byrne and Rod Dowse.
163	Diane Byrne	Executive Director, Oregon Beef Council, submits and reviews testimony in regard to HB 2728. (EXHIBIT A)
198	Rep. Schrader	Asks if Ms. Byrne has any alternatives to suggest.
203	Byrne	The country of origin would be appropriate, but not the state of origin.
207	Rep. Schrader	Asks for comments on the preservatives issue.
209	Byrne	There are some differences, and some things are easier and more important to track to a specific location. For food safety in general, there are many points of contamination along the processing line.
216	Rep. Uherbelau	Asks if a country designation would be of value.
223	Byrne	Yes. This type of labeling is being considered at the national level.
227	Rep. Uherbelau	Comments on Section 5 and the selling of beef as fresh, even when it has been previously frozen. Asks if that is a problem.
233	Byrne	That is something that is more important in the poultry industry than with the beef industry.
237	Rep. Messerle	Asks if the real issue is federal inspection, and does meat from out of the country go through the same inspection process.
244	Byrne	Believes that when the meat crosses the border, it must meet at least the minimum requirements.
256	Rep. Messerle	

		Comments on the timelines of inspections in foreign countries and the sampling as it comes into the country. Asks if it is of the same intensity as inspections and samplings on U.S. grown products.
263	Rod Dowse	Executive Vice President, Oregon Cattlemen's Association. USDA inspection is the best in the world. When American beef goes out of the country, the USDA Grade is reversed.
275	Rep. Schrader	Comments on HB 2728.
303	Dowse	Submits and reviews testimony in regard to HB 2728. (EXHIBIT B)
353	Dowse	Continues review.
362	Rep. Luke	Asks if the public will be frightened by the labeling of beef.
366	Dowse	Not positive, but there are not many preservatives added to fresh beef.
375	Byrne	Comments on alternatives to state of origin labeling.
394	Rep. Uherbelau	Asks if labeling can occur without legislation.
400	Byrne	Yes.
TAPE 38, A		
003	Pete Test	Representing Oregon Farm Bureau, testifies in regard to HB 2728. Comments that this legislation is not really necessary.
023	Rep. Luke	Asks Chair Starr if Mr. Phil Ward of the Department of Agriculture could comment on the record regarding inspections.
025	Phil Ward	Deputy Director, Department of Agriculture.
027	Rep. Luke	Asks for discussion on the inspection of beef in the stores.
029	Ward	Not responsible for inspecting beef that arrives in this country, that is the responsibility of the federal government. The Department does random sampling of all food products at the retail level in the State of Oregon. Both products from local markets and foreign markets. Found that the vast majority of products are within legal tolerances.
039	Chair Starr	Comments that there will be additional discussions between the parties of interests outside of the chambers. If there is any consensus, there may be additional public hearings. But at this time, it has been established that there is no need for this bill.
046	Chair Starr	Closes public hearing on HB 2728.
<u>HB 2741</u> <u>PUBLIC</u> <u>HEARING</u>		
049	Chair Starr	Opens public hearing on HB 2741.
053	Jeff Kruse	

		State Representative, District 45, testifies in support of HB 2741. The purpose is to focus energies in an area of need in the State of Oregon. Creates a solid component of conservation education focused on urban problems, specifically urban non-point source pollution problems. Discusses the duties of master gardeners. Fits with the Oregon Plan because of the large component of volunteerism in the Oregon Plan. The urban component needs to be included in this. Will send a clear message to the federal agencies that the entire picture is being considered.
097	Rep. Uherbelau	Comments on master gardeners and the extension service in Jackson County. Asks if the funding issues would require the elimination of other programs.
111	Rep. Kruse	Does not anticipate that this will be an either-or situation.
131	Roger Fletcher	Associate Director, Oregon State University Extension Service. Submits written testimony regarding master gardener program. (EXHIBIT C) The Legislative Fiscal Office is requesting a financial impact statement. Concerned regarding the intent of the bill. Assumed that the bill could be interpreted to mandate the Extension Service to direct resources to focus on urban conservation, which would require additional resources. Another assumed interpretation could be that it elevates the urban conservation ethic higher on the master gardener program. Made a commitment to Rep. Kruse to review both scenarios. A clearer definition as to intent is needed. Rep. Kruse's intent is the second assumption.
157	Rep. Uherbelau	Comments that the second scenario is a worthy plan. The word "shall" is used and it may be construed to mean the first scenario. This needs to be made clear. Asks if the intent related to the first scenario, would it compete with other programs.
168	Fletcher	Without additional resources it would.
169	Rep. Kruse	A significant education element is needed in the Oregon Plan. The Extension Service has been considered as a major part in the education element.
179	Rep. Thompson	Asks how bad the urban problem is.
184	Fletcher	There has been speculation, because the research is not sufficient enough to provide documentation. It is a fair assumption that the problem is very significant. Sales from companies which sell pesticides indicate that urban and suburban communities are large consumers.
211	Rep. Kruse	In stream monitoring, there are significant changes in the water quality above an urban environment compared to right below it. The increases are at a more significant level than what is seen in forest and agricultural land. This may be the most significant degradation problem in most streams of the state.
225		

	Rep. Thompson	Comments that it seems that the Extension Service should make this a high priority program.
233	Fletcher	Agrees that it is a priority. There are things that can be done to elevate awareness of the degradation of water quality in urban and suburban communities. This is something that can, should and will be done with or without the bill.
248	Rep. Luke	Comments on the language in the bill. Requests an amendment to remove the word "shall." Suggests that application of pesticides be regulated. Comments on the availability of harmful pesticides.
271	Rep. Kruse	There is a restricted list of pesticides which require a license for purchase and application. The commonly available pesticides do not require licensing, even on a large scale.
278	Rep. Luke	Asks what good a program is if no one attends.
286	Rep. Kruse	The track record of master gardeners and their access to community groups indicates a higher level of success.
290	Rep. Luke	Asks if there are master gardening classes through 4-H and FFA (Future Farmers of America) already in place in almost every county in the state.
293	Fletcher	The program is available in 26 out of 36 counties. Some of the youth programs are involved with the master gardener program.
300	Rep. Luke	Asks if programs had to be cut in Deschutes County for lack of money.
303	Fletcher	Doubt there is a county unaffected by budget cuts.
307	Rep. Schrader	Comments and makes suggestions for changes to HB 2741.
340	Rep. Wells	Comments that the submitted information (EXHIBIT C) describes the duties of master gardeners. Asks if current Oregon State University recommendations deal with urban landscaping.
368	Fletcher	Master gardeners receive about 80 hours of training, which is not sufficient to make them experts. Provide back up reinforcement support so that recommendations which are made are consistent with the knowledge base.
390	Rep. Wells	Asks if more emphasis needs to be put on pesticide recommendations developed for commercial agriculture.
TAPE 37, B		
005	Vickie Merced	Legislative Aide for Rep. Kruse. Has completed the master gardener program in Yamhill County. This training is very thorough and has added components for conservation. In terms of pesticides, there are many potential problems in giving pesticide recommendations. During training, it is stressed that recommendations be left to someone with technical expertise. Submits and reviews information regarding master gardener training. (EXHIBIT D)

055	Merced	Continues review.
067	Rep. Luke	Comments that there is no doubt regarding the quality of the program. Does not believe that HB 2741 is going to address the problem. Would support legislation that required persons living within a set distance from a water source to complete a master gardener program prior to applying pesticides. There are possibilities with moving responsibility to the county level.
088	Rep. Kruse	Operating under the premise that the rural landowners will do the right thing if they have the information. HB 2741 addresses urban landowners in this same fashion.
098	Rep. Luke	Comments that people may not participate as much as would be required to reduce non point source pollution.
111	Chair Starr	Comments on his experience training master gardeners as a pest control consultant. Believes that more law will not help. Need more opportunity and personal responsibility. HB 2741 does not address this. Not in favor of giving agencies more opportunity to establish more rules and regulations. Suggests that there be changes which would make HB 2741 less of a directive.
132	Rep. Kruse	Agrees.
135	Chair Starr	Comments on forming a work group.
156	Rep. Wells	Comments on the changing of one word.
165	Rep. Kruse	The word "shall" was chosen by Legislative Counsel.
167	Pete Test	Representing Oregon Farm Bureau, testifies in regard to HB 2741. Urban pesticide use is a major problem and needs to be addressed. Encourages changing the wording.
219	Chair Starr	Asks Mr. Test to assist in the rewording of HB 2741.
227	Rep. Thompson	Comments on the Oregon Plan.
239	Rep. Luke	Asks if it is an unworkable solution to require training of persons which apply pesticides if they live within a certain distance of a water source.
240	Test	It would not be impossible, but it would cost money. Comments on experience in training people on pesticide use.
250	Rep. Luke	Suggests that if a person lived within a certain distance of a water source, a professional must be hired to apply pesticide.
253	Rep. Thompson	Asks if rain is part of the problem with urban non-point source pollution.
261	Test	Yes. Urban run off is part of the problem.
268	Rep. Thompson	Asks if general brochures or general information would help.
278	Test	Yes. It wouldn't be the solution, but it would certainly help.
282	Rep. Thompson	Comment on the City of Newport's actions to increase awareness of run off.

294	Chair Starr	Closes public hearing on HB 2741.
297	Rep. Thompson	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. MESSERLE to BE RECORDED as voting AYE on HB 2659.
	Chair	Hearing no objection, declares the motion CARRIED.
<u>SJR 8</u>		
<u>PUBLIC</u>		
<u>HEARING</u>		
306	Chair Starr	Opens public hearing on SJR 8.
316	Chair Starr	Calls a recess.
316	Chair Starr	Calls meeting back to order.
323	Joan Dukes	State Senator, District 1, testifies in support of SJR 8. Submits letters received from students of East Elementary School. (EXHIBIT E)
375	Bruce Carden	6th grade teacher, East Elementary School, testifies in support of SJR 8.
400	Chair Starr	Instructs the children in proper procedures for testifying.
TAPE 38, B		
005	Jeremy Cham	Student, East Elementary School, testifies in support of SJR 8.
006	David Burdick	Student, East Elementary School, testifies in support of SJR 8.
007	Carrie Lamkin	Student, East Elementary School, testifies in support of SJR 8.
011	Rep. Thompson	Comments that he does not support this bill, and that it is their job to convince him otherwise.
016	Rep. Luke	Comments that there is enough support on the committee to pass this bill.
019	Carole Mortimore	Student, East Elementary School, testifies in support of SJR 8.
020	Cassi Brown	Student, East Elementary School, testifies in support of SJR 8.
023	Cham	Addressing Rep. Thompson, states that he'll eat fish if Rep. Thompson will drink milk.
028	Lamkin	Testifies in support of SJR 8.
038	Rep. Wells	Asks how much milk he needs to drink in one day to take advantage of milk's beneficial qualities.
040	Lamkin	Children should drink four servings of eight ounces per day, and adults should drink three servings of eight ounces per day.
049	Mortimore	

		Milk is important to the economy of Tillamook County and to the rest of Oregon. It also contains large amounts of required nutrients.
058	Cham	On the Senate side, it was brought up that milk causes ear infections. Milk does not cause ear infections, however, drinking milk while one has an ear infection may make it worse.
060	Rep. Thompson	Comments that the state is prepared to spend \$30 million for clean water. Asks what the value of milk products are in Oregon.
066	Cham	No comment.
067	Burdick	Discusses why babies are susceptible to ear infections.
072	Cham	There is more water that is polluted then there is milk.
074	Rep. Thompson	Comments that he could be persuaded to vote favorably regarding SJR 8 if the children would help clean up the streams in their area.
080	Cham	Asks how they could make the streams cleaner.
081	Rep. Thompson	By getting involved and making sure that there is less pollution.
087	Cham	The children accept this.
099	Tim Josi	State Representative, District 2, testifies in support of SJR 8. Submits and information regarding milk. (EXHIBIT F)
123	Lorenda Moholt	Director of Communications, Oregon Dairy Products Commission, testifies in support of SJR 8. Submits information regarding nutrition. (EXHIBIT G)
153	Rep. Wells	Asks about the seriousness of anti-animal product groups.
159	Moholt	It is a serious problem because there is a lack of connection with agriculture. In Oregon, there are a number of dairy farmers who prefer not to be involved with children's education programs because of animal rights activists.
187	Rep. Messerle	Comments on his experience with dairy farming. Asks for comments regarding the perception of dairy farmers being heavily subsidized.
193	Moholt	There is a myth that dairy farmers are subsidized. There are so few federal purchases of milk and dairy products that many agriculture economists and food policy experts feel that number is dangerously low.
213	Chair Starr	Closes public hearing on SJR 8.
<u>SJR 8</u> <u>WORK</u> <u>SESSION</u>		
216	Chair Starr	Opens work session on SJR 8.
223	Rep. LUKE:	MOTION: Moves SJR 8 be sent to the floor with a BE ADOPTED recommendation.

225	Rep. Luke	Comments.
235	Rep. Thompson	Comments that he is satisfied with the testimony of the witnesses.
248		VOTE: 6-0 AYE: 6 - Thompson, Luke, Messerle, Schrader, Wells, Starr EXCUSED: 1 - Uherbelau
	Chair	The motion CARRIES . REP. JOSI will lead discussion on the floor.
261	Chair Starr	Closes work session on SJR 8 .
262	Chair Starr	Adjourns meeting 10:20 a.m.

Transcribed By, Reviewed By,

Rebecca M. Scott Judith Gruber,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2728, Written Testimony, Dianne Byrne, 2 pp.

B - HB 2728, Written Testimony, Rod Dowse, 2 pp.

C - HB 2741, Written Testimony, Roger Fletcher, 14 pp.

D - HB 2741, Written Testimony, Vickie Merced, 8 pp.

E - SJR 8, Letters, Sen. Joan Dukes, 17 pp.

F - SJR 8, Written Testimony, Rep. Tim Josi, 1 p.

G - SJR 8, Written Testimony, Lorenda Moholt, 2 pp.