

Senate Committee on Agriculture and Natural Resources April 8, 1991 -  
Page

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation  
marks

report a speaker's exact words. For complete contents of the  
proceedings, please refer to the tapes.

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 8, 1991Hearing Room C 8:15 a.m.Tape 129 - 131

MEMBERS PRESENT:Sen. Dick Springer, Chair Sen. Joyce Cohen,  
Vice-Chair Sen. John Brenneman Sen. Shirley Gold Sen. Bob Kintigh Sen.  
Tricia Smith Sen. Eugene Timms

STAFF PRESENT: Peter Green, Committee Administrator Chris Beck,  
Research Associate Kus Soumie, Committee Assistant

MEASURES CONSIDERED: SB 1092 SB 1093 SB 1010 SB 915  
SB 888

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation  
marks report a speaker's exact words. For complete contents of the  
proceedings, please refer to the tapes.

TAPE 129 SIDE A

003 CHAIR SPRINGER CALLS THE MEETING TO ORDER AT 8:15 AM

PUBLIC HEARING AND WORK SESSION ON SB 915

WITNESSES: Rep. Kelly Clark Floyd Collins Bill Gaffi Jim Morgan  
Neil Mullain Debra Sturdevant Dell Isham Jean Cameron Paul Cosgrove Rich  
Sedlak Quincy Sugarman Donald Burdock Jim Craven

008 SEN JOYCE COHEN, Senate District 13, gives testimony on SB 915  
proposed amendments and presents overview of EXHIBIT A and answers  
questions from committee members.

078 REP KELLY CLARK, House District 27, gives testimony on SB 915 and  
the phosphorous ban in different states, the cost savings and benefits  
in those states as a result of those bans.

135 FLOYD COLLINS, gives testimony on SB 915 and presents overview of  
EXHIBIT B.

215 BILL GAFFI, Unified Sewerage Agency, gives testimony on SB 915 and  
amendments, and presents overview of EXHIBIT C

290 JIM MORGAN, METRO, gives testimony on SB 915 and presents overview  
of EXHIBIT D

- answers questions from committee members

TAPE 130 SIDE A

004 NEIL MULLAIN, DEQ, gives testimony on SB 915 and presents overview of EXHIBIT E

040 DEBRA STURDEVANT, gives overview of EXHIBIT E.

095 SEN. TIMMS: Series of questions to Sturdevant regarding phosphates

134 STURDEVANT: Speaks about elimination of the source of Phosphorous in the environment.

- continues with questions from committee members

167 DELL ISHAM, Devils's Lake Water Improvement District., gives testimony on SB 915 and presents EXHIBIT F

- answers questions from committee members.

277 JEAN CAMERON, Oregon Environmental Council, gives testimony on SB 915 and presents overview of EXHIBIT G

326 PAUL COSGROVE, Soap and Detergent Association, gives testimony on SB 915 and introduces EXHIBIT H & I

337 RICH SEDLAK, Soap and Detergent Association, gives testimony on SB 915 and presents overview of EXHIBIT H

TAPE 129 SIDE B

003 SEDLAK: continues testimony on SB 915 and EXHIBIT H

- addresses problems with amendments to SB 915 - nothing will take the phosphate level to zero

040 COSGROVE: We have no objection to current labeling standards. Other water bodies with TMDL's. This ban will not affect what may be the problem.

- septic tank problems contributing to the phosphate problem. - chemical properties of phosphorous - consumer reports magazine EXHIBIT I page 103, page 105 phosphate's beneficial effects to the consumer and the cost and effectiveness issue.

187 QUINCY SUGARMAN, OSPRIG, gives testimony on SB 915, and presents overview of EXHIBIT J.

- questions from committee members.

227 SUGARMAN: Look at the total costs of the clean up in relation to the cost of implementation. I will give you some figures on the costs to have non phosphate detergent.

257 DONALD BURDOCK, City of Lake Oswego Corporation, gives testimony on SB 915 and lends its support to a State-wide ban on phosphates. There are no enforcement provisions in the bill, and we think it is important to have them. We are spending \$100,000.00 on water quality. Phosphorous studies indicate that PH is a problem. We feel this is an environmental

issue. It affects the beneficial use of Lake Oswego's available water. 100 percent phosphate-free products are on the market and should be used.

- answers questions from committee members

TAPE 130 SIDE B

003 BURDOCK: - continues testimony on SB 915.

019 JIM CRAVEN, Oregon Council of Electricians Association, gives testimony on SB 915 and overview of EXHIBIT K

WORK SESSION ON SB 888 AND AMENDMENTS

WITNESSES: Sen Joan Dukes Newton Dennis Olmstead

095 CHRIS BECK, Committee Research Associate, gives overview of SB 888 amendments (EXHIBIT L)

101 NEWTON: gives testimony on SB 888 and amendments. (EXHIBIT L) And presents overview of EXHIBIT N

161 DENNIS OLMSTEAD, gives testimony on SB 888 and presents overview of EXHIBIT M

192 SEN JOAN DUKES, Senate District 1, gives testimony on SB 888, and provides background and progress to date.

MOTION: Sen Cohen moves the -1 amendments

VOTE: Hearing no objections the MOTION is ADOPTED

MOTION: Sen Cohen moves SB 888 as amended to Ways and Means Committee DO PASS

VOTE: In a roll call vote the MOTION CARRIES 5 - 1 with Sen Smith voting NAY, Sen Gold Excused

WORK SESSION ON SB 1092

WITNESSES: Craig Starr Bob Danko Peter Green

270 CRAIG STARR, Lane County, gives testimony on SB 1092, 1093 and presents EXHIBIT O & P

336 PETER GREEN, Committee Administrator, gives testimony on SB 1092

382 BOB DANKO, DEQ, gives testimony on SB 1092 stating that the language is almost identical 109 2 1093 should go on the shelf.

TAPE 131 SIDE A

PUBLIC HEARING ON SB 1010

WITNESSES: Quincey Sugarman Lorna Youngs James Gardener Bob Danko Roger Martin Terry Witt

018 QUINCY SUGARMAN, OSPRIG, gives testimony on SB 1010 and gives

overview of EXHIBIT Q

- answers questions from Committee Members

100 LORNA YOUNGS, Department of Agriculture, gives suggested amendments to SB 1010 and the basis for the labeling of the product and suggested civil penalties. Offers to work with OSPRIG.

146 JAMES GARDENER, Non-prescription Drug Manufacturers Association, gives testimony on SB 1010 and presents overview of EXHIBIT O

166 BOB DANKO, DEQ, gives testimony on SB 1010 and offers to work with Quincy Sugarman on possible amendments.

189 ROGER MARTIN, United Grocers Association, gives testimony on SB 1010 and answers questions from committee members regarding labeling, uniformity, inspection and handling fees.

259 TERRY WITT, OFS, gives testimony on SB 1010, stating that this bill goes well beyond the bill in Vermont overviewed in Quincy Sugarman's testimony. - labeling process - concerns with the criteria for costs in 9 categories and how to be exempt - wording is backwards shifting the burden of proof - does not document requirements - concern with section 3 sub 2 would not be able to determine - implementation problems with mandates, can be worked out

- answers questions from committee members

CHAIR SPRINGER CALLS RECESS AT 10:45 A.M.

EXHIBIT LOG:

A - Testimony on SB 915 - Sen Joyce Cohen - 14 pages  
B - Testimony on SB 915 - Floyd Collins - 4 pages  
C - Testimony on SB 915 - Bill Gaffi - 2 pages D - Testimony  
on SB 915 - Jim Morgan - 2 pages E - Testimony on SB 915 - Neil  
Mullane - 83 pages F - Testimony on SB 915 - Dell Isham - 3 pages  
G - Testimony on SB 915 - Jean Cameron - 8 pages  
H - Testimony on SB 915 - Rich Sedlak - 13 pages  
I - Testimony on SB 915 - Paul Cosgrove - 35 pages  
J - Testimony on SB 915 - Quincy Sugarman - 4 pages  
K - Testimony on SB 915 - Jim Craven - 1 page L - Proposed  
Amendments to SB 888 - Chris Beck - 1 page M - Testimony on SB 888  
- Dennis Olmstead - 41 pages N - Testimony on SB 888 - Newton - 5  
pages O - Testimony on SB 1092 - Craig Starr - 1 page  
P - Testimony on SB 1093 - Craig Starr - 1 page  
Q - Testimony on SB 1010 - Quincy Sugarman - 10 pages  
R - Testimony on SB 1010 - James Gardener - 1 page

Submitted by: Reviewed by:

Kus Soumie Peter Green Assistant Administrator

Senate Committee on Agriculture and Natural Resources April 8, 1991 -  
Page

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation  
marks

report a speaker's exact words. For complete contents of the  
proceedings, please refer to the tapes.

SENATE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 8, 1991Hearing Room B 5:00 P.M. Tape 132 - 135

MEMBERS PRESENT:Sen. Joyce Cohen, Vice-Chair Sen. John Brenneman  
Sen. Tricia Smith Sen. Eugene Timms

MEMBERS EXCUSED:Sen. Dick Springer Sen. Shirley Gold Sen. Bob  
Kintigh

VISITING MEMBERS: Sen. Scott Duff Sen. Bill McCoy Sen. Grattan Kerans  
Rep. Tim Josi Rep. Larry Sowa

STAFF PRESENT: Chris Beck, Research Associate Kus Soumie,  
Committee Assistant

MEASURES CONSIDERED: SB 727(PUB) SB 1043(PPW) SB  
765(PPW) SB 766(PPW) SB 1112(PPW)

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation  
marks report a speaker's exact words. For complete contents of the  
proceedings, please refer to the tapes.

TAPE 132 SIDE A

003 VICE CHAIR COHEN RECONVENES THE MEETING AT 5:30 PM

PUBLIC HEARING ON SB 727

WITNESSES: Sen Brenneman Sen Duff Sen Kintigh Rep Josi

006 SEN. JOHN BRENNEMAN, District 2, gives testimony and background of  
SB 727 and -1 amendments EXHIBIT A

063 REP. TIM JOSI, gives testimony on SB 727.

099 SEN SCOTT DUFF, District 29, gives testimony on SB 727.

133 CHAIR COHEN: Introduces Fiscal Analysis for SB 727, EXHIBIT B.

145 SEN. BOB KINTIGH, District 14, gives testimony on SB 727 and gives  
overview of EXHIBIT C

PUBLIC HEARING SB 765 AND 766

WITNESSES: Sen Bill McCoy Sen Grattan Kerans Sen Joyce Cohen

200 SEN BILL McCOY, District 8, gives background and testimony in support of SB 765 and SB 766

239 SEN GRATTAN KERANS, District 20, gives testimony on SB 766 and SB 765. On behalf of The Alternative Fuels Caucus, gives strong support to the bill.

282 SEN. COHEN: For the record I am pleased to support SB 765

PUBLIC HEARING ON SB 727

WITNESSES: Rep Sowa Lyle Defrees Riley Freeman Ed Trindele Eric Lindauer Paul Williamson Glenn Johnston Jack Burkhart Ed Meyers Harold Sheild Jerry Kosydar George Hurdleman Bob Dupuey Sharon Beck Tod Bailink Randy Bergman Marie Gadotti Jeff Curtis Rod Ingram Ken Palke Mark Knaupp Clem Hurlman

308 REP LARRY SOWA, gives testimony on SB 727 - animal damage in other states - Oregon has the best control program in the western states - Federal Assistance can be lost if certain funds are used - forest damage - alfalfa damage - dusky goose numbers - result of task force on animal damage control - Reports show different ways to respond to problems.

TAPE 133 SIDE A

003 REP SOWA: continues testimony on SB 727

020 CHAIR BRENNEMAN:

030 LYLE DEFREES, gives testimony on SB 727, and presents overview of EXHIBIT D.

118 RILEY FREEMAN, gives testimony on SB 727, and presents overview of EXHIBIT E. Gives suggestions for amendments.

186 ED TRINDELE, gives testimony on SB 727 and gives overview of EXHIBIT F, while offering some amendments.

242 TRINDELE: Series of questions on the issue of cash losses and leased land

257 SEN. TIMMS: All the elk are on Private lands. We need some kind of survey. Do you have some closing statements on how to manage big game in Oregon?

278 TRINDELE: Wildlife habitat is being destroyed.

350 ERIC LINDAUER, State Board of Agriculture, gives testimony on SB 727, and gives overview of the plans of the Department to deal with this problem.

TAPE 132 SIDE B

002 LINDAUER: Continues testimony on SB 727.

027 PAUL WILLIAMSON, State Agriculture Statistician, gives testimony on SB 727 and speaks to issues of elk population problems.

039 LINDAUER: The cost of the survey would be \$25,000

053 GLENN JOHNSTON, Dairy Farmer, gives testimony on SB 727 , and gives overview of the elk problems and damage. EXHIBIT G and H

130 JACK BURKHART, gives testimony on SB 727.

187 ED MEYERS, Farmer, gives testimony on SB 727 and gives overview of elk problems. The Elk have come out of the mountains to get the good feed. It is time to think of fencing the elk out. I seeded a 20 acre field which was destroyed. It is time to act, and I support the bill.

229 HAROLD SHEILD, Tillimook County Creamery Association, gives testimony on SB 727. Some way needs to be found to deal with the problems caused to ag land from the elk problem.

289 JERRY KOSYDAR, rancher, gives testimony on SB 727 speaks to losses incurred from elk. After 10 years of this problem I hear people say they will start to shoot them.

348 GEORGE HURDLEMAN, Rancher, gives testimony on SB 727. We are growing healthy Elk for the Department of fish and wildlife.

TAPE 133 SIDE B

002 HURDLEMAN: continues testimony on SB 727. We loose two weeks of pasture every spring. gives suggestions for amendments or ways to get rid of the Elk problem.

057 BOB DUPUEY, Farmer, gives testimony on SB 727

080 SHARON BECK, Chair of the Private Lands Committee Oregon Cattlemen's Association, gives testimony on SB 727 and presents EXHIBIT I.

120 TOD BAILINK, Farmer, gives testimony on SB 727 and gives overview of EXHIBIT J. The state should pay for the damage done by elk which belong to the state.

PUBLIC HEARING ON SB 766

WITNESSES: Marcia Kelley

230 MARCIA KELLEY, Director, Treasurer, Board of Directors Cherriots, gives testimony on SB 766, and presents overview of EXHIBIT K.

299 SEN. SMITH: Is this your position or is this the position of the Board of Transportation.

PUBLIC HEARING ON SB 766 (continue)

338 RANDY BERGMAN, Columbia County Farm Bureau, gives testimony on water fowl damage. I want to se something more than a survey but would support any efforts to curb the

403 MARIE GADOTTI, President of the Col. County Farm Bureau, gives testimony on SB 727, and the damage done to croplands from elk and geese. EXHIBIT L

TAPE 134 SIDE A

027 JEFF CURTIS, Department of Fish and Wildlife, gives testimony on SB 727.

040 ROD INGRAM, Chief Wildlife Department, Department of Fish and Wildlife, gives testimony on SB 727, and gives overview of EXHIBIT M. Requests that SB 727 not be enacted.

090 SEN. SMITH: What can we do to help these people and their problems with Elk and Geese?

099 INGRAM: We have a major problem and the solution is hunting. The cost is 300 per animal to dart and move them.

116 SEN SMITH: Have you reviewed the amendments, and do yo have any comments about the amendments?

121 CURTIS: I have not had a chance to meet with my supervisors about the amendments.

135 SEN. TIMMS: Eating Stations, have they helped?

140 INGRAM: The eating stations have helped tremendously in terms of winter damage. Without fencing we have been feeding them with high grade alfalfa. We are feeding about 1400 to 1500 elk. Fencing is out of sight as far as cost.

162 SEN. TIMMS: Is the green forage program part of that program?

163 INGRAM: The Green Forage Program is not part of the Elk Horn Program. It is used in western Oregon. We have had good success and is popular with the Forest Service.

177 SEN. TIMMS: Would you say that there has been more elk since the survey in 1985?

178 INGRAM: There is a great proliferation of Elk on Private lands. The private land provides solitude. We see shifts in Union County, the Elk are staying longer. We have attempted to move elk, there is a problem with safety. Dusky goose population is down in Alaska on the verge of being listed as endangered and there is a subspecies in Oregon (Tavenors) that is causing trouble on private lands.

310 REP. JOSI: Gives testimony on the problems from elk and geese on private lands.

352 CURTIS: We spend \$2.5 million per year trying to deal with this problem.

370 KEN PALKE, Oregon Dairy Farmers Association, gives testimony on SB 727 and gives overview of EXHIBIT N

400 MARK KNAUPP, Oregon Farm Bureau, gives testimony on SB 727, on the damage done from Elk.



450 CLEM HURLMAN, Farmer, gives testimony on SB 727. I don't want the elk on my property who is going to pay the taxes. We want to know how to solve the problem. I don't know the answer. We are going to shoot the elk on our land.

CHAIR BRENNEMAN MEETING ADJOURNED AT 8:05 PM

EXHIBIT LOG:

A - Amendments to SB 727 - Sen Brenneman - 3 pages  
B - Fiscal Analysis for SB 727 - Committee Staff - 2 pages  
C - Testimony on SB 727 - Sen Bob Kintigh - 2 pages D  
- Testimony on SB 727 - Lyle Defrees - 3 pages E -Testimony on SB  
727 - Riley Freeman - 3 pages F - Testimony on SB 727 - Ed Trindele -  
3 pages G - Testimony on SB 727 - Glenn Johnston - 2 pages H  
- Testimony on SB 727 - Glen Johnston - 2 pages I - Testimony  
on SB 727 - Sharon Beck - 2 pages J - Testimony on SB 727 - Tod  
Balink - 4 pages K - Testimony on SB 766 - Marcia Kelley - 4 pages  
L - Testimony on SB 727 - Marie Gadotti - 2 pages  
M - Testimony on SB 727 - Rod Ingram - 22 pages  
N - Testimony on SB 727 - Ken Palke - 11 pages

Submitted by: Reviewed by:

Kus Soumie Peter Green Assistant Administrator