

## **HOUSE COMMITTEE ON ENVIRONMENT AND WATER**

**May 12, 2009  
3:00 P.M.**

**Hearing Room D**

**MEMBERS PRESENT:**        **Rep. Ben Cannon, Chair**  
                                     **Rep. Vic Gilliam, Vice-Chair**  
                                     **Rep. Jefferson Smith, Vice-Chair**  
                                     **Rep. Jules Bailey**  
                                     **Rep. Phil Barnhart**  
                                     **Rep. Cliff Bentz**  
                                     **Rep. Debbie Boone**  
                                     **Rep. Bob Jenson**

**STAFF PRESENT:**         **Beth Patrino, Committee Administrator**  
                                     **Sue Hampton, Committee Assistant**

**MEASURES HEARD:**        **SB 391 – Public Hearing**  
                                     **SB 739 – Public Hearing**  
                                     **SB 105 – Work Session**

**This recording log is in compliance with Senate and House Rules. For complete contents, refer to the digital audio recording.**

**HEW**

**5/12/2009 3:04:38 PM**

**3:04:49 PM** Meeting Called to Order  
**3:04:55 PM** Chair Cannon  
**3:04:57 PM** SB 391 - Public Hearing  
**3:05:11 PM** Chair Cannon  
**3:05:21 PM** Sen. Brian Boquist  
**3:05:31 PM** Sen. Mark Hass, Senate District 14  
**3:08:13 PM** Sen. Brian Boquist, Senate District 12  
**3:09:51 PM** Chair Cannon  
**3:09:56 PM** Sen. Hass  
**3:11:16 PM** Chair Cannon  
**3:11:28 PM** Sen. Hass  
**3:11:37 PM** Rep. Bailey  
**3:11:52 PM** Rep. Jenson  
**3:12:22 PM** Sen. Hass  
**3:12:26 PM** Rep. Jenson  
**3:12:32 PM** Sen. Hass  
**3:12:39 PM** Chair Cannon  
**3:13:57 PM** Scott Berkstead, Humane Society  
**3:15:55 PM** {Exhibit} 1: Berkstead  
**3:16:06 PM** Nicole G. Paquette, Esq., Born Free USA  
**3:17:11 PM** {Exhibit} 2: Paquette  
**3:18:48 PM** Tony Vecchio, Director, Oregon Zoo  
**3:21:09 PM** Chair Cannon  
**3:21:18 PM** Vecchio  
**3:21:23 PM** Chair Cannon  
**3:21:29 PM** Vice-Chair Smith J.  
**3:21:42 PM** Paquette  
**3:21:58 PM** Vice-Chair Smith J.  
**3:21:59 PM** Rep. Jenson  
**3:22:22 PM** Berkstead  
**3:22:52 PM** Rep. Jenson  
**3:23:15 PM** Vecchio  
**3:23:58 PM** Paquette  
**3:24:38 PM** Vice-Chair Gilliam  
**3:25:59 PM** Vecchio  
**3:26:49 PM** Paquette  
**3:27:13 PM** Vice-Chair Gilliam  
**3:27:47 PM** Paquette  
**3:28:33 PM** Vice-Chair Gilliam

**3:28:48 PM** Paquette  
**3:29:02 PM** Rep. Bailey  
**3:29:21 PM** Paquette  
**3:29:53 PM** Rep. Bailey  
**3:30:18 PM** Paquette  
**3:30:21 PM** Chair Cannon  
**3:30:30 PM** Vice-Chair Smith J.  
**3:31:19 PM** Vecchio  
**3:32:01 PM** Paquette  
**3:33:21 PM** Lauren Henry, Polk County  
**3:33:22 PM** {Exhibit} 3: Henry  
**3:35:58 PM** Chair Cannon  
**3:36:15 PM** Roland Sonnenburg, animal trainer  
**3:40:07 PM** Chair Cannon  
**3:40:39 PM** Mike Daly, former Deschutes County Commissioner  
**3:40:40 PM** {Exhibit} 4: Daly  
**3:44:47 PM** Dr. Larry Peetz, Doctor of Veterinary Medicine, Oregon  
**3:47:26 PM** Deputy Kerri Tyler, Sheriffs Department, Lincoln County  
**3:48:24 PM** Susan Mentley, Oregon Humane Society, Portland Bureau  
**3:48:25 PM** {Exhibit} 5: Mentley  
**3:49:45 PM** Chair Cannon  
**3:50:19 PM** Mentley  
**3:51:01 PM** Chair Cannon  
**3:51:04 PM** Rep. Boone  
**3:51:22 PM** Tyler  
**3:51:24 PM** Rep. Boone  
**3:52:12 PM** Mentley  
**3:52:27 PM** Rep. Boone  
**3:52:44 PM** Chair Cannon  
**3:53:18 PM** Rep. Boone  
**3:53:20 PM** Chair Cannon  
**3:54:19 PM** Robert Aue, primate owner  
**3:55:47 PM** {Exhibit} 6: Aue  
**3:55:48 PM** Molly Schaefer, USDA license holder  
**3:55:53 PM** {Exhibit} 7: Schaefer  
**3:57:27 PM** {Exhibit} 8: Schaefer  
**3:59:20 PM** Steve Higgs, USDA license holder  
**4:01:53 PM** Chair Cannon  
**4:02:54 PM** Schaefer  
**4:03:48 PM** Chair Cannon  
**4:04:04 PM** Higgs  
**4:05:09 PM** Rep. Barnhart  
**4:06:32 PM** Schaefer  
**4:07:07 PM** Rep. Bentz  
**4:07:48 PM** Schaefer  
**4:08:41 PM** Rep. Bentz

**4:08:54 PM** Schaefer  
**4:09:20 PM** Vice-Chair Gilliam  
**4:10:24 PM** Chair Cannon  
**4:10:30 PM** Rep. Boone  
**4:10:42 PM** Schaefer  
**4:11:37 PM** Rep. Barnhart  
**4:12:02 PM** Schaefer  
**4:12:38 PM** Rep. Barnhart  
**4:12:52 PM** Schaefer  
**4:12:55 PM** Chair Cannon  
**4:13:06 PM** Vice-Chair Smith J.  
**4:13:50 PM** Glen Kolb, Executive Director, Oregon Veterinary Medical Association  
  
**4:14:26 PM** {Exhibit} 9: Kolb  
**4:14:53 PM** Vicki Abrey, Tillamook County  
**4:15:49 PM** John Turner, Region 1 Director, Feline Conservation Federation  
**4:17:07 PM** {Exhibit} 10: Turner  
**4:19:19 PM** Chair Cannon  
**4:20:08 PM** Kat Malstead, Owner, Woldancer Creek Farm, Estacada, Oregon  
**4:21:50 PM** {Exhibit} 11: Malstead  
**4:24:21 PM** Jim Welsh, Oregon Cattlemen's Association  
**4:25:20 PM** SB 739 - Public Hearing  
**4:25:48 PM** Chair Cannon  
**4:25:52 PM** Gail Shibley, Administrator, Office of Environmental Health, Oregon Department of Human Services  
  
**4:25:53 PM** {Exhibit} 12: Shibley  
**4:28:11 PM** Greg Pettit, Administrator, Department of Environmental Quality Laboratory and Environmental Assessment Division, Department of Environmental Quality  
  
**4:29:22 PM** {Exhibit} 13: Pettit  
**4:31:58 PM** Shibley  
**4:32:18 PM** Peggy Lynch, Natural Resource Coordinator, League of Women Voters  
  
**4:32:19 PM** {Exhibit} 14: Lynch  
**4:33:38 PM** Beth Myers, Owner, Waterlab Corp.  
**4:34:46 PM** {Exhibit} 15: Myers  
**4:36:02 PM** Jerry Schmidt, Oregon Groundwater Association  
**4:38:04 PM** Rep. Bentz  
**4:38:31 PM** Shibley  
**4:39:16 PM** Rep. Bentz  
**4:39:26 PM** Shibley  
**4:40:09 PM** Chair Cannon  
**4:40:41 PM** SB 105 - Work Session  
**4:41:11 PM** Dick Pedersen, Director, Department of Environmental Quality  
**4:46:39 PM** Chair Cannon  
**4:47:05 PM** Pedersen

**4:50:31 PM** Chair Cannon  
**4:50:37 PM** Pedersen  
**4:50:45 PM** Rep. Jenson  
**4:50:50 PM** Pedersen  
**4:51:15 PM** Rep. Jenson  
**4:51:36 PM** Pedersen  
**4:51:54 PM** Rep. Boone  
**4:51:59 PM** Pedersen  
**4:52:20 PM** Rep. Boone  
**4:52:44 PM** Pedersen  
**4:53:15 PM** Rep. Boone  
**4:53:23 PM** Pedersen  
**4:53:48 PM** Rep. Bentz  
**4:54:57 PM** Pedersen  
**4:55:36 PM** Rep. Bentz  
**4:55:45 PM** Pedersen  
**4:55:47 PM** Rep. Bentz  
**4:55:57 PM** Pedersen  
**4:56:20 PM** Rep. Bentz  
**4:56:31 PM** Chair Cannon  
**4:56:34 PM** Rep. Bentz  
**4:56:36 PM** Rep. Bentz  
**4:56:38 PM** Chair Cannon  
**4:56:43 PM** Chair Cannon  
**4:56:55 PM** Vice-Chair Smith J.  
**4:57:23 PM** MOTION: Vice-Chair Smith J. moves SB 105 A DO PASS  
**4:57:49 PM** VOTE: 5-3-0  
**4:58:16 PM** Ayes: Bailey, Barnhart, Boone, Smith J., Cannon; Nays: Bentz, Jenson, Gilliam  
**4:58:21 PM** CARRIER: REP. CANNON will lead the discussion on the floor  
**4:58:27 PM** Chair Cannon  
**4:58:58 PM** Meeting Adjourned

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**HEW**

**5/12/2009 3:04:38 PM**

- 3:15:55 PM** {Exhibit} 1: SB 391 A, written testimony, Scott Berkstead, 11 pp
  - 3:17:11 PM** {Exhibit} 2: SB 391 A, written testimony, Nicole Paquette, 13 pp
  - 3:33:22 PM** {Exhibit} 3: SB 391 A, written testimony, Lauren Henry, 2 pp
  - 3:40:40 PM** {Exhibit} 4: SB 391 A, written testimony, Mike Daly, 4 pp
  - 3:48:25 PM** {Exhibit} 5: SB 391 A, written testimony, Susan Mentley, 1 p
  - 3:55:47 PM** {Exhibit} 6: SB 391 A, written testimony, Robert Aue, 1 p
  - 3:55:53 PM** {Exhibit} 7: SB 391 A, written testimony, Molly Schaefer, 3 pp
  - 3:57:27 PM** {Exhibit} 8: SB 391 A, written testimony of Cheryl Jones, Molly Schaefer, 1 p
  - 4:14:26 PM** {Exhibit} 9: SB 391 A, written testimony, Glenn Kolb, 1 p
  - 4:17:07 PM** {Exhibit} 10: SB 391 A, written testimony, John Turner, 3 pp
  - 4:21:50 PM** {Exhibit} 11: SB 391 A, written testimony, Kat Malstead, 5 pp
  - 4:25:53 PM** {Exhibit} 12: SB 739 A, written testimony, Gail Shibley, 3 pp
  - 4:29:22 PM** {Exhibit} 13: SB 739 A, written testimony, Greg Pettit, 4 pp
  - 4:32:19 PM** {Exhibit} 14: SB 739 A, written testimony, Peggy Lynch, 1 p
  - 4:34:46 PM** {Exhibit} 15: SB 739 A, written testimony, Beth Myers, 8 pp
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