

HOUSE COMMITTEE ON WATER

April 18, 2005 Hearing Room 357

1:00 P.M. Tapes 68 - 69

MEMBERS PRESENT: **Rep. Bob Jenson, Chair**

Rep. Jackie Dingfelder, Vice-Chair

Rep. Jerry Krummel, Vice-Chair

Rep. Phil Barnhart

Rep. Alan Brown

Rep. Billy Dalto

Rep. Carolyn Tomei

STAFF PRESENT: **Sandy Thiele-Cirka, Committee Administrator**

Elizabeth Howe, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2812 – Public 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 68, A

003	Chair Jenson	
-----	--------------	--

Calls the meeting to order at 1:10 p.m. Opens a public hearing on HB 2812.

HB 2812 – PUBLIC HEARING

022	Neil Bryant	Attorney. Submits written testimony (EXHIBIT A) and provides background on HB 2812.
099	Bryant	Mentions testimony submitted by Gail L. Achterman, Director, Institute for Natural Resources, Oregon State University (EXHIBIT B).
108	Martha Pagel	Attorney, Schwabe, Williamson & Wyatt. Former Director, Water Resources Department. Submits written testimony (EXHIBIT C) and testifies in support of HB 2812.
169	Pagel	Describes hurdles to establishing a Water Law Reform Task Force.
226	Rep. Tomei	Addresses suggested amendments to create manageable assignments.
233	Pagel	States that she has not drafted an amendment, but would work with follow-up effort.
238	Chair Jenson	Questions if subcommittees would be more efficient.
243	Pagel	Believes subcommittees are a good idea with enough time.
247	Chair Jenson	Clarifies that the task force would be four years, not two.
274	Bryant	Comments further on suggestion to add another group.
288	Chair Jenson	Comments on considering people for membership on the task force. Addresses funding.
314	Bryant	Believes funds are available for this study.
331	Pagel	Lists some possibilities for funding.
346	Chair Jenson	Mentions help from the Oregon Law Commission.

360 Bryant Believes that this task would be taxing on the Law Commission.

375 Chair Jenson States that the chair will rely upon the panel for information.

TAPE 69, A

022 Karen Russell WaterWatch. Submits report of the Water Resources Committee (1955) (**EXHIBIT D**) and WaterWatch publications (**EXHIBIT E & F**).

077 Russell Suggests that the 1955 report may be a helpful tool for creating a task force on Water Law Reform. Suggests industries that should be represented on the task force.

150 Russell Offers recommendations for issues that the task force should address.

200 Steve Shropshire Attorney in Water Law. Testifies in support of water law reform, but suggests ways to go about it.

275 Shropshire Continues testimony on issues regarding water law reform.

339 Rep. Dingfelder Address doctrine of prior appropriation reform. Inquires about regional approaches to reforming Western water law.

359 Shropshire Mentions other studies that are being conducted.

395 Chair Jenson Believes the Council of State Governments - West (CSG West) has been looking at Western water law.

409 Rep. Dingfelder Suggests getting information from CSG West about funding and information that has already been gathered.

TAPE 68, B

008 Shropshire Mentions professor who has addressed this issue.

016 Chair Jenson Expresses appreciation for comments and suggestions.

056	Scott Ashcom	Oregon Agricultural Alliance. Testifies in support of HB 2812. Comments on the rigid, but well written 1909 and 1955 code.
114	Adam Sussman	Legislative Coordinator, Water Resources Department. Submits written testimony (EXHIBIT G) and testifies in support of HB 2812. Suggests a focused approach, with clear expectations.
170	Rep. Barnhart	Questions cost figure in testimony (EXHIBIT G).
184	Sussman	States that figure is a low estimate. Explains cost.
194	Chair Jenson	Addresses cost of task force.
250	Sussman	Comments on the significance of recoding water law.
278	Richard Kosesan	Water for Life. Commends the chair for efforts. Testifies in support of HB 2812. Addresses funding and makeup of the task force.
322	Willie Tiffany	League of Oregon Cities. Testifies in support of HB 2812.
354	Jerry Schmidt	Oregon Groundwater Association. Testifies in support of HB 2812.

TAPE 69, B

026	Chair Jenson	Closes the public hearing and adjourns the meeting at 2:35 p.m.
-----	--------------	---

EXHIBIT SUMMARY

- A. **HB 2812, written testimony, Neil Bryant, 2 pp**
- B. **HB 2812, written testimony of Gail L. Achterman, Neil Bryant, 2 pp**
- C. **HB 2812, written testimony, Martha Pagel, 3 pp**
- D. **HB 2812, report, Karen Russell, 58 pp**
- E. **HB 2812, publication, Karen Russell, 12 pp**
- F. **HB 2812, publication, Karen Russell, 12 pp**
- G. **HB 2812, written testimony, Adam Sussman, 1 p**