

## HOUSE COMMITTEE ON WATER

February 20, 2003 Hearing Room B  
8:30 A.M. Tapes 23 - 25

**MEMBERS PRESENT:**        **Rep. Bob Jenson, Chair**  
                                  **Rep. Jackie Dingfelder, Vice-Chair**  
                                  **Rep. Jeff Kropf, Vice-Chair**  
**Rep. Linda Flores**  
                                  **Rep. Jeff Kruse**  
                                  **Rep. Mike Schaufler**  
                                  **Rep. Carolyn Tomei**

**STAFF PRESENT:**         **Pete Test, Committee Administrator**  
                                  **Mike Reiley, Committee Assistant**

**MEASURE/ISSUES HEARD:**        **HB 2247 – Public Hearing and Work Session**  
  **HB 2268 – Public Hearing**

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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.

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 23, A</b>		
003	Chair Jenson	Calls meeting to order at 8:34 a.m. Opens public hearing on HB 2247.
<b><u>HB 2247 – PUBLIC HEARING</u></b>		
010	Pete Test	Committee Administrator. Summarizes HB 2247.
024	Paul Donheffner	Director, Oregon State Marine Board (OSMB). Submits and summarizes prepared testimony in support of HB 2247 <b>(EXHIBIT A)</b> .
094	Rep. Schaufler	Asks about 2-stroke engines.
104	Donheffner	Explains regulations regarding 2-stroke engines.
111	Rep. Schaufler	Expresses support for HB 2247 and desire for 2-stroke engines to be phased out.
126	Rep. Kropf	Asks about fee increase.
128	Donheffner	Explains fee increase.
135	Rep. Kropf	Asks why fee increase was not passed in 2001 legislative session.
142	Donheffner	Explains funding situation.
160	Rep. Kropf	Asks about staffing.
162	Donheffner	Explains OSMB staffing.
164	Rep. Kropf	Asks how Public Employees' Retirement System (PERS) has affected funding and staffing.
171	Donheffner	Further clarifies funding.
180	Rep. Schaufler	Asks if boaters support fee increase.
185	Donheffner	Answers that many major boating groups support it.
203	Rep. Dingfelder	Expresses desire to phase out 2-stroke engines.
231	Donheffner	Explains efforts done for environmental consideration.
246	Rep. Kruse	Notes that 2-stroke phase-out is "solution in search of a problem."
267	Shane Jackson	Skippers for Clean Oregon Waters (SCOW). Testifies in support

of HB 2247.

322 Brian Carroll Oregon Parks Association. Testifies in support of HB 2247.  
 361 Rep. Kropf Asks about effect on Linn County if HB 2247 does not pass.  
 381 Carroll Explains effects if HB 2247 does not pass.  
 411 Rep. Schaufler Asks about position of Governor Kulongoski on HB 2247.

**TAPE 24, A**

003 Donheffner Responds that HB 2247 was pre-session filed by Governor Kulongoski and included in his budget.

014 Trey Carskadon Northwest Sportfishing Industry Association. Testifies in support of HB 2247. Notes that he has written testimony contained within Mr. Donheffner's submitted testimony (A).  
 048 Rep. Kruse Asks about extent of agreement with other stakeholder groups.  
 051 Carskadon Explains agreement with other stakeholder groups.  
 055 Phil Donovan Association of Northwest Steelheaders. Submits and summarizes prepared testimony in support of HB 2247 (EXHIBIT B).  
 091 Chair Jenson Closes public hearing on HB 2247. Opens work session on HB 2247.

**HB 2247 – WORK SESSION**

100 Rep. Kruse **MOTION: Moves HB 2247 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**

106 Rep. Dingfelder Expresses support for HB 2247. Re-states desire to phase out 2-stroke engines.  
 114 Rep. Tomei Expresses support for HB 2247. States desire to phase out 2-stroke engines.  
 141 Chair Jenson Asks about number of boats registered in Oregon with out-of-state ownership.  
 147 Donheffner Explains regulations regarding out-of-state ownership and documented vessels.  
 163 Rep. Kruse Asks about boat registration.  
 165 Donheffner Explains boat registration.  
 175 Jackson Offers further clarification of boat registration.

**VOTE: 5-0**  
**AYE: In a roll call vote, all members present vote Aye.**  
**EXCUSED: 2 - Flores, Kropf**  
**The motion CARRIES.**

202 Chair Jenson  
 207 Chair Jenson Closes work session on HB 2247. Opens public hearing on HB 2268.

**HB 2268 – PUBLIC HEARING**

210 Pete Test Committee Administrator. Summarizes HB 2268.  
 236 Roger Prowell City of Bend. Submits and summarizes prepared testimony in support of HB 2268 (EXHIBIT C).  
 311 Bob Patterson City of Pendleton. Testifies in support of HB 2268.  
 344 Chair Jenson Asks about delays in permitting process.  
 348 Patterson Explains permitting process.  
 352 Chair Jenson Asks for clarification of permitting process.  
 354 Patterson Clarifies permitting process.  
 385 Paul Cleary Director, Water Resources Department (WRD). Submits and summarizes prepared testimony in support of HB 2268 (EXHIBIT D).

**TAPE 23, B**

001	Cleary	Continues presentation.
127	Rep. Kropf	Asks about magnitude of fee increases.
130	Cleary	Explains fee increases.
136	Rep. Kropf	Asks how fee increases related to governor's budget.
141	Cleary	Clarifies fee increases and relation to budget.
155	Gail Andrews	Oregon State University Extension Well Water Program Coordinator. Submits and summarizes prepared testimony in support of HB 2268 ( <b>EXHIBIT E</b> ).
224	Jean Underhill-Wilkinson	Director of Governmental Affairs, Oregon Farm Bureau. Testifies to fee increases in HB 2268.
258	Kristina McNitt	Oregon Water Resources Congress. Submits and summarizes prepared testimony regarding HB 2268 ( <b>EXHIBIT F</b> ).
300	Katie Fast	Oregon Cattlemen's Association. Testifies in opposition to HB 2268.
325	Chair Jenson	Emphasizes that committee is addressing policy only, not potential size of fee increase.
350	Paul Eckley	Operations Services Manager, Public Works Department, City of Salem. Submits and summarizes prepared testimony in support of HB 2268 ( <b>EXHIBIT G</b> ).
<b>TAPE 24, B</b>		
040	Jerry Schmidt	Oregon Ground Water Association. Submits and summarizes prepared testimony regarding HB 2268 ( <b>EXHIBIT H</b> ).
111	Mark Simmons	Oregon Association of Nurserymen. Testifies in qualified support of HB 2268.
137	Malia Kupillas	Hydrogeologist. Testifies in support of HB 2268.
197	Rep. Schaufler	Asks about fee increase.
206	Cleary	Explains Start Card program.
231	Rep. Dingfelder	Asks about protests and fees.
247	Cleary	Explains protests and associated fees.
261	Rep. Dingfelder	Asks for clarification of protests.
266	Adam Sussman	WRD. Clarifies protest fees.
282	Rep. Dingfelder	Asks about nature of applications.
294	Cleary	Differentiates applications.
332	Rep. Dingfelder	Asks about staffing and applications.
341	Cleary	Explains staffing and applications.
360	Rep. Dingfelder	Expresses concern about effects of fee increases.
370	Cleary	Explains nature of fee increases.
400	Rep. Schaufler	Asks for information on fee increase and relationship to Governor's budget.
408	Cleary	Further clarifies fee increase and effects on budget.
<b>TAPE 25, A</b>		
021	Rep. Tomei	Expresses concern that fees are correctly applied.
027	Cleary	Explains how fees would be applied.
035	Rep. Tomei	Asks for explanation of magnitude of fee increases.
042	Cleary	Explains magnitude of fee increases.
055	Rep. Kropf	Asks for clarification of costs related to Start Card fees, details of costs of water right applications and relation to private costs, policy regarding water storage (ponds) and updated information as to how fee increases relate to the Governor's budget.
078	Cleary	States that he will obtain information.
085	Chair Jenson	Expresses desire to have WRD work with stakeholders to resolve issues related to HB 2268. Closes public hearing on HB 2268. Adjourns meeting at 10:33 a.m.

**Written testimony submitted for HB 2247 by Oregon State Marine Board (EXHIBIT I).**

Written testimony submitted for HB 2268 by Kimberly Priestley, Assistant Director, WaterWatch (EXHIBIT J).

**EXHIBIT SUMMARY**

- A – HB 2247, prepared testimony, Paul Donheffner, 21 pp**
- B – HB 2247, prepared testimony, Phil Donovan, 1 p**
- C – HB 2268, prepared testimony, Roger Prowell, 2 pp**
- D – HB 2268, prepared testimony, Paul Cleary, 19 pp**
- E – HB 2268, prepared testimony, Gail Andrews, 1 p**
- F – HB 2268, prepared testimony, Kristina McNitt, 1 p**
- G – HB 2268, prepared testimony, Paul Eckley, 2 pp**
- H – HB 2268, prepared testimony, Jerry Schmidt, 4 pp**
- I – HB 2247, written information only, Oregon State Marine Board, 15 pp**
- J – HB 2268, written information only, Kimberly Priestley, 2 pp**