

HOUSE COMMITTEE ON WATER AND ENVIRONMENT

February 14, 2001  
8:30 AM

Hearing Room E  
Tapes 24 - 25

**MEMBERS PRESENT:**      **Rep. Betsy Close, Chair**  
                                 **Rep. Laurie Monnes-Anderson, Vice-Chair**  
                                 **Rep. Susan Morgan, Vice-Chair**  
                                 **Rep. Mark Hass**  
                                 **Rep. Bob Jenson**  
                                 **Rep. Deborah Kafoury**  
                                 **Rep. Al King**  
                                 **Rep. Jeff Kruse**  
                                 **Rep. Jan Lee**

**STAFF PRESENT:**            **Megan Palau, Committee Administrator**  
                                 **Shannon Relaford, Committee Assistant**

**MEASURE/ISSUES HEARD:**      **HB 2314 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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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 24, A</b>		
003	Chair Close	Convenes meeting at 8:40 a.m. Opens a public hearing on HB 2314.
<b><u>HB 2314 PUBLIC HEARING</u></b>		
004	Megan Palau	Committee Administrator. Gives explanation of HB 2314.
013	Rep. Kathy Lowe	House District 26. Presents testimony in support of HB 2314 <b>(EXHIBIT A)</b> .
047	Rep. Morgan	Questions if the bill is in response to a constituent issue.
054	Lowe	Gives history of issue. Continues with overview and need for bill.
095	Rep. Morgan	Inquires if a discussion was had with water district regarding what their policy is for shutting off for non-payment.
102	Lowe	Responds yes.
104	Rep. Morgan	Asks if their process for notification is to put a notice on the patron's doors.
105	Lowe	Concurs.
106	Rep. Morgan	Questions if a person were living in the house full time they would get the notice.
113	Lowe	Concurs. Insists if you are not in the house on a day-to-day basis, it is not adequate notice.
120	Rep. Morgan	Questions if they reside in the house full time in the summer or is it only a part time residence.
123	Lowe	Responds there is always someone there in the summer.
125	Rep. Morgan	Questions if it would be reasonable to assume that patrons of the

		district that live there full time would be receiving adequate notice with this process.
127	Lowe	Respond she doesn't think so.
130	Chair Close	Questions what the rule is for notification.
135	Lowe	States she does not know. Suggests standardization for the entire state might be a good thing.
142	Chair Close	Requests an explanation of accepting reasonable partial payment issue.
146	Lowe	Responds she took the language directly from statute. Stresses she wants to have water considered an essential service.
158	Rep. Jenson	Questions if the bill will be incorporated into ORS 757.750.
162	Lowe	Responds the bill simply requests ORS 264.314 be amended to include these provisions. States willingness to have an amendment that would include the word water as an essential service.
178	Rep. Jenson	Inquires if for consistency it would be necessary to have an amendment to include water in the essential services.
187	Lowe	Concurs.
190	Rep. Kruse	Requests clarification, since he doesn't believe the relating clause allows that to be done.
194	Lowe	Concurs and states that an additional bill may be needed.
208	John Kellin	Special Districts Association of Oregon. Presents testimony in opposition to bill. Explains what special districts are. Stresses policy should be established at the local level.
262	Rep. Monnes-Anderson	Questions what the South Lincoln Water District's policy is.
265	Kellin	Responds he does not know, but has a list of names to get the information.
269	Rep. Monnes-Anderson	Agrees that it would be important information to know.
271	Chair Close	Requests that information be provided.
273	Rep. Morgan	Comments on rural water districts operating on a shoestring and is hesitant to support the bill knowing the make up of some of the districts and the impact it would have on them.
305	Rep. Jenson	States the fundamental issue is health and there is a body of law that provides some protection.
323	Kellin	Concurs.
326	Rep. Jenson	Asks why it would be more difficult for water districts to establish reasonable payment than other utilities.
340	Jason Green	Special Districts Association of Oregon. Explains when districts are joined with sanitary districts it is very difficult to separate the billing for partial payment.
362	Rep. Jenson	States his appreciation for the local issue and would want to protect that. Comments that the basic issue is the health issue and the responsibility falls to the state to protect the health of the citizens. Notes that they did not say that all districts send several notices.
382	Kellin	Replies there are a lot of districts, and some are very small, so it might involve knocking on their neighbor's door rather than sending a notice.
391	Rep. Hass	States the statute says the termination of residential electric and natural gas services can lead to serious impairment of human health. Questions if the termination of water could lead to serious impairment of human health.

398	Kellin	Concurs.
403	Rep. Hass	Requests their answer to this issue.
407	Kellin	Replies the local board sets policy that is appropriate for their districts.
424	Chair Close	Asks if the group would be willing to accept that some kind of written notification is required.
430	Kellin	Agrees that would be reasonable.
437	Rep. King	States if people are in the business of serving the public needs with a necessary product, they need to do it in a serious manner.
		Comments that requiring notice is completely in order.
457	Rep. Morgan	Requests examples of shut off policies of water districts.
460	Chair Close	Responds that examples will be supplied.
<b>TAPE 25, A</b>		
040	Chair Close	Comments they will continue to work on the bill. Closes the public hearing on HB 2314. Adjourns meeting at 9:10 a.m.

Submitted By,

Reviewed By,

Shannon Relaford,  
Committee Assistant

Megan Palau,  
Committee Administrator

**EXHIBIT SUMMARY**

**A – HB 2314, written testimony, Representative Kathy Lowe, 1 p.**