

HOUSE COMMITTEE ON WATER POLICY

May 1, 1997 Hearing Room E

3:00 P.M. Tape 74 - 75

MEMBERS PRESENT: Rep. Ken Messerle, Chair

Rep. Tim Josi, Vice-Chair

Rep. Jo Ann Bowman

Rep. Tony Corcoran

Rep. Steve Harper

Rep. Jeff Kruse

Rep. Jim Welsh

VISITING MEMBER: Rep. Bob Jenson

STAFF PRESENT: Pat Zwick, Policy Analyst

Rebecca M. Scott, Administrative Support

MEASURE/ISSUES HEARD: HB 2703 Work Session

HCR 3 Work Session

HB 2135 Work Session

HB 3523 Public Hearing and Work Session

HB 3522 Work Session

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 74, A		
001	Chair Messerle	Calls meeting to order at 3:23 p.m.
<u>HB 2703</u> <u>WORK</u> <u>SESSION</u>		

003	Chair Messerle	Opens work session on HB 2703.
005	Pat Zwick	Policy Analyst, summarizes HB 2703.
018	Chair Messerle	Comments on the amendments to HB 2703.
026	Rep. Josi	MOTION: Moves to ADOPT HB 2703-2 amendments dated 04/17/97.
	Chair	Hearing no objection, declares the motion CARRIED.
030	Rep. Josi	MOTION: Moves HB 2703 BE REFERRED to the committee on Ways and Means AS AMENDED WITHOUT RECOMMENDATION as to passage.
032	Rep. Bowman	Asks if HB 2703 could be referred back to Water Policy after Ways and Means has made a determination.
036	Chair Messerle	It would go to the Floor.
041	Rep. Josi	Withdraws motion
045	Rep. Kruse	MOTION: Moves HB 2703 BE REFERRED to the committee on Ways and Means with a DO PASS AS AMENDED recommendation.
		VOTE: 4-3 AYE: 4 - Harper, Kruse, Welsh, Messerle NAY: 3 - Bowman, Corcoran, Josi
Chair		The motion CARRIES.
<u>HCR 3</u> <u>WORK</u> <u>SESSION</u>		
060	Chair Messerle	Opens work session on HCR 3.
061	Zwick	Submits and reviews -2 amendments. (EXHIBIT A)
068	Rep. Josi	MOTION: Moves to ADOPT HCR 3-2 amendments dated 04/28/97.
		VOTE: 6-1 AYE: 6 - Bowman, Harper, Josi, Kruse, Welsh, Messerle NAY: 1 - Corcoran
Chair		The motion CARRIES.
076	Rep. Kruse	MOTION: Moves HCR 3 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.

		VOTE: 5-2 AYE: 5 - Harper, Josi, Kruse, Welsh, Messerle NAY: 2 - Bowman, Corcoran
	Chair	The motion CARRIES. REP. KRUSE will lead discussion on the floor.
083	Chair Messerle	Closes work session on HCR 3.
<u>HB 2135</u> <u>WORK</u> <u>SESSION</u>		
085	Chair Messerle	Opens work session on HB 2135.
088	Zwick	Submits and reviews -1 amendments to HB 2135. (EXHIBIT B)
098	Martha Pagel	Director, Water Resources Department, submits and reviews written testimony in support of HB 2135 and the -1 amendments. (EXHIBIT C)
143	Chair Messerle	Asks for discussion on the number of full-time employees and the amount of funding.
150	Pagel	Expect to restore \$410,000 from the General Fund, which would cover the five base positions. The fee revenues expected under the revised version of HB 2135 is \$387,000.
166	Ken Weiss	Water Resources Department. The numbers involve total revenues raised as a result of these fees and covering total cost. Proposing to fund an additional five positions from the General Fund. Twelve position are funded out of water right fees and this increase would add four new positions.
188	Chair Messerle	Asks for further detail on funding and positions for each category.
191	Weiss	Only brought gross totals. Can provide more detailed totals at a later time.
195	Rep. Harper Pagel	Discussion on fiscal impact statement for HB 2135 with the -1 amendments.
238	Chair Messerle	Asks about an emergency clause.
240	Pagel	Would like to propose the addition of an emergency clause so that the new fees will go in affect with the new biennium, to ensure that the revenue projections remain accurate.
250	Rep. Jenson	Asks if five full-time employees who would have been funded by water rights fees on the original bill are being moved to General Fund.
255	Pagel	Correct.

258	Chair Messerle	Asks if Water Resources has any recommendations on how this would be covered by General Fund.
260	Pagel	\$1 million was taken from General Fund in Water Resources base budget. The primary source of that funding was about \$695,000 that was taken from a ground water study in the Willamette Basin. The effect of the reduction would be that the department would have to slow the process of that study. Discussions with Legislative Fiscal put forward a strategy for restoring funds.
290	Rep. Josi	MOTION: Moves to ADOPT HB 2135-1 amendments dated 05/01/97 and that the measure be FURTHER AMENDED on page 19, line 44, by inserting an emergency clause effective July 1, 1997.
	Chair	Hearing no objection, declares the motion CARRIED .
301	Rep. Josi	MOTION: Moves HB 2135 BE REFERRED to the committee on Ways and Means with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0 AYE: In a roll call vote, all members present vote Aye.
	Chair	The motion CARRIES.
321	Chair Messerle	Closes work session on HB 2135.
HB 3523 PUBLIC HEARING		
323	Chair Messerle	Opens public hearing on HB 3523.
336	Zwick	Summarizes HB 3523 and submits -2 amendments. (EXHIBIT D)
375	Martha Pagel	Director, Water Resources Department, testifies in support of HB 3523 and the -2 amendments. Discusses the -2 amendments in more detail.
TAPE 75, A		
002	Pagel	Discusses the concept of reservations for future economic development. HB 3523 facilitates the creation of reservations.
024	Jan Lee	Representing Oregon Water Resources Congress, testifies in support of HB 3523 as introduced.
052	Reed Benson	Staff Attorney, Water Watch, testifies in support of HB 3523. Has some concerns regarding the definition of who can request a reservation. The current amendment is unclear in its definition.
102	Rep. Bowman	Asks if he can recommend any language that would clarify the definition.
106	Benson	Deletion of "any other individual" would be acceptable. If a person is cooperating jointly with a local government or watershed council, the agency can make the request.

113	Rep. Bowman	Comments that her initial concern was that "any person" was too broad. Water Resources seems to be trying to include other interested parties who have been involved in the process.
124	Benson	This provision relates only to who can request a reservation as opposed to who can participate in the process. Water Watch would be opposed to any provision to limit who could participate in the process of considering requests.
140	Chair Messerle	Closes public hearing on HB 3523.
<u>HB 3523</u> <u>WORK</u> <u>SESSION</u>		
141	Chair Messerle	Opens work session on HB 3523.
142	Rep. Kruise	MOTION: Moves to ADOPT HB 3523-2 amendments dated 04/28/97.
	Chair	Hearing no objection, declares the motion CARRIED.
146	Rep. Kruise	MOTION: Moves HB 3523 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0
		EXCUSED: 1 - Josi
	Chair	Hearing no objection, declares the motion CARRIED. REP. MESSERLE will lead discussion on the floor.
156	Chair Messerle	Closes work session on HB 3523.
<u>HB 3522</u> <u>WORK</u> <u>SESSION</u>		
158	Chair Messerle	Opens work session on HB 3522.
162	Zwick	Discusses changes to HB 3522 and submits -3 amendments. (EXHIBIT E)
185	Chair Messerle	Asks if HB 3522 would need to be redrafted for clarification.
186	Zwick	Discusses the various sets of amendments.
193	Chair Messerle	Closes work session on HB 3522.
194	Chair	Adjourns meeting at 4:38 p.m.

Submitted By, Reviewed By,

Rebecca M. Scott, Pat Zwick,

Administrative Support Policy Analyst

EXHIBIT SUMMARY

A - HCR 3, -2 Amendments dated 04/28/97, Staff, 2 pp.

B - HB 2135, -1 Amendments dated 05/01/97, Staff, 2 pp.

C - HB 2135, Written Testimony, Martha Pagel, 2 pp.

D - HB 3523, -2 Amendments dated 04/28/97, Staff, 2 pp.

E - HB 3522, -3 Amendments dated 05/01/97, Staff, 4 pp.