

HOUSE COMMITTEE ON WATER POLICY

March 27, 1997 Hearing Room D

3:00 PM Tapes 54

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

MEMBER EXCUSED:

VISITING MEMBER: Rep. Bob Jenson

STAFF PRESENT: Pat Zwick, Policy Analyst

Rebecca M. Scott, Administrative Support

MEASURE/ISSUES HEARD: HB 3184 Public Hearing

HB 2094 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 54, A		
002	Chair Messerle	Calls meeting to order at 3:08 p.m. Comments that the order of the agenda will be reversed.
<u>HB 3184</u> <u>PUBLIC</u> <u>HEARING</u>		
003	Chair Messerle	Opens public hearing on HB 3184.
006	Rep.	State Representative, District 37, comments on HB 3184. Submits

	VanLeeuwen	proposed amendments. (EXHIBIT A)
023	Michael Cape	Intern, submits and reviews testimony in support of HB 3184. (EXHIBIT B)
047	Chair Messerle	Asks if this measure applies to agriculture.
049	Cape	Refers Chair to Pete Test.
053	Rep. Bowman	Asks whether or not the Division of State Lands can accelerate the process if there is an emergency.
056	Cape	Defers to Paul Cleary.
059	Paul Cleary	Director, Division of State Lands (DSL). Currently, during emergency situations people can start activities then notify DSL within 24 hours.
075	Rep. Bowman	Asks why this bill is needed.
077	Cleary	Currently, people can start doing work before contacting DSL. The suggestion is that contacting DSL is beneficial to ensure that work is done correctly, and to prevent additional damage. This would allow oral authorization with on-site inspection at a later time.
101	Cleary	Submits and reviews testimony in support of HB 3184. (EXHIBIT C)
111	Rep. Josi	Comments on the 1996 Flood.
117	Chair Messerle	Asks if this bill would have any impact on the recent floods.
119	Cleary	Yes, particularly northeastern Oregon.
123	Chair Messerle	Asks if this bill would assist those who have suffered damage from the flooding in November and December.
129	Cleary	If it is not an emergency situation now, then DSL would want to work with people through the normal procedures.
135	Chair Messerle	Comments on the needs of livestock operations and the need for pasture. Asks for the time frame of application.
142	Cleary	The normal process takes about 21 days.
144	Chair Messerle	Asks if that is a maximum or a minimum.
148	Cleary	The maximum is 90 days, the minimum is 21 days.
149	Chair Messerle	Comments on his concerns for livestock operations.
152	Cleary	If activities fall under general authorization, permits can be issued in 10 days.
155	Rep. Jenson	Asks if there has been any consultation with the wheat growers in regards to this bill.
158	Cleary	Yes, there have been some permit applications and some permits issued.

161	Rep. Jenson	Asks if there has been specific contact with them regarding this bill.
163	Cleary	No, waiting to see if the amendments would be approved.
165	Rep. Jenson	Comments on negative consultations with wheat growers.
168	Cleary	The amendments may address some of the concerns.
172	Chair Messerle	Comments on the need to get input from Eastern Oregon farmers.
174	Rep. Josi	Comments on HB 3184.
182	Pete Test	Associate Director, Oregon Farm Bureau, submits and reviews testimony in support of HB 3184. (EXHIBIT D)
222	Jill Zarnowitz	Chief, Habitat Conservation Division, Oregon Department of Fish and Wildlife, submits and reviews written testimony in support of -1 amendments to HB 3184. (EXHIBIT E)
230	Chair Messerle	Asks if there are any representatives from Oregon Trout in the audience. Previously submitted testimony from Jim Myron of Oregon Trout. (EXHIBIT F)
237	Chair Messerle	Closes public hearing on HB 3184.
<u>HB 2094</u> <u>WORK</u> <u>SESSION</u>		
240	Chair Messerle	Opens work session on HB 2094.
241	Rep. Kruse	Discusses -2 amendments to HB 2094, which changes the \$250.00 fee to \$75.00. (EXHIBIT G)
262	Pat Zwick	Policy Analyst, comments that the -2 amendment was received too late to hand engross. On line 28 on page 2, delete "\$250.00" and insert "\$75.00".
275	Chair Messerle	Asks staff for information.
277	Zwick	Comments that the two amendments will need to be combined into a -3 amendment, which will require a new fiscal statement.
282	Chair Messerle	Closes work session on HB 2094.
290	Rep. Corcoran	Asks how the \$75.00 figure was decided upon.
294	Rep. Kruse	Similar to start card fee.
303	Chair Messerle	Reopens work session on HB 2094.
305	Martha Pagel	Director, Water Resources Department, clarifies that the proposed \$75.00 fee is equal to the start card fee that well constructors pay when initiating the drilling of a well. Department is satisfied with this

		approach.
310	Rep. Kruse	Comments on the combination of the -1 and -2 amendments.
320	Chair Messerle	Closes work session on HB 2094.
323	Chair Messerle	Adjourns meeting at 3:31 p.m.

Submitted By, Reviewed By,

Rebecca M. Scott, Pat Zwick,

Administrative Support Policy Analyst

EXHIBIT SUMMARY

A - HB 3184, -1 Amendments dated 3/27/97, Rep. Liz VanLeeuwen, 1 p.

B - HB 3184, Written Testimony, Michael Cape, 1 p.

C - HB 3184, Written Testimony, Paul Cleary, 5 pp.

D - HB 3184, Written Testimony, Pete Test, 1 p.

E - HB 3184, Written Testimony, Jill Zarnowitz, 1 p.

F - HB 3184, Written Testimony, Jim Myron, 1 p.

G - HB 2094, -2 Amendments dated 3/26/97, Rep. Jeff Kruse, 1 p.