

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

HOUSE COMMITTEE ON  
WATER POLICY

Hearing Room  
Tapes - 11

MEMBERS PRESENT:

Rep. Chuck Norris, Chair  
Rep. Tim Josi, Vice-Chair  
Rep. Avel Gordly  
Rep. John Watt  
Rep. Jim Welsh

STAFF PRESENT:

Pat Zwick, Committee Administrator  
Gail E. Boesch, Committee Assistant

MEASURES HEARD:

HB 2374 - Public Hearing and Possible Work Session  
HB 2184 - Public Hearing and Possible Work Session

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TAPE , A

005 CHAIR NORRIS: Calls meeting to order at 3:00 p.m.

045 Opens PUBLIC HEARING on HB 2374  
Witnesses: Jim Myron, Oregon Trout  
Liz Frenkel, Sierra Club  
Sandy Flicker, Oregon Rural Electric Cooperative Association  
Gil Riddell, Association of Oregon Counties

047 JIM MYRON, OREGON TROUT: Submits Exhibit B, in opposition to HB 2374.

078 LIZ FRENKEL, OREGON CHAPTER, SIERRA CLUB: Submits Exhibit C.  
Reads from exhibit, opposing HB 2374. Regional perspective is critical issue.

135 REP. WELSH: Suggests western and eastern regions.

139 FRANKEL: Refers to the Power Planning Council, notes that the western region is the Columbia region.

145 REP. WATT: Asks for information regarding state of Washington's existing law. Directs a question to Ms. Frenkel regarding whether law is "unseemly, divisive and inflexible".

157 FRANKEL: Washington different from Oregon, basically urban industrial

area. Fears an "urban/rural" perspective in Oregon.

170 SANDY FLICKER, OREGON RURAL ELECTRIC COOPERATIVE ASSOCIATION: Supports  
HB 2374. Reads from Exhibit D.

213 GIL RIDDELL, ASSOCIATION OF OREGON COUNTIES (AOC): Strongly supports HB  
2374.

248 JAN BOETTCHER, EXECUTIVE DIRECTOR, WATER RESOURCES CONGRESS: Supports HB  
2374. Doesn't think Eastern Oregon gets representation on current council.

CHAIR NORRIS: Closes Public Hearing on HB 2374  
Opens Work Session on HB 2374

280 REP. JOSI: Mentions representation by county. Expresses concerns about  
"us vs. them mentality"; sees problem with the way HB 2374 is crafted,  
mandating one person that represents 25% of population. If committee is  
interested, will move a conceptual amendment.

320 REP. JOSI: Questions origin of HB 2374.

325 FLICKER: During '93 session bill passed out of House in form we have  
today; went to Senate Agriculture & Natural Resources committee, was  
amended; died in committee.

351 MOTION: REP. WATT: Moves that HB 2374 be sent to the Floor with a  
DO PASS recommendation.

363 REP. JOSI: Will vote no. States reasons.

367 REP. GORDLY: Speaks of other incidents of disenfranchisement - struck  
by lack of appointment of eastern residents in 14 appointing  
opportunities. Recognize that things don't change unless we make them  
change. How people feel about the way they're being represented is  
important. I'm hearing that the people (of Eastern Oregon) don't feel they  
are being represented. Will vote for HB 2374.

TAPE 11, A

014 REP. WELSH: Notes constitutional similarity of guarantee of voice of  
minority against tyranny of majority.

020 REP. JOSI: Crediting the discussion held, changes his vote; will vote  
for bill.

029 REP. WATT: Calls for question.

VOTE: In a roll call vote, all members are present and vote AYE.

030 CHAIR NORRIS: The motion CARRIES.

CHAIR NORRIS will lead the discussion on the Floor.

Closes Work Session on HB 2374  
Opens Public Hearing on HB 2184  
Witness:Martha Pagel, Water Resources Department  
Richard Koesan, Water For Life  
Jerry Schmidt, Oregon Association of Realtors, Oregon Groundwater Assoc.  
Doug Myers, WaterWatch  
Marjo Nelson, Water Resources Coordinator, Marion County  
Ron Yokum, Cranberry Growers  
Pete Test, Oregon Farm Bureau Federation

046 MARTHA PAGEL, WATER RESOURCES DEPARTMENT: (Exhibit E) Discusses Sections  
10 & 11, considers them the most important sections of HB 2184.

080 REP. JOSI: Asks for specifics. Requests clarification about how money would be spent.

085 PAGEL: Refers to Exhibit E, page 1, Water Supply Information Gathering.

115 - Continues, regarding information management. (Exhibit E)

123 - Water supply incentives most innovative step.

135 REP. WATT: Questions whether estimated expenditures outlined in Exhibit E are anticipated in the Governor's budget.

140 PAGEL: Yes. Explains that the state as a whole needs to figure out how to deal with water supply and how to pay for it. Reservoirs, aquifer storage - alternatives available; questions who should take lead. Legislature's attention to water issues important, calls everybody's attention to issues.

188 CHAIR NORRIS: Questions if use of word "Funding" in the title ("Task Force on Water Resource Management Funding") causes problems. Asks for clarification regarding purpose of task force.

196 PAGEL: Clarifies that the Task Force is to look at money; the Water Supply Fund is to find where the water is.

200 REP. WELSH: Questions whether all work would be done by Water Resource Department (WRD).

204 PAGEL: Water supply information gathering would be cost shared with U.S.Geological Survey. Information management will be done by WRD.

210 REP. WELSH: Questions WRD's capability to handle information management; questions staffing.

220 PAGEL: Delineates staff positions. Accounting position needed to track money.

235 REP. WATT: Questions use of funding for imaging system.

270 CHAIR NORRIS: Comments that there have been more complaints about the funding part of the bill than any other.

278 RICHARD KOSESAN, WATER FOR LIFE: Requests segregating last four sections of HB 2184 as a package. Last 4 sections create apprehension among agricultural community.

311 REP. WATT: Questions what leads to a conclusion that creation of task force would lead to user fee.

320 KOSESAN: Comments that next logical step would be user-fee system.

340 REP. WATT: Queries that if changes were made to Task Force, would that give Mr. Kosesan more comfort.

350 KOSESAN: Water for Life remains opposed to Task Force.

355 REP. JOSI: Questions whether, in terms of funding mechanisms, there are funding questions needing to be addressed.

366 KOSESAN: Feels water resource expenditures are General Fund items.

394 REP. JOSI: Questions whether the design of a storage area to meet long term water needs of a particular area of the state would be considered an appropriate expenditure.

003 KOESAN:Yes, storage is an absolute necessity.

007 CHAIR NORRIS: Referring to HB 2184, notes Task Force investigation of range of funding options, Section 11, and questions that it might be a "red flag".

027 KOESAN: Calls for some type of funding mechanism. Need for logical use of General Fund dollars.

034 REP. JOSI: Expand on agricultural community's fear of user fee concept.

043 KOESAN: If a fee is based on per head basis, that's one issue; but if based on domestic user vs. major agricultural operation using quantity of water used as basis of fee, then we're going to see many agricultural operations "not able to meet mark financially".

060 BOB HALL, PORTLAND GENERAL ELECTRIC: Not prepared to testify; still looking at bill. Notes that PGE pays a fee for hydro electric power.

080 JERRY SCHMIDT, OR. ASSOCIATION OF REALTORS, OR. GROUNDWATER ASSOC.: Agrees with Mr. Koesan regarding the last four sections of HB 2184. Suggests some shifts of direction need to be taken; some resources need to be moved from planning aspect into "on the ground project" aspect, into storage construction.

135 CHAIR NORRIS: Suggests use of Lottery dollars as opposed to General Fund.

140 SCHMIDT: Source of dollars up to legislators; wants maximum beneficial use for every dollar.

165 DOUG MYERS, WATERWATCH: WaterWatch likes Sections 10 & 11, rest of bill "sort of loosens things up".

213 REP. WELSH: Questions manner of funding to impose on people of Oregon.

220 MYERS: Can come out of a task force; don't have an answer.

235 REP. JOSI: Asks Mr. Myers to discuss Jerry Schmidt's point about assessing fees in an equitable manner, polarizing, break down of task force.

250 MYERS: Not going into specifics, that's for others to determine. Don't see General Fund funding for storage, not enough money.

273 MARJO NELSON, WATER RESOURCES COORDINATOR, MARION COUNTY: Need groundwater data developed by WRD. Local government needs to be included on task force.

300 RON YOKUM, CRANBERRY GROWERS: Addresses Water Supply Fund issues, Section 10. Opposes funding WRD at this time. Agency has credibility problem, need to solve backlog problem. Would rather see money allocated to local governments to solve water problems; no solutions from agency in gridlock. Water storage is the only solution.

346 REP. WELSH: To Ms. Pagel, questions state of backlog and appeals at this time.

352 PAGEL: Provides statistics. Not sure any amount of money is going to solve WRD backlog; have learned that the "process is broken", needs to be fixed. Interested in improving process, positions are in Governor's budget to help.

TAPE 11, B

018 BOETTCHER: Wondering if discussion is focusing on fee issue, may need to change wording. Water user fee will have to be taken out to pass bill.

066 PETE TEST, OREGON FARM BUREAU FEDERATION: Section 10, problems with instream water rights. Opposed to water use fees. Costs are in delivery, and administration of delivery.

100 - Sees problems with Task Force and single agriculture representative.

150 REP. WELSH: Comments regarding various testimonies; would like to involve local governments.

172 REP. JOSI: Important to leave a message about how we feel, agrees with term "stewardship". Discusses pros & cons of Task Force. Feels it's too early to delete Sections 10 & 11.

211 CHAIR NORRIS: Offers suggestions to modify and amend bill.

258 - Charges staff Zwick to take ideas to Legislative Counsel.

285 CHAIR NORRIS: Adjourns meeting at 4:47 PM.

Submitted by, Reviewed by,

Gail E. Boesch Pat Zwick  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

- A - Staff Measure Summary on HB 2374 -- Pat Zwick, Committee Administrator -- 3 pages.
- B - Position Statement on HB 2374 -- Jim Myron, Oregon Trout -- 1 page.
- C - Testimony on HB 2374 -- Sierra Club -- 1 page.
- D - Testimony on HB 2374 -- Sandra Flicker, Oregon Rural Electric Co-op Association -- 3 pages.
- E - Supplemental Testimony on HB 2184 -- Martha O. Pagel, Water Resource Department -- 1 page.