

SENATE COMMITTEE ON  
WATER AND LAND USE

Hearing Room  
PM Tapes -127

MEMBERS PRESENT:

Sen. Rod Johnson, Chair  
Sen. Bob Kintigh, Vice-Chair  
Sen. Neil Bryant  
Sen. Ron Cease  
Sen. Bill Dwyer

STAFF PRESENT:

Karen Quigley, Committee Counsel  
Patricia Wehrli, Committee Assistant

MEASURES HEARD:

PUBLIC HEARING AND WORK SESSION ON HB 2296  
PUBLIC HEARING AND WORK SESSION ON HB 2471  
PUBLIC HEARING AND WORK SESSION ON HB 2747  
PUBLIC HEARING AND WORK SESSION ON HB 2925  
WORK SESSIONS ON SB 1114  
WORK SESSION ON HB 2374

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.

TAPE , SIDE A

003 CHAIR JOHNSON: Convenes the meeting at 1: 15 P.M.  
OPENS THE PUBLIC HEARING ON HB 2925

Witness:  
Lynn Lundquist, Oregon State Representative, House District 59

017 REP. LYNN LUNDQUIST, OREGON STATE REPRESENTATIVE, HOUSE DISTRICT 59:  
Testifies in support of HB 2925; proposes an amendment.

CLOSES PUBLIC HEARING ON HB 2925  
OPENS PUBLIC HEARING ON HB 2747

Witness:  
Rep. Chuck Norris, Oregon State Representative, District 57

062 REP. CHUCK NORRIS, OREGON STATE REPRESENTATIVE, DISTRICT 57:  
Testifies in support of HB 2747.

091 SEN. CEASE: 60% of the state population would have one seat and a  
possible second seat?

103 REP NORRIS: There are some common characteristics that we will be able  
to accommodate.

110 SEN. DWYER: Explains his thoughts on the issue.

197 CHAIR JOHNSON: OPENS THE WORK SESSION ON HB 2347

Witness:  
Rep. Chuck Norris, Oregon State Representative, District 57

130 REP. CHUCK NORRIS, OREGON STATE REPRESENTATIVE, DISTRICT 57: Testifies  
in support of HB 2374.

158 CHAIR JOHNSON: OPENS THE WORK SESSION ON HB 2347  
Witness:  
Roy Hemmingway, Governors Office

162 ROY HEMMINGWAY, GOVERNORS OFFICE: Testifies in support of HB 2374.

MOTION: CHAIR JOHNSON moves (-2) amendments.

VOTE: Hearing no objection the motion CARRIES. All members present.

MOTION: SEN. CEASE moves HB 2347 as amended to the Floor with a DO PASS  
recommendation.

VOTE: In a roll call vote the motion carries. All members present and vote  
AYE.

184 CHAIR JOHNSON: OPENS PUBLIC HEARING ON HB 2747  
Witnesses:  
Kip Lombard, Oregon Water Resource Congress  
Martha Pagel, Director, Oregon Water Resources Department  
Doug Myers, Water Watch

194 KIP LOMBARD, OREGON WATER RESOURCE CONGRESS: Testifies in support of HB  
2747. (See Exhibit A)

SEN. DWYER: Explains how the resources needs to be paid for.

248 LOMBARD: The intent of the bill is to include the South West region  
and the South Coast region.  
( Proposes amendments on page one.

285 CHAIR JOHNSON: Refers to the Legislative Counsels proposed change.

293 LOMBARD: Martha Pagel and I were both talking about the portion and how  
it does not include the mouth of the south coast basin region.

335 MARTHA PAGEL, DIRECTOR, WATER RESOURCE DEPARTMENT: Testifies in support  
of HB 2747. (See Exhibit B)

389 CHAIR JOHNSON: Proposes language that would clear up the discrepancy.

TAPE 127, SIDE A

006 PAGEL: I don't believe there is any reference in the statutes to the  
South Coast basin. The dividing line has always been the Rouge River.

023 DOUG MYERS, WATER WATCH: Testifies in opposition to HB 2747.

048 CHAIR JOHNSON OPENS WORK SESSION ON HB 2747

MOTION: CHAIR JOHNSON: Moves to change on line twenty six of page one, "a"

in front of the word "portion" to the word, "that". Top of page two line  
one after the word "basin" add the phrase "South of the mouth of the Rouge  
River." Change "a" at the end of line two to "that", at the end of line  
three add the phrase: "North of the mouth of the Rouge River." Change sub

(b) to read: "South West region consisting of the Rouge, Klamath, Goose,  
and Summer Lake Drainage Basins, and that portion of the South Coast  
Drainage Basin South of the mouth of the Rouge River." change sub (c) to  
read: "West Central region consisting of the Umpqua, Mid Coast, Upper  
Willamette, and that portion of the drainage basin North of the mouth of  
the Rouge River."

VOTE: Hearing no objection the motion CARRIES. All members are present.

MOTION: CHAIR JOHNSON moves HB 2747 to the Floor as amended with a DO PASS recommendation.

VOTE: In a roll call vote the motion CARRIES. Sens. Bryant, Kintigh and Johnson vote AYE. Sens. Cease and Dwyer vote NAY. CARRIER: BRYANT

102 CHAIR JOHNSON: OPENS THE WORK SESSION ON HB 2925

Witness:

Wayne Shuyler, Assistant Director Oregon State Marine Board

120 WAYNE SHUYLER, ASSISTANT DIRECTOR OREGON STATE MARINE BOARD: Testifies in opposition to HB 2925. (See Exhibit C)

139 CHAIR JOHNSON: OPENS THE WORK SESSION ON HB 2925

MOTION: SEN. KINTIGH moves to send HB 2925 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote the motion CARRIES. All members present votes AYE. Sens. Cease and Bryant are EXCUSED. CARRIER: JOHNSON

168 CHAIR JOHNSON: OPENS THE PUBLIC HEARING ON HB 2471

Witnesses:

Kip Lombard, Oregon Water Resource Congress

173 KIP LOMBARD, Oregon Water Resource Congress: Testifies in support of HB 2925. (See Exhibit D)

214 CHAIR JOHNSON: OPENS PUBLIC HEARING ON HB 2296

Witness:

Kevin Mannix , Oregon State Representative from District 32

221 KEVIN MANNIX, OREGON STATE REPRESENTATIVE FROM DISTRICT 32: Testifies in support of HB 2296. Proposes Amendments. (See Exhibit E)  
( Explains how the law was re written, but not newly created.

300 SEN. BRYANT: Questions the ability of charging fees and the responsibilities involved.

310 MANNIX: The idea is to allow folks the ability of maintaining the cost of the records of the people on their property.

329 SEN. DWYER: Gives the history of HB 2296.

354 MANNIX: The initial concept was to charge for the process of maintaining the fees.

Discussion occurs between Rep Mannix, Sen. Bryant and Sen. Dwyer on the fee and laws that are intangible to the process.

399 MANNIX: Compares Volunteers and Poachers.

TAPE 126 SIDE B

034 CHAIR JOHNSON: OPENS THE PUBLIC HEARING ON HB 2471

Witnesses:

Martha Pagel, Director, Water Resources Department  
Jeff Curtis, Water Watch

045 MARTHA PAGEL, DIRECTOR, WATER RESOURCE DEPARTMENT: Testifies in support of HB 2471. (See Exhibit F)

074 SEN. DWYER: Questions what is stated in the Statutes.

089 PAGEL: There was a disagreement. Under the current law and system, if water is conserved in almost all cases it will be taken by the next in line

of the system. This bill provides a incremental system.

118 JEFF CURTIS, WATER WATCH: Testifies in opposition to HB 2471. (exhibit G)

180 CHAIR JOHNSON: OPENS THE PUBLIC HEARING ON HB 2296  
Witnesses:  
Ken Chambers, Lieutenant of the Oregon State Police  
Neil Dahlke, West Coast Botanicals  
Rod Ingram, Oregon Department of Fish and Wildlife, (ODFW)  
Kevin Mannix, Oregon State Representative, District 32  
John Brenneman, Idaho Power  
Ken Evans, Oregon Anglers  
Ken Armstrong, Oregon Public Party Association  
Richard Angstrom, Oregon Concrete and Aggregate Association

201 LIEUTENANT KEN CHAMBERS, OREGON STATE POLICE: Testifies in support to HB 2296. (Exhibit H)

206 CHAIR JOHNSON: How many volunteers do you have?

211 CHAMBERS: About 300.  
( Discusses Car "Kloats" with the members.

239 SEN. DWYER: There isn't any liability in the Statutes.

244 CHAIR JOHNSON: Discusses the impact of the statutes.

272 NEIL DAHLKE, WEST COAST BOTANICALS: Testifies support to HB 2296.  
Asks for an amendment to meet concerns for wood cutting problems.

347 SEN. DWYER: We need to state that these volunteers are not recreating, that they are volunteers that are engaging in work type activities.

362 CHAIR JOHNSON: Discusses putting the word "volunteer" on page one.

377 SEN. DWYER: Questions about the tree planting organizations.

386 CHAIR JOHNSON: Proposes "Volunteers for Public purposes" on page one at the end of line one.

TAPE 127 SIDE B

004 ROD INGRAM, DEPARTMENT OF FISH AND WILDLIFE: Testifies in support of HB 2296.

030 CHAIR JOHNSON: Explains to Rep. Mannix the concerns brought up about his proposed amendments.  
( Discusses language that might meet the concerns brought up.

044 KEVIN MANNIX, OREGON STATE REPRESENTATIVE, DISTRICT 32: "or for the purpose for monitoring or protecting people or for the purpose of monitoring and protecting land or natural resources in the area." Is the language that we looked at.

088 CHAIR JOHNSON: "for volunteering or monitoring any person or project".

104 MANNIX: Reads the current law.

115 CHAIR JOHNSON: Is the current statute listed in section nine repealed?

120 MANNIX: Yes.

139 JOHN BRENNEMAN, IDAHO POWER: Testifies in support of HB 2296-A.

163 VICE CHAIR KINTIGH: This really broadens the current law.

169 JOE ROHLER, OREGON GUIDES AND PACKERS: Testifies in support of HB  
2296.

180 KEN EVANS, OREGON ANGLERS: Testifies in support of HB 2296.

220 KEN ARMSTRONG, OREGON PUBLIC PARTY ASSOCIATION: Testifies in support of  
HB 2296.

227 RICHARD ANGSTROM, OREGON CONCRETE AND AGGREGATE ASSOCIATION:: Discusses  
why he proposed the five dollar charge.

233 CHAIR JOHNSON: CLOSING THE PUBLIC HEARING ON HB 2296

MOTION: SEN. DWYER moves to delete line seventeen and eighteen on page  
two

VOTE: Hearing no objection the motion CARRIES. All members present.

MOTION: SEN. DWYER moves that on line fifteen of page one delete "and"  
and the letters "p a r" and delete all of line sixteen and replace it with  
the language; "or volunteering for any public purpose project."

VOTE: Hearing no objection the motion CARRIES. All members are present.

MOTION: CHAIR JOHNSON moves to accept the HB 2296 amendments.

VOTE: Hearing no objection the motion CARRIES. All members present.

MOTION: SEN. KINTIGH moves to adopt the same language of HB 2130 and  
insert it on line thirty six page two. And add the definition on page one:  
"special forest products."

VOTE: Hearing no objection the motion CARRIES. All members are present.

MOTION: CHAIR JOHNSON moves to add the phrase: "for forest products" on  
line two after the words "wood cutting" on line five, seven and thirty two.

VOTE: Hearing no objection the motion CARRIES. All members present.

MOTION: CHAIR JOHNSON moves HB 2296 as amended to the Floor with a DO PASS  
recommendation.

VOTE: In a roll call vote the motion CARRIES. All members present and vote  
AYE.

356 CHAIR JOHNSON: Adjourns the hearing at 3:00 P.M.

Submitted by, Reviewed by,

Patricia Wehrli Karen Quigley  
Committee Assistant

Committee Counsel

EXHIBITS:

A- Testimony on HB 2747 B-Engrossed--Kip Lombard, Oregon Water Resource  
Congress--4 pages 4

B- Testimony on HB 2747--Martha Pagel, Water Resource Department--2 pages

C- Testimony on HB 2925--Wayne Shyler, State Marine Board--73 pages

E- Testimony on HB 2471--Kip Lombard, Oregon Water Resource Congress--1 page

F Proposed Amendments to HB 2296--Karen Quigley, Committee Counsel--1 page

G- Testimony on HB 2471--Martha Pagel, Water Resource Department--1 page  
H- Testimony on HB 2296--Ken Chambers, Department of State Police--2 pages  
I- Preliminary Staff Measure Summary on HB 2296--Karen Quigley, Committee  
Counsel--1 page  
J- Preliminary Staff Measure Summary on HB 2471--Karen Quigley, Committee  
Counsel--1 page  
K- Testimony on HB 2471--Jim Myron, Oregon Trout--1 page  
L- Preliminary Staff Measure Summary on HB 2747--Karen Quigley, Committee  
Counsel--1 page  
M- Testimony on HB 2747--Jim Myron, Oregon Trout--1 page  
N- Preliminary Staff Measure Summary on HB 2925--Karen Quigley, Committee  
Counsel--1 page  
O- Testimony on HB 2925--Jim Myron, Oregon Trout--1 page  
P- Proposed Amendments to HB 2374--Karen Quigley, Committee Counsel--1 page