

SENATE COMMITTEE ON
WATER AND LAND USE

Hearing Room
1:00 P.M. Tapes -116

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:

SB 911 WORK SESSION
HB 2470 PUBLIC HEARING AND POSSIBLE WORK SESSION
HB 2544 PUBLIC HEARING AND POSSIBLE WORK SESSION
HB 3092 PUBLIC HEARING AND POSSIBLE WORK SESSION

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

005 VICE CHAIR KINTIGH: Convenes the hearing at 1:12 P.M.
OPENS PUBLIC HEARING ON HB 2470

Witness:
Kip Lombard, Oregon Water Resource Congress

018 KIP LOMBARD, OREGON WATER RESOURCE CONGRESS: Testifies in support of
HB 2470. (See Exhibit A)
(The district has to sign off on a certain standard.

077 SEN. DWYER: Explains the beneficial uses to the water rights.

081 LOMBARD: If the developer doesn't exclude the land then the owners will
have bills for water with no water.

089 CHAIR JOHNSON: CLOSSES PUBLIC HEARING:

MOTION: SEN. BRYANT moves HB 2470 to the Floor with a DO PASS
recommendation.

VOTE: In a roll call vote the motion CARRIES. All members present vote
AYE. SEN. CEASE is EXCUSED. CARRIER: BRYANT

CHAIR JOHNSON: OPENS PUBLIC HEARING ON HB 2544

Witness:
Kip Lombard, Water Resource Congress

113 KIP LOMBARD, WATER RESOURCE CONGRESS: Testifies in support of HB 2544.
(See Exhibit B)

183 SEN. DWYER: Who determines who votes first?

190 LOMBARD: Explains.

211 SEN. DWYER: Who sends the notices?

214 LOMBARD: They are published by the district. A district keeps a list
of the eligible voters.

232 SEN. DWYER: Who makes the decision of who votes first?

237 LOMBARD: That is to be determined between the owners.

242 SEN. KINTIGH: Brings attention to section ten. Do you need to be both a resident of the state and a land owner?

252 LOMBARD: Yes. In order to be an elector you only have to be a land owner. To be a director you need to reside in the state.

268 SEN. DWYER: My question is when it isn't the best case scenario.

276 LOMBARD: In the mail votes you have the validity of the signatures.

309 SEN. DWYER: What this states is the one who gets there first gets to vote.

314 LOMBARD: If they don't all agree then that's true.
(They have to get together and decided who gets to vote. If they can't get together and come to an agreement then in all practicality this is the lessor of both evils.

357 SEN. DWYER: Asks for language that would clarify it better.

362 SEN. BRYANT: You need a system that puts restrictions on the people who own the property.

388 SEN. DWYER: Why not let the majority rule? Why not just let everyone vote and the majority get the actual vote?

400 SEN. BRYANT: That's how it should work.

TAPE 116 SIDE A

005 VICE CHAIR KINTIGH: CLOSSES THE PUBLIC WORK SESSION ON HB 2544

011 MARTHA PAGEL, DIRECTOR, WATER RESOURCES DEPARTMENT: Testifies in support of HB 2544.

MOTION: SEN. BRYANT moves HB 2544 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote the motion carries. All members present vote AYE. Sen. Cease and Chair Johnson are EXCUSED. CARRIER: BRYANT

040 VICE CHAIR KINTIGH: OPENS THE PUBLIC HEARING ON HB 3092

Witness:
Martin Loring, Department of Environmental Quality

047 MARTIN LORING: Testifies in support of HB 3092. (See Exhibit J)

058 SEN. DWYER: Are there any projects in mind?

061 LORING: Not that I am aware of. Tribal communities are major contributors, but not the government.

MOTION: SEN. DWYER: Moves HB 3092 to the Floor with a DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE. Sen. Cease and Chair Johnson are excused. CARRIER: DWYER

080 VICE CHAIR KINTIGH: OPENS WORK SESSION ON SB 911

Witnesses:
Dennis Brown, Linn County Land Owner
George Gordon, Linn County Land Owner
Jan Owens, Linn County Land Owner

098 DENNIS BROWN, LINN COUNTY LAND OWNER: Testifies in opposition to SB 911.

186 SEN. DWYER: Where is the land located.

189 BROWN: Explains, between Albany and Corvallis.
(Discusses his concerns with the bill.

227 GEORGE GORDON, LINN COUNTY LAND OWNER: Testifies in opposition to SB 911.

252 JAN OWENS, LINN COUNTY LAND OWNER: Testifies in support of SB 911.

MOTION: CHAIR JOHNSON moves the (-2) amendments.

VOTE: Hearing no objection the motion CARRIES. Sen. Cease is EXCUSED.

288 SEN. BRYANT: Asks for Clarification.

290 CHAIR JOHNSON: Explains.

306 SEN. DWYER: I don't like legislation being used to rectify the problems of one person.

MOTION: CHAIR JOHNSON moves SB 911 as amended to the Floor with a DO PASS recommendation.

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

YIH

331 CHAIR JOHNSON: CLOSES THE WORK SESSION ON SB 911.
(Adjourns the hearing at 2:15 p.m.

Submitted by:

Reviewed by:

Patricia Wehrli
Committee Assistant

Karen Quigley
Committee Counsel

EXHIBITS:

A - Testimony on HB 2470 -- Kip Lombard, 6 pages
B - Testimony on HB 2544 -- Kip Lombard, 3 pages
C - Proposed amendments to HB 2544 -- Staff, 3 pages
D - Testimony on SB 1114 -- Judson Parsons, 2 pages
E - Testimony on SB 1114 -- John Smith, 2 pages
F - Testimony on SB 1114 -- Jack Smith, 1 page
G - Testimony on SB 1005 -- Robert Bessey, 2 pages
H - Proposed amendments to SB 911 -- Staff, 1 page
I - Testimony on HB 3092 -- Joni Low, 1 page
J - Testimony on HB 3092 -- Martin Loring, 1 page