

HOUSE COMMITTEE ON NATURAL RESOURCES

April 29, 1993 Hearing Room D 4:00 p.m. Tape 30

MEMBERS PRESENT: Rep. Ray Baum, Chair Rep. Carl Hosticka, Vice-Chair Rep. Marilyn Dell Rep. Sam Dominy Rep. Bill Fisher Rep. Tim Josi Rep.

MEMBER EXCUSED: Rep. Bill Markham Rep. Bob Repine

STAFF PRESENT: Kathryn Van Natta, Committee Administrator Catherine Fitch, Committee Administrator Karen McCormac, Committee Clerk

MEASURES CONSIDERED: Work Session - HB 2244 - HB 2239 - SB 179 - HB 3087 - HB 2110 - HB 2155 - HB 3295

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

TAPE 30, SIDE A

005 CHAIR BAUM: Calls meeting to order at 4:06 p.m. Welcomes Reps. Fisher and Peterson back to the committee.

024 OPENS WORK SESSION ON HB 2244

020 CATHERINE FITCH, Committee Administrator: House Bill 2244 authorizes the use of a uniform citation for forest fire protection sta
rule violations. It was amended by the subcommittee, and went to
Legislative Counsel for drafting, where it was determined that the
relating clause was not sufficiently broad. The bill is being redrafted to resolve this problem.

029 MOTION: CHAIR BAUM: Moves HB 2244 back to the SUBCOMMITTEE on AGRICULTURE and FORESTRY for further changes.

VOTE: No objection.

CHAIR BAUM: Hearing no objection, the motion CARRIES.

CLOSES WORK SESSION ON HB 2244

OPENS WORK SESSION ON HB 2239

031 FITCH: House Bill 2239 modifies the use of foresters for fire prevention, modifies the penalty for the violation of fire prev
and increases the amount of maximum liability for fire suppression costs in certain situations. As with HB 2244, HB 2239 must also be redraf
because the relating clause was not sufficiently broad.

032 MOTION: CHAIR BAUM: Moves HB 2239 back to the SUBCOMMITTEE on AGRICULTURE and FORESTRY for further changes.

VOTE: No objection.

CHAIR BAUM: Hearing no objection, the motion CARRIES.

035 CLOSES WORK SESSION ON HB 2239

037 OPENS WORK SESSION ON SB 179

038 CHAIR BAUM: Senate Bill 179 includes the bark and needles of the Pacific Yew within the definition of "minor forest products."

039 FITCH: Senate Bill 179 also has an insufficient relating clause, and will need to be redrafted.

042 MOTION: CHAIR BAUM: Moves SB 179 back to the SUBCOMMITTEE on AGRICULTURE and FORESTRY for further changes.

VOTE: No objection.

CHAIR BAUM: Hearing no objection, the motion CARRIES.

043 CLOSES WORK SESSION ON SB 179

045 OPENS WORK SESSION ON HB 3087

046 CHAIR BAUM: House Bill 3087 requires compensation to be paid by regulating entites for certain types of regulation affecting
property.

It is the desire of the chair that this bill be rescheduled for next
week's meeting so we can determine whether we have sufficient votes to
pass this bill. Hearing no objection, so ordered.

053 CLOSES WORK SESSION ON HB 3087

055 OPENS WORK SESSION ON HB 2110

057 FITCH: House Bill 2110 as originally drafted would require any federal reserve water claimant to pay fees to the Department of Water
Resources Department from having to validate pre-1909 water claims.

095 MOTION: REP. NORRIS: Moves the -1 AMENDMENTS, LC 958-1, dated 4-26-93 to HB 2110.

097 CHAIR BAUM: Restates motion and calls for discussion. Hearing no objections, the motion CARRIES.

098 MOTION: REP. NORRIS: Moves HB 2110 to the floor with a DO PASS AS AMENDED RECOMMENDATION, AS AMENDED BY THE HB 2110-1 AMENDMENTS 958-1, dated 4-26-9 by the Subcommittee on Water.

099 CHAIR BAUM: Restates motion and calls for discussion.

100 VOTE: REPS. DELL, DOMINY, FISHER, HOSTICKA, JOSI, LUKE, NORRIS, PETERSON, VanLEEUEWEN and CHAIR BAUM vote AYE.

105 CHAIR BAUM: The motion CARRIES. REP. HOSTICKA will lead discussion on the floor.

Addition to the record: HB 2110 Hand-Engrossed with HB 2110-1 Amendments (LC 958-1), dated

4-26-93 (EXHIBIT A) HB 2110 Preliminary Staff Measure Summary (EXHIBIT B) HB 2110 Fiscal Analysis (EXHIBIT C) HB 2110 Revenue Impact Analysis

117 CLOSES WORK SESSION ON HB 2110

OPENS WORK SESSION ON HB 2155

118 FITCH: A program within the Department of Water Resources allows individuals who conserve water to use a portion of that water has been made more user-friendly by the department. This bill was returned to the subcommittee because of the concern regarding the percentage of conserved water which is returned to the state. The bill has now been amended to allow this conserved water to either revert to in-stream rights or be available for appropriation at the commission's discretion.

143 MOTION: REP. NORRIS: Moves the -6 AMENDMENTS (LC 956-1) dated 4-27-93 to HB 2155.

144 CHAIR BAUM: Restates motion and calls for discussion.

145 REP. PETERSON: Requests clarification regarding the effects of the -6 amendments.

150 REP. NORRIS: It is now the state's decision whether to accept twenty-five percent of the water which normally reverts to the

159 MOTION: REP. NORRIS: Moves HB 2155 to the floor with a DO PASS AS AMENDED RECOMMENDATION, AS AMENDED BY THE HB 2155-6 AMENDMENTS 956-1 dated 4-27-93, by the Subcommittee on Water.

162 CHAIR BAUM: Restates motion and calls for discussion.

166 VOTE: REPS. DELL, DOMINY, FISHER, HOSTICKA, JOSI, LUKE, NORRIS, PETERSON, VanLEEUEWEN and CHAIR BAUM vote AYE. REPS. MARKHAM REPINE are EXCUSED.

172 CHAIR BAUM: The motion CARRIES. REP. NORRIS will lead discussion on the floor.

Addition to the Record: HB 2155 Hand-Engrossed with HB 2155-6 Amendments (LC 956-1), dated

4-27-93 (EXHIBIT E) HB 2155 Staff Measure Summary (EXHIBIT F) HB 2155 Fiscal Analysis (EXHIBIT G) HB 2155 Revenue Impact Analysis (EXHIBIT H

173 CLOSES WORK SESSION ON HB 2155

OPENS WORK SESSION ON HB 3295

175 FITCH: Under current Oregon law, any person who diverts water where game fish exist must install fish screening or diversion device feet/second of water to apply for reimbursement of diversion construction costs.

191 REP. PETERSON: Is there a limit to the amount of water which may be diverted?

193 FITCH: No.

195 MOTION: REP. NORRIS: Moves the -4 AMENDMENTS (LC 2883), dated 4-23-93 to HB 3295.

196 CHAIR BAUM: Restates motion and calls for discussion. Hearing no objection, the motion CARRIES.

198 MOTION: REP. NORRIS: Moves HB 3295 to the floor with a DO PASS AS AMENDED RECOMMENDATION, AS AMENDED BY THE HB 3295-4 AMENDMENTS 2883, dated 4-23-93, by the Subcommittee on Water.

203 CHAIR BAUM: Restates motion and calls for discussion.

205 VOTE: REPS. DELL, DOMINY, FISHER, HOSTICKA, JOSI, LUKE, NORRIS, PETERSON, VanLEEUEWEN and CHAIR BAUM vote AYE. REPS. MARKHAM REPINE are EXCUSED.

210 CHAIR BAUM: The motion CARRIES. REP. PETERSON will lead discussion on the floor.

Addition to the Record: HB 3295 Hand-Engrossed with HB 3295-4 Amendments (LC 2883), dated

4-23-93 (EXHIBIT I) HB 3295 Staff Measure Summary (EXHIBIT J) HB 3295 Fiscal Analysis (EXHIBIT K) HB 3295 Notice of Possible Revenue Impact

CLOSES WORK SESSION ON HB 3295

Adjourns meeting at 4:23 p.m.

Submitted by:

Reviewed by:

Karen McCormac

Kathryn Van Natta Assistant

Administrator

EXHIBIT LOG:

A - HB 2110 Hand-Engrossed with HB 2110-1 Amendments (LC 958-1), dated 4-26-93 - Staff - 14 pages B - HB 2110 Preliminary Staff Me