

HOUSE COMMITTEE ON NATURAL RESOURCES

June 22, 1993 Hearing Room D 1:00 p.m. Tapes 55 - 57

MEMBERS PRESENT: Rep. Ray Baum, Chair Rep. Carl Hosticka,
Vice-Chair Rep. Marilyn Dell Rep. Sam Dominy Rep. Bill Fisher Rep. Tim
Josi Rep. Dennis Luke Rep. Bill Markham Rep. Chuck Norris Rep. Nancy
Peterson Rep. Bob Repine Rep. Liz VanLeeuwen

STAFF PRESENT: Kathryn Van Natta, Committee Administrator
Catherine Fitch, Committee Administrator Sue Nichol, Committee Clerk

MEASURES CONSIDERED: HB 2936 - Work Session HB 3273 - Work
Session HB 2241 - Work Session HB 2771 - Work Session HB 2970 - Work
Session HB 3101 - Work Session HB 3203 - Work Session HB 3453 - Work
Session HB 3456 - Work Session HB 2776 - Work Session HJR 69 - Work
Session

WITNESSES: John Burns, Western States Petroleum Association
Brian Boe, Oregon Petroleum Marketers association Tom Gallagher, ARCO
Dell Isham, AAA Martha Pagel, Department of Water Resources Dick Feeney,
Tri-Met Jerry Schmidt, Oregon Association of Realtors, Oregon
Groundwater Association

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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. [--- Unable To Translate
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TAPE 55, SIDE A

005 CHAIR BAUM: Calls the meeting to order at 1:35.

WORK SESSION ON HB 2776

019 KATHRYN VAN NATTA: HB 2776 deals with underground storage tank
funding. It appropriates lottery money. HB 2776 and HJR 69 are
related. HJR 69

is a constitutional amendment on the uses of the highway fund; allowing
the funds to be used for underground storage tank financial assistance
programs. Proposed amendments are submitted (Exhibit A). Information
from Charles Hinkle is submitted for the record (Exhibit B).

072 REP. VanLEEUEWEN: What's the relationship between HJR 69, 7 and
HB 277 6?

078 VAN NATTA: HJR 69 and HJR 7 both want to use the gas tax for
uses other than highway fund uses.

083 REP. HOSTICKA: Requests information on what the bill does.

085 CHAIR BAUM: Gives background on the bill.

120 REP. PETERSON: There was some testimony that there would be two issues on the ballot asking for this. Did that get resolved?

127 CHAIR BAUM: Yes, that was resolved.

130 REP. HOSTICKA: You said the attorney general's opinion said that the back up may be unconstitutional. Is that actually what was said?

132 CHAIR BAUM: I've seen it in writing. Requests a copy of the attorney general's opinion.

Copy of the attorney general's opinion is submitted for the record (Exhibit C).

144 CHAIR BAUM: Opens concurrent work session with HJR 69.

147 REP. VanLEEuwEN: This has the nine mile limit in it. What does that do in the case where you have two stations, both of which need the help.

Does that put them both out of the program?

141 CHAIR BAUM: If they're not the only facility in town then they potentially might not qualify.

160 REP. REPINE: The primary direction of HB 2776 deals with the language on page 7, line 16, dealing with the ability to transfer the obligation of a tank replacement. That's the remaining portion of the original

intent of the bill.

190 CHAIR BAUM: The attorney general's opinion does state that we could craft a gross receipts tax, based solely on non-petroleum products.

198 MOTION: REP. REPINE: Moves the -1 amendments dated 6/10/93.

205 CHAIR BAUM: Restates motion.

207 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

210 CHAIR BAUM: Would like to entertain a motion that on line 12, page 7, after the word applicant we add, "where the underground storage tank is located." The brackets on the language in the next sentence would be

removed so the language is restored.

217 MOTION: REP. REPINE: Moves the following amendment on line 12, page 7, after the word "applicant" we add, "where the underground storage tank is located." The brackets on the language in the next sentence

would be removed so the language is restored.

220 CHAIR BAUM: Restates motion.

227 REP. REPINE: There was concern that a blanket lien could be placed on all real property that someone participating in this program might own. The intent is to make sure that the lien only applies to the property

where the tanks are located.

234 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

250 JOHN BURNS, Western States Petroleum Association: We've been working to try to salvage the underground tank assistance program. We had no

funding for the program after constitutional tests. Submits amendments to HJR 69 which would make it easier to sell to the voters (Exhibit D). If this passes, we intend to have funds available for clean-up and for superfund type clean-ups, and possibly, emergency spill response needs. This would provide a stable source of funding for these needs.

336 REP. HOSTICKA: There is a reference to receiving funds from the MDL 150. What is that?

344 BURNS: In about 1986 or 1987, Oregon joined with some other states in an anti-trust case against the major oil companies arising out of the

1973-75 shortage situation. It was just settled this spring. Oregon's share of that is going to be about \$7 - 8 million. We've met to discuss using those oil overcharges from the MDL 150 settlement to put in the underground tank program.

HB 2776 would give enabling language which would permit those funds to go to the underground tank program if the Executive and Legislative branches can convince the Attorney General that those monies should go into this program.

389 REP. HOSTICKA: Who allocates the money?

397 BURNS: The Executive Department makes the determination.

TAPE 56, SIDE A

001 CHAIR BAUM: The actual proof of the distribution scheme will be by federal judge.

007 BURNS: With HB 2776, you're looking at lottery money to fund this. 011 If HJR 69 passes as amended, there will be a lot of money. If this bill passes, we want the 1995 legislature to revisit the issue

of SB 1215

involving funding of these programs.

022 REP. HOSTICKA: HJR 69 doesn't generate any money on its own.

023 CHAIR BAUM: Correct, it just amends the constitution to allow the money to be used.

024 REP. HOSTICKA: So the next session of the legislature would have to impose this fee. This gives us the opportunity to get some money if the political process will result in a fee being imposed. Will you be in

next session testifying to impose that fee?

034 BURNS: I would support a fee in 1995.

041 CHAIR BAUM: We have the -1 amendments which were supported by all you gentlemen.

042 BRIAN BOE, Oregon Petroleum Marketers Association: We support HB 277 6 with the amendments.

043 TOM GALLAGHER, ARCO: We support the bill with the amendments.

046 BURNS: Yes, we support the bill with the amendments.

046 DELL ISHAM, AAA: We have no objections to HB 2776 with the amendments; however, we don't know where the funding will come from to implement it.

057 REP. MARKHAM: How much money will this generate if the enabling legislation goes through next session?

061 BURNS: A cent a gallon on gasoline generates about \$20 million dollars annually.

062 REP. MARKHAM: Is that how much you need?

063 BURNS: No, not on an annual basis. SB 1215 was a \$150 million program over about 10 years. That's just one of the programs that would be

eligible under HJR 69.

072 MOTION: REP. REPINE: Moves HB 2775, as amended, to the floor with a DO PASS recommendation.

078 CHAIR BAUM: Restates motion. This needs to be sent to Appropriations A.

087 REP. REPINE: Amends motion so that a referral to Appropriations A Committee would be added.

089 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENT is ADOPTED.

091 REP. HOSTICKA: Somebody is going to have to pay for these

underground storage tanks, but this process doesn't seem to be effective. Somebody

has to pay. I don't think this is going to work.

110 CHAIR BAUM: There is a lot of hope resting on HJR 69. There is some help we can give through lottery dollars.

116 REP. DOMINY: Could we send a letter to the Lottery Subcommittee saying that that is our intent if this is passed, that we fund it with lottery dollars?

117 CHAIR BAUM: That's what I understand has already been agreed to.

118 REP. DOMINY: You think it will have House, Senate and Governor's approval?

120 CHAIR BAUM: Yes.

122 REP. HOSTICKA: Could that lottery money be spent for this purpose without passing HB 2776?

125 CHAIR BAUM: We have to pass this bill to allow the timelines to continue on the program.

130 REP. DELL: Without this, we don't solve the problems with the small business owners.

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

140 CHAIR BAUM: The motion CARRIES.

141 Closes work session on HB 2776.

WORK SESSION ON HB 3101

154 VAN NATTA: Included in the record is a Staff Measure Summary, Hand Engrossed HB 3101-1 Amendments, Notice of Possible Revenue Impact and

Fiscal Impact Statement (Exhibit E). The bill would set up a pilot program for Wildlife Habitat and Enhancement programs. It also allows dwellings to be placed on land zoned for exclusive farm use if land is also used for habitat conservation and enhancement.

203 REP. REPINE: Do the -1 amendments have no revenue impact?

207 VAN NATTA: There is a revenue impact, there's no fiscal impact.

215 REP. REPINE: My concern is that there was a fiscal impact on the original bill, but there was a shift to no fiscal impact for the -1

amendments. I was just wondering if the revenue impact would shift in the same manner.

220 VAN NATTA: I don't know if the revenue shift takes place or not. With the narrowing of the scope to just the two counties, the fiscal impact

did negate itself.

225 REP. JOSI: How did that happen?

230 REP. REPINE: It wouldn't involve more manpower.

239 REP. LUKE: Didn't we remove the one county so it would take the fiscal impact off?

241 REP. REPINE: Yes.

243 REP. HOSTICKA: If the land is in farm use, it would get a deferral and this bill says if it's in open space it would get a similar type of

deferral so I don't see a revenue impact of any major amount. I would feel comfortable sending it to the floor straight off. If the Revenue Committee catches something we don't see, they can take it off the floor.

254 REP. VanLEEUEWEN: There may be a greater revenue impact than what it looks like at first. This is a way to get around the EFU zone. It may

set up a conflicting use in the middle of agriculture and forestry lands.

273 REP. REPINE: What the proponent of the bill demonstrated is that we're talking about a dwelling that could be sited on the assumption that all the other conditions that would have to be met for the purpose of using the land in a normal, agricultural fashion would be present. This would require you to qualify as an agricultural use. Then this would give you an option.

291 REP. VanLEEUEWEN: This would take the land out of agricultural production. Does it say that a person must go into agricultural

production first?

306 VAN NATTA: You would have to qualify for a farm or non-farm dwelling under current statutes before you qualified for a dwelling under this

program. You couldn't be on the really fine farm soils.

341 REP. HOSTICKA: If the land was required to be, and actually put into farm use, to the extent that that farm use generated any income, there

might be a revenue impact.

354 MOTION: REP. REPINE: Moves the -1 Amendments dated 4/16/93 to HB 3101.

357 VICE-CHAIR HOSTICKA: Restates motion.

358 REP. VanLEEuwEN: I will vote for the -1 amendments because I think they're better than the original bill, but I will vote against the bill.

360 VOTE: VICE-CHAIR HOSTICKA: Hearing no objections, the AMENDMENTS are ADOPTED.

361 MOTION: REP. REPINE: Moves HB 3101, as amended, to the floor with a DO PASS recommendation.

368 VICE-CHAIR HOSTICKA: Restates motion.

369 VOTE: On a roll call vote, REPS. DELL, DOMINY, HOSTICKA, JOSI, LUKE, MARKHAM, NORRIS, PETERSON, and REPINE vote AYE. REPS. FISHER and

VanLEEuwEN vote NAY. CHAIR BAUM is EXCUSED. 378 VICE-CHAIR HOSTICKA: The motion CARRIES.

380 REP. REPINE will carry the bill.

VICE-CHAIR HOSTICKA: Closes the work session on HB 3101.

WORK SESSION ON HB 2970

398 CATHERINE FITCH: HB 2970, as amended, would require counties to register with the Water Resources Department for those uses of water

where they draw water for road maintenance and construction. Staff

Measure Summary, -2 Amendments, Fiscal Impact Statement and Revenue

Impact Statement are submitted for the record (Exhibit F).

TAPE 55, SIDE B

010 REP. HOSTICKA: The original concept of this bill has been put into other bills that the Water Resources Department has dealt with regarding ponds. This is a complete replacement.

013 MOTION: REP. NORRIS: Moves the -2 Amendments to HB 2970.

014 REP. HOSTICKA: Restates motion.

015 VOTE: REP. HOSTICKA: Hearing no objection, the amendments are ADOPTED.

016 MOTION: REP. NORRIS: Moves HB 2970, as amended, to the floor with a DO PASS recommendation.

019 REP. HOSTICKA: Restates motion. There's no fiscal or just a small fiscal less than our \$50,000 threshold?

021 REP. NORRIS: I don't think we need to run the \$300 fee through the federal reserve system.

023 VOTE: On a roll call vote, all members present vote AYE. REP. MARKHAM and CHAIR BAUM are EXCUSED.

030 REP. HOSTICKA: The motion CARRIES.

031 REP. PETERSON will carry the bill.

REP. HOSTICKA: Closes work session on HB 2970.

WORK SESSION ON HB 2771

040 FITCH: HB 2771 revises the existing state Water Resources Department regulations regarding conversion of established perennial streamflows to in-stream water rights in the Willamette Basin. Staff Measure Summary,

-4 Amendments, Fiscal Impact Statement and Revenue Impact Statement are submitted for the record (Exhibit G).

059 REP. HOSTICKA: We want to make sure that the junior right applies to the part which is the contracted stored water component.

060 FITCH: That's correct.

066 REP. DOMINY: What kind of a hearing is required?

082 FITCH: My understanding is that it is a public hearing, but not a contested case hearing.

087 MARTHA PAGEL, Department of Water Resources: We would view this as a contested case hearing.

095 REP. DOMINY: We had some hearings on some rivers in Cottage Grove where people were not allowed to come and testify unless they filed as one of the parties. This will not change that process?

100 PAGEL: The statute does set up a contested case hearing so the process wouldn't be changed.

110 REP. HOSTICKA: When you say statute, you mean statutes prior to HB 2771?

115 PAGEL: I believe it's ORS 537.343.

121 REP. VanLEEUWEN: Submits written description of the process put together by staff (Exhibit H). Part of the problem is that the state

has not contracted for the stored water.

140 REP. DOMINY: Asks Rep. Norris if the bill changing this to a regular hearing process has made progress.

145 REP. NORRIS: Can't answer that. This bill just says public hearing, it doesn't make reference to a contested case hearing.

154 PAGEL: Neither of the statutes refer to contested case. On its

face I would read ORS 537.343 as a public hearing on the order of a rule-making type hearing. We do have a contested case pending on the conversion of

the instream water right on the Willamette.

160 REP. NORRIS: That in itself would not be a precedent if this law would pass?

165 PAGEL: That's correct; however, this law applies only to the situation on the Willamette Basin.

168 REP. HOSTICKA: If HB 2771 passes, it will say that you have to have an open public hearing before you convert?

171 PAGEL: Yes.

172 REP. HOSTICKA: Is that going to cause you any problems?

172 PAGEL: No.

173 REP. DOMINY: That meets my needs.

180 MOTION: REP. NORRIS: Moves the -4 amendment to HB 2771.

183 REP. HOSTICKA: Restates motion.

185 VOTE: REP. HOSTICKA: Hearing no objections, the AMENDMENTS are ADOPTED.

186 MOTION: REP. NORRIS: Moves HB 2771, as amended, to the floor with a DO PASS recommendation.

189 REP. HOSTICKA: Restates motion.

191 VOTE: On a roll call vote, all members present vote AYE. REP. MARKHAM is EXCUSED but later votes AYE.

197 REP. HOSTICKA: The motion CARRIES. Work session on HB 2771 is closed.

200 REP. VanLEEUEWEN will carry the bill.

WORK SESSION ON HJR 69

Submitted for the record: Fiscal Impact Statement and Information (Exhibit I).

235 BRIAN BOE, Oregon Petroleum Marketers Association: HJR would place before the voters an amendment to Oregon's constitution affecting

Article 9, Paragraph 3a, that would make funds assessed via a gas tax-like vehicle available for underground storage tank financial assistance programs. The proposed amendments by Mr. Burns and the language from Mr. Hinkle would broaden that scope. Submits -1 amendments

which would present this before the voters in the primary election
(Exhibit J).

268 REP. NORRIS: Would part of these funds be attached to the
superfund?

281 BURNS: That was our intent to broaden it. It is limited to
superfund sites caused by the storage and distribution of motor vehicle
fuel for
resale. It would also be broadened to include emergency spill response
programs.

285 REP. NORRIS: Are we talking about some small contamination sites
that may not be superfund sites?

291 BURNS: Superfund is federal, and orphan site is the state. We
often refer to the state orphan site program as the state superfund
program.

What I really mean is the state orphan site program.

294 REP. NORRIS: My concern is the superfund will take all funds
designated to it.

309 BURNS: It should not go to the federal superfund program.

325 REP. HOSTICKA: The proposal says you want to go first in the
primary and then transit goes to the general election. Is that right?

329 DICK FEENEY, Tri-Met: The amendments to HJR 7 contemplate going
to the General Election in November.

343 REP. HOSTICKA: How do you feel about having them in the same
election?

347 FEENEY: I think they should be in different elections.

377 CHAIR BAUM: So you've worked this out.

381 FEENEY: If the Hinkle amendments are adopted, then there is
some consistency.

389 CHAIR BAUM: If one passed and then the other one passed, you'd
have a problem with how they are today?

390 FEENEY: Yes.

395 CHAIR BAUM: Asks Mr. Boe which set of amendments would be
preferred.

TAPE 56, SIDE B

003 BOE: The changes from the Hinkle memo are appropriate. We
would add Paragraph 2 in the -1 amendments.

014 REP. HOSTICKA: When you say "import" you mean import into Oregon
from another state?

020 BOE: Yes.

022 CHAIR BAUM: Many other states have done this oil import tax and it's been determined constitutional?

023 BOE: Yes.

027 MOTION: REP. REPINE: Moves the -1 amendments to HJR 69 as dated 5/27/93.

028 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

041 MOTION: REP. REPINE: Moves to delete lines 2 through 9 on the -1 amendments.

045 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

046 MOTION: REP. REPINE: Referring to the memorandum dated June 21, 1993 to Dick Feeney from Mr. Hinkle, on lines 21 through 26 of HJR 69

delete the entire paragraph and add the following, which is subsection 3 as published in that memorandum and pick up the language on line 5.

056 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

070 MOTION: REP. REPINE: Moves HJR 69, as amended, to the floor with a DO PASS recommended.

071 CHAIR BAUM: Restates motion.

073 REP. HOSTICKA: I'm prepared to vote to give the people the opportunity to do this. I don't think this will solve the problem of underground

storage tanks or orphan sites.

091 REP. DOMINY: We're really not accomplishing anything so I'm going to vote no.

100 VOTE: On a roll call vote, REPS. DELL, FISHER, HOSTICKA, JOSI, LUKE, MARKHAM, PETERSON, REPINE, VanLEEUEWEN and CHAIR BAUM vote AYE. REP.

DOMINY votes NAY. REP. NORRIS is EXCUSED, but later votes AYE.

115 CHAIR BAUM: The motion CARRIES.

117 CHAIR BAUM: Closes work session on HJR 69.

WORK SESSION ON HB 2241

134 FITCH: HB 2241 has been amended (Exhibit K). Also submitted is a Staff Measure Summary (Exhibit K). HB 2241, as amended, addresses

some

concerns of the State Board of Forestry regarding several issues. It clarifies that manufactured homes are an "improvement," making their lots subject to fire patrol charges. It makes campfire regulations applicable to all persons and adds permitted fire and disease control activities to a list of activities exempt from campfire rules. It provides that conformance to the Wildlife Hazard Zone building codes does not provide sufficient cause for suit for failure to comply with covenants, codes and restrictions regarding the use of building materials.

161 REP. LUKE: Manufactured homes are an improvement to what?

162 FITCH: They are considered an improvement to the vacant lot.

163 REP. VanLEEuwEN: This is the same version that we passed out of committee?

164 FITCH: Yes, it is.

170 REP. DOMINY: Moves the Hand Engrossed by Staff with the Oregon Department of Forestry and State Homebuilders Association amendments dated 6/9/93 to HB 2241.

175 CHAIR BAUM: Restates motion.

176 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

177 MOTION: REP. DOMINY: Moves HB 2241, as amended, to the floor with a DO PASS recommendation. 180 CHAIR BAUM: Restates motion.

181 VOTE: On a roll call vote, all members present vote AYE. REP. HOSTICKA is EXCUSED.

188 CHAIR BAUM: The motion CARRIES.

189 REP. DOMINY will carry the bill.

190 CHAIR BAUM: Closes work session on HB 2241.

WORK SESSION ON HB 3203

191 FITCH: Submitted for the record are the -1 amendments and Staff Measure Summary (Exhibit L). HB 3203, as amended, would affect the processing

of water right applications.

200 MOTION: REP. REPINE: Moves -1 amendments dated 6/16/93 to HB 320 3.

201 CHAIR BAUM: Restates motion.

201 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

202 REP. DOMINY: What was the opposition to the bill.

205 FITCH: HB 3203 addresses the processing of the water right application that Water Resources Department currently has. It would change their

public interest determination.

220 REP. DOMINY: Would this also eliminate the public hearing?

221 FITCH: Yes.

225 CHAIR BAUM: This has the potential to clean up the backlog.

226 REP. VanLEEUEWEN: It tries to keep the rules from being retroactive.

233 CHAIR BAUM: Asks Martha Pagel to come forward.

236 REP. NORRIS: This is not a Department bill.

244 CHAIR BAUM: What does this bill do to the public interest review procedure?

250 PAGEL: This would narrow the scope of what we consider in determining public interest. This would limit the consideration to whether there

was water available a majority of the time, and whether the use was

classified in our basin plans. The Department opposed this measure

because we testified that our basin plans were not developed with the

idea that those classifications would be a determining factor in public interest. It would not eliminate the opportunity for a contested case

hearing.

281 REP. DOMINY: Is there any way of speeding this process up?

296 PAGEL: The process is slowed down because it allows public input.

306 REP. DELL: How many people in the backlog are affected by the rules change?

312 PAGEL: About 2500.

331 MOTION: REP. NORRIS: Moves HB 3203, as amended, to the floor with a DO PASS recommendation.

332 CHAIR BAUM: Restates motion.

338 VOTE: On a roll call vote, REPS. DELL, FISHER, JOSI, LUKE, MARKHAM, NORRIS, REPINE, VanLEEUEWEN and CHAIR BAUM vote AYE. REPS. DOMINY,

HOSTICKA and PETERSON vote NAY.

355 CHAIR BAUM: The motion CARRIES.

358 Closes work session on HB 3203.

WORK SESSION ON HB 3453

373 FITCH: HB 3453 allows the state Water Resources Commission to permit water uses not otherwise allowed in an established basin program.

Submitted for the record: Staff Measure Summary, Revenue Impact Statement, -1 Amendments (Exhibit M).

400 REP. PETERSON: Asks for examples of uses not listed in basin plans.

406 PAGEL: Gives example of a use not listed in a basin plan.

TAPE 57, SIDE A

005 MOTION: REP. REPINE: Moves the -1 amendments dated 6/1/93 to HB 3453.

006 CHAIR BAUM: Restates motion.

007 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

010 MOTION: REP. REPINE: Moves HB 3453, as amended, to the floor with a DO PASS recommendation.

011 CHAIR BAUM: Restates motion.

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

018 CHAIR BAUM: The motion CARRIES.

019 REP. REPINE will carry the bill.

WORK SESSION ON HB 3456

033 FITCH: Staff Measure Summary, -1 Amendments, and Revenue Impact Statement are submitted for the record (Exhibit N). This bill addresses the use of start card funds and computerization of Department well logs.

056 REP. LUKE: Is there any sanctions in the bill for a property owner who misses an old well that is on the place.

059 REP. NORRIS: No. There is a modification to only include known wells.

060 REP. LUKE: There was concern that people might be liable for wells that they didn't know about.

064 CHAIR BAUM: They would not be liable.

067 REP. REPINE: The start cards were to help logging wells which were drilled and to fund inspectors to make sure wells were constructed in

compliance with the law.

087 REP. MARKHAM: What are the sanctions if these things aren't done in a property transfer?

092 REP. NORRIS: There's no fine and it does not invalidate the conveyance.

096 REP. REPINE: It does not encumber the transfer of the sale.

097 MOTION: REP. MARKHAM: Moves the -1 amendments to HB 3456.

100 REP. DELL: What are we going to be putting on the deeds?

106 JERRY SCHMIDT, Oregon Association of Realtors, Oregon Groundwater Association: Our desire was to use the deed records rather than the

deed itself. The intent of this bill is to try to identify well locations by property.

132 CHAIR BAUM: This is agreeable to the realtors, the groundwater people and the Department.

134 REP. MARKHAM: How do you put it in the deed records without putting it in the deed?

138 CHAIR BAUM: You file it in a separate document.

145 REP. NORRIS: I objected to putting it on the deed proper. This would be acceptable.

149 CHAIR BAUM: Restates motion.

152 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

160 MOTION: REP. MARKHAM: Moves HB 3453, as amended, to the floor with a DO PASS recommendation.

161 CHAIR BAUM: Restates motion.

162 VOTE: On a roll call vote, all members present vote AYE. REP. FISHER is EXCUSED.

168 CHAIR BAUM: The motion CARRIES.

169 Work session is closed on HB 3456.

169 REP. VanLEEUVEN will carry the bill.

WORK SESSION ON HB 2936

176 FITCH: Staff Measure Summary and -1 Amendments are submitted for the record (Exhibit O). HB 2936 would authorize the Department of Fish and

Wildlife to issue a transferable commercial fishing license.

180 MOTION: REP. JOSI: Moves -1 amendments to HB 2936.

181 CHAIR BAUM: Restates motion.

181 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

182 MOTION: REP. JOSI: Moves HB 2936, as amended, to the floor with a DO PASS recommendation.

184 CHAIR BAUM: Restates motion.

185 VOTE: On a roll call vote, all members present vote AYE. REP. FISHER is EXCUSED.

187 CHAIR BAUM: The motion CARRIES.

187 REP. JOSI will carry the bill.

193 CHAIR BAUM: Closes work session on HB 2936.

WORK SESSION ON HB 3273

210 FITCH: Amendments are submitted for the record (Exhibit P). HB 327 3 addresses the water right application process through the Department of Water Resources.

232 REP. NORRIS: We amended the language to include both surface and ground water applications.

235 FITCH: That's correct.

241 MOTION: REP. NORRIS: Moves the -3 amendments to HB 3273. 242 CHAIR BAUM: Restates motion.

243 VOTE: CHAIR BAUM: Hearing no objections, the AMENDMENTS are ADOPTED.

244 MOTION: REP. NORRIS: Moves HB 3273, as amended, to the floor with a DO PASS recommendation.

245 CHAIR BAUM: Restates motion.

251 VOTE: On a roll call vote, all members present vote AYE. REP. FISHER is EXCUSED.

258 CHAIR BAUM: The motion CARRIES.

260 REP. NORRIS will carry the bill.

265 CHAIR BAUM: Closes work session on HB 3273.

322 MOTION: REP. NORRIS: Asks for unanimous consent to suspend the rules so he can vote on HJR 69.

323 CHAIR BAUM: Restates motion.

324 VOTE: CHAIR BAUM: Hearing no objections, so ordered.

325 VOTE: REP. NORRIS vote AYE on HJR 69.

333 Meeting is adjourned at 3:50.

Submitted by:

Reviewed by:

Sue Nichol
Administrator

Kathryn Van Natta Clerk

EXHIBIT LOG:

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