

HOUSE COMMITTEE ON NATURAL RESOURCES SUBCOMMITTEE ON WATER

June 15, 1993 Hearing Room D 1:00 p.m. Tapes 122 - ?

MEMBERS PRESENT: Rep. Chuck Norris, Chair Rep. Ray Baum Rep.
Carl Hosticka Rep. Tim Josi Rep. Bill Markham Rep. Nancy Peterson Rep.
Bob Repine Rep. Liz VanLeeuwen

MEMBER EXCUSED:

VISITING MEMBER:

STAFF PRESENT: Catherine Fitch, Committee Administrator Sue
Nichol, Committee Clerk

MEASURES CONSIDERED: SB 782 SB 129 HB 3273

WITNESSES:

[--- Unable To Translate Graphic ---]

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 Graphic ---]

TAPE 122, SIDE A

005 CHAIR NORRIS: Calls the meeting to order at 1:07.

WORK SESSION ON SB 782

013 CATHERINE FITCH: SB 782 authorizes the Health Division to establish program to certify cross connection inspectors and backflow prevention

device assembly testers. It allows Health Division ot establish certification fee. The previously proposed amendment has been withdrawn which would added the words "and repair" in lin 10.

036 TOM O'CONNOR, EWEB: We have suggested that the amendment not be adopted because it may allow??/

045 REP. MARKHAM:

049 JONI LOW,

052 MOTION:

PUBLIC HEARING ON SB 129

068

080 CHAIR NORRIS: The current statute says that "any person who ... shall ..." What would controlling works entail?

103 JOHN BORDEN, Department of Water Resources:

106 CHAIR NORRIS: How would the process change under SB 129?

111 BORDEN: We believe present law says they could construct the diversion but just not use it under current law.

120 REP. JOSI: If this bill passes, they couldn't start construction until they received a right. What problem was this bill trying to solve?

129 BORDEN:

150 A project constructed by BLM

162 REP. JOSI: Do waste lagoons for dairy farms run into this problem?

167 BORDEN: Not typically.

170 REP. JOSI:

175 BORDEN: They are exempted from the bill.

191 REP. MARKHAM: Farmers will be delayed two or three years.

201 CHAIR NORRIS: They still wouldn't be able to divert the water until their application was approved.

205 PAGEL: The amendments were offered to try to clarify the process.

227 REP. VanLEEUEWEN: You can still ???

231 PAGEL: The law currently says we must mail back the application if there's a problem with it.

238 REP. VanLEEUEWEN: Do you have the authority to do what the amendments say? 244 PAGEL: It would be a technical improvement.

250 REP. MARKHAM: What is the current delay?

253 PAGEL: It has been about two years. jWe have instituted a processing plan which should cut that down significantly.

261 REP. MARKHAM: If things were working how you're planning, how long will it take?

268 PAGEL: We are shooting towards six months to one year.

270 REP. MARKHAM:

271 MARKHAM:

278 CHAIR NORRIS:

280 PAGEL: Yes.

282 CHAIR NORRIS:

283 BORDEN: Correct.

284 CHAIR NORRIS:

287 PAGEL:

290 CHAIR NORRIS: Currently, a person can start construction when they send their application. If we passed SB 129, you .????/ Is that the essence

of what we havew?

295 BORDEN: Yes.

300 CHAIR NORRIS: Controlling works could be ..

318 REP. JOSI:

320 PAGEL:

333 RICHARD KOSESAN, Water for Life, Oregon Cattlemen's Association: Both organizations have concerns with this bill. Concerned that farmers will have to wait too long to get an application approved.

373 CHAIR NORRIS:

376 KOSESAN: Yes.

379 LARRY TROSI, Oregon Farm Bureau: WE STILL HAVE THE SAME CONCERNS ABOUT THER bill and the backlog. We wouldn't have a problem with this if it

weren't for the backlog.

400 CHAIR NORRIS:

TAPE 123, SIDE A

004 TROSI:

007 CHAIR NORRIS:

011 KOSESAN: Agricultural people are aware of the risk.

017 REP. MARKHAM: Most farmers would find out what was needed before they started construction.

027 JIM MYRON, Oregon Trout: Reads testimony in support of SB 129 (Exhibit A).

060 CHAIR NORRIS: Closes public hearing on SB 129.

WORK SESSION ON SB 129

j067 REP. PETERSON:

170 REP. REPINE:

171 CHAIR NORRIS: ... Would a

175 BORDEN: Correct.

176 CHAIR NORRIS:

177 BORDEN:

088 CHAIR NORRIS: In either case, would they have to have a permit before they fill the structure?

092 BORDEN: Correct.

097 REP. PETERSON:

100 REP. HOSTICKA: I agree with Rep. Markham's philosophy, but it doesn't always work that way. If they've made a mistake, they're in here trying to get it resolved.

112 REP. BAUM: This bill doesn't make an impression on me one way or another.

120 REP. VanLEEUEWEN: Is there anything being held hostage over in the Senate until we pass something? 129 CHAIR NORRIS: Not that I know of.

132 REP. MARKHAM: I don't think distinction should be made between different types of farmers. The two year delay is a problem.

142 REP. JOSI: I'm torn. The delay is a problem.

146 MOTION:

155 REP. BAUM:

162 CHAIR NORRIS: Closes work session on SB 129.

PUBLIC HEARING ON HB 3273

184 FITCH: HB 3273 addresses the water right

211 MOTION: REP. JOSI:

244 REP. VanLEEUEWEN:

249 CHAIR NORRIS: We will have ...

266 CHAIR NORRIS: Hearing no objection, the AMENDMENTS are ADOPTED.

273 CHAIR NORRIS:

279 PAGEL: I would note that you might add language that you are amending ORS 537.150(1) adding a new Section 3 to the bill.

320 FITCH: There would be a new Section 3 and a new Section 4.....

330 REED MARBUT, Department of Water Resources: ...
336 REP. VanLEEuwEN:
340 CHAIR NORRIS: Let's adopt
377 CHAIR NORRIS: Closes work session on HB 3273.
385 Meeting is adjourned at 2:02.

Submitted by:

Reviewed by:

Sue Nichol
Administrator

Catherine Fitch Clerk

EXHIBIT LOG:

A - Testimony on HB 2020 - name - # pages B -
Testimony on HB 2020 - name - # pages C - Amendments to HB
2021 - name - # pages