

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.

HOUSE COMMITTEE ON WATER POLICY

February 21, 1991Hearing Room D 1:30 p.m.Tapes 21 - 22

MEMBERS PRESENT:Rep. Chuck Norris, Chair Rep. Bill Dwyer, Vice-Chair Rep. Bill Markham Rep. Walt Schroeder Rep. Larry Sowa

STAFF PRESENT: Beth Patrino, Committee Administrator Pat Zwick, Committee Assistant

WITNESSES:Marjo Nelson, Oregon Well Owners Association Bev Hayes, Water Resources Department Tom Pulliam, Oregon Water Well Drilling Association

MEASURE CONSIDERED:HB 2189 - Modifies representation requirements of Water Resources Commission's ground water advisory committee. - Work Session

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TAPE 21, SIDE A

010 CHAIR NORRIS: Calls the meeting to order at 1:30 p.m.

012 BETH PATRINO, COMMITTEE ADMINISTRATOR: Reviews HB 2189 and -1 amendment

(EXHIBIT A)

030 MARJO NELSON, OREGON WELL OWNERS ASSOCIATION: Reads written testimony in support of the concept of expanding the advisory committee and making other comments (EXHIBIT B).

053 CHAIR NORRIS: Asks Ms. Nelson to comment on her new organization.

052 NELSON: The organization grew out of the problems a Polk County community encountered which indicated a need for someone to speak for domestic well owners and small groundwater irrigators.

Formed an advisory committee which will be composed of people from across the state.

Education on water law is one of our main goals.

065 CHAIR NORRIS: Are most of your people from West of the mountains at this point?

067 NELSON: Yes. Wants to get representation from East of the mountains.

070 REP. DWYER: Hoped you would get representation from this committee. Glad to see you are growing.

077 NELSON: Feels the committee has been responsive to our needs.

080 CHAIR NORRIS: Agrees that a lot of people who drill wells and irrigate do not realize they need water permits.

095 BEV HAYES, WATER RESOURCES DEPARTMENT: Have met with two members of the

Ground Water Advisory Committee and discussed the compromise amendments with them because they had strong opinions about the membership of the group.

The chair is supportive of the amendment, but the full committee has not had the opportunity to see, discuss, and take a position on it.

The Water Resources Commission has no problem with the amendment.

We have satisfied the primary concern which was to insure that at least three members represented the well construction industry.

115 CHAIR NORRIS: Does the Department have any concern that we have eliminated any requirement for a geologist or hydrologist?

117 HAYES: As the bill is now worded, we would be free to include them.

The group's primary function was originally to review rules for well construction. Their role has expanded over time and they are now getting involved in much larger issues about how we manage groundwater statewide and policy issues.

The feeling is that if you are going to get into those issues you need a committee that represents all interest groups involved. We will stay committed to having good technical people on the committee, but also want to include other interest groups.

129 CHAIR NORRIS: Should we have geographical representation?

131 HAYES: The more restrictions you have, the more difficult it becomes.

145 TED PULLIAM, OREGON WATER WELL DRILLING ASSOCIATION: We were the original sponsors who set up the Groundwater Advisory Committee.

Do not have a significant problem with changing the number of members of the committee. The problem is, we deal with water more than anyone in the state and we are afraid that with the proposed terminology the

industry could be left out of the advisory group that will advise what we do.

Well drillers must have representation on the committee and no one knows more about the industry than we do.

170 Committee members and Mr. Pulliam discuss possible language to address Mr. Pulliam's concern.

If fees for travel expenses would jeopardize the Groundwater Advisory Committee, we would be in favor of eliminating the fee.

The committee is critical to the development of water in Oregon.

240 REP. MARKHAM: How busy is the industry?

242 PULLIAM: Busier than we have been in the past.

245 REP. MARKHAM: What do you have to do to satisfy the bureaucracy before you can begin work?

250 PULLIAM: File a start card fee and commencement card. The fee is \$75 for new construction.

265 REP. DWYER: Suggests amendment language.

285 HAYES: We wanted to change the language because we want a committee that can be chosen from a wide range of interests. With language proposed by Rep. Dwyer you are keeping the same technical committee you have now.

Thinks Mr. Pulliam's suggestion is agreeable to the Department.

We are content to leave the group as it is if the mission is to be as narrow as it has been. If the group is going to expand, we feel strongly that we have to be able to expand the membership of the committee to take in all the issues they may be dealing with.

370 MOTION: REP. SOWA: Moves that we strike all boldface language in the bill except on line 10, leave the work "nine" to read: "The committee shall consist of nine members, two of whom shall be individuals actively engaged in some aspect of the water well drilling industry, two of whom shall be groundwater geologists or hydrologists, and one of whom shall represent the public at large".

VOTE: On a roll call vote, motion fails 4-1, with Representative Sowa voting Aye and Representatives Dwyer, Markham, Schroeder, and Norris voting No. All members are present.

425 REP. DWYER: Asks Ms. Hayes to give proposed language.

429 HAYES: Strike "at least three members shall represent the well construction industry" between 13 and 14 in the hand engrossed bill, and add "at least three of whom shall be individuals actively engaged in some aspect of the well drilling industry."

440 MOTION: REP. DWYER: Moves Ms. Hayes' language.

TAPE 22, SIDE A

015 REP. SOWA: Is concerned that "water" has been eliminated.

020 REP. DWYER: Adds "water or monitoring" to his motion.

035 VOTE: On a roll call vote, amendment is unanimously adopted. All members are present.

036 PATRINO: Restates language. Starting on line 10, "The committee shall consist of nine members who represent a range of interests or expertise. At least three of whom shall be individuals actively engaged in some aspect of the water or monitoring well drilling industry."

038 MOTION: REP. DWYER: Moves HB 2189 as amended to the floor with a do pass recommendation.

048 REP. SCHROEDER: The bill still includes reimbursement for travel expenses.

049 CHAIR NORRIS: Does anyone see that as a real danger? The payment is at the discretion of the Commission. Could flag that issue should action be needed in Ways and Means.

066 PATRINO: The bill does have a subsequent referral to Ways and Means.

072 REP. DWYER: Amends his motion.

MOTION: REP. DWYER: Moves the bill as amended to Ways and Means with a do pass recommendation.

075 VOTE: On a roll call vote, motion passes unanimously. All members are present.

080 CHAIR NORRIS: Reviews committee's agenda for next week.

Adjourns meeting at 2:06 p.m.

Submitted by: Reviewed by:

Pat Zwick, Beth Patrino, Assistant Administrator

EXHIBIT LOG:

A- 2189-1 Amendment - Staff - 1 page B-HB 2189 Testimony - Marjo Nelson - 1 pages