

Conference Committee on June 28, 1991 - Page

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.

CONFERENCE COMMITTEE ON HB 3213

June 28, 1991Hearing Room 137 4:00 p.m.Tapes 1

SENATE MEMBERS PRESENT: Sen. Hannon Sen. Grensky

HOUSE MEMBERS PRESENT: Rep. Meek, Chair Rep. Josi Rep. Delna Jones

STAFF PRESENT: Janet Whitfield, Committee Administrator Diane Bassett, Committee Assistant

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TAPE 1, SIDE A

HB 3213 - WORK SESSION

001 CHAIR MEEK: Called the meeting to order at 4:15 p.m.

013 REP. JONES: Move the adoption of the amendments shown as C-10 to HB 321 3.

018 CHAIR MEEK: Asked Jones to explain the amendments.

022 REP. JONES: Concern of Revenue Committee was how broad would this be concerning application state-wide. Also if water was declared to have a problem and the ability to enact fees would occur, could that encourage D.E.Q. to speed up the process. Concern was to limit it in its scope the Tualatin River Basin and sunset it. Senate amendments wanted broader language.

035 SEN. HANNON: Amendment restricts it to two basins. When the bill was up before the Senate Rules, no one there testified as to why it was limited. Saw there were other potential streams that needed to be included. Question is, there are other rivers that would soon be affected. If we put the prohibition on everyone else but these two streams, does it foreclose being able to address these other streams.

048 WHITFIELD: The streams are listed at the back of the packet given to the committee.

050 REP. JONES: Doesn't believe any other streams are imminent and the fee structure can be looked at in relationship to Measure 5 and to how it works before any others are affected.

054 SEN. HANNON: Five other streams are close to developing review and approving their program plan. Doesn't want to remove their tools for cleaning up their streams.

060 ART LAUBACH, SOIL AND WATER CONSERVATION DISTRICTS: Soil and Water would like to see this a state-wide issue. There are 48 soil and water districts. In order to implement the Federal regulations, some will come into implementation before the two years are up. They would like to see it all over the state.

077 REP. JONES: How many of the basins affected have Soil and Water Conservation Districts?

079 LAUBACH: Every one.

081 REP. JONES: Has not been aware of any other basins under restrictions that are currently in the Tualatin in terms of clean up time. Is there any other?

084 LAUBACH: Bear Creek and Yamhill. They are ready with their plans.

089 REP. JONES: Recognizing that this allows you to impose a duty on land owners without their agreement and we are authorizing you to do that, are you really comfortable that this is something you require in all basins at this time?

091 LAUBACH: Would rather have general fund dollars. The three designated areas of implementing the Federal mandate are the State Forest Service, U.S.A. and Department of Agriculture. The Department of Agriculture has left it to Soil and Water.

102 REP. JONES: In some locations, you are only needed where the United Sewage Agency is not required to be the implementing party.

106 LAUBACH: All have own jurisdictions. U.S.A. would be implementing it in the rural areas.

110 REP. JONES: Committee was concerned about opening state-wide because of fees imposed without input from the landowner.

116 LAUBACH: The bill says we do it at cost. Most of the farmers in their districts have a plan that has been established by Soil and Water Districts. To implement this is going to cost Soil and Water less money than anyone else. This is why the Department of Agriculture feels the Soil and Water Conservation Districts should be the ones doing it.

122 CHAIR MEEK: For the record, this was brought to me for the six years they have been dealing with the Tualatin Basin. The idea and issue was brought by the farmers of Washington County. As these basins throughout the state are hit with some of the same, they may be happy to work with their Soil and Water Districts rather than with D.E.Q. Bill needs to be implemented, not only for Tualatin Basin, but for Bear

Creek. This is new and it will take a while to get it implemented and to make sure technical aspects work. It may need to be expanded for other water basins.

144 SEN. GRENSKY: Originally it was designed for Tualatin River. He is not interested in expanding this beyond Bear Creek. Doesn't feel comfortable going state-wide because there has not been a chance for testimony from the affected parties.

147 CHAIR MEEK: For the record, section 4 was deleted at the Senate level. The motion before us is a new section 4, changing the existing section 4 to 5. "This act applies to Districts serving areas located within the Tualatin River Basin, also the Bear Creek Basin."

183 SEN. HANNON: For the record - doesn't want to open this and include other streams that are not directly affected. When it says Bear Creek Basin, this applies to Bear Creek and the stream itself and not the Rogue River or other ancillary tributaries included within the Rogue Basin.

195 CHAIR MEEK: Definition of basin is the ancillary streams that would feed directly into Bear Creek. Would be the Basin in which Bear Creek resides. Would not be rivers in which Bear Creek drains. Only from the mouth of Bear Creek heading to the basin and streams that would be the ancillary points of it. That would be the intent of definition as it is in this amendment.

203 REP. JONES: Add another sentence to say "ask for them to come back and give us a review of the success of this pilot program in the next legislative session". Amended motion to include that language.

214 CHAIR MEEK: Have an amendment proposed that would have Legislative Counsel draft that "a report would be brought back to next 67th Legislative Assembly with a report from Soil and Water Conservation State Association regarding this pilot program for Tualatin and Bear Creek River basin project." So moved. Amendment - "This act would apply to districts serving areas within the Tualatin River Basin, also the Bear Creek Basin, and would include a report that would be brought back to the 67th Legislative Assembly regarding the two pilot projects."

233 WHITFIELD: You are concurring on the Senate amendments and amended as follows.

240 CHAIR MEEK: Correct.

VOTE: Motion passed.

AYE: 5 NO: 0 EXCUSED: 0

242 REP. JONES: Move the Conference Committee report on HB 3213 be adopted as amended.

VOTE: Motion passed.

AYE: 5 NO: 0 EXCUSED: 0

255 CHAIR MEEK: Adjourned at 4:30 p.m.

Submitted by:    Reviewed by:

Diane Bassett    Janet Whitfield Assistant    Administrator