

Senate Committee on Water Policy
March 19, 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.

SENATE COMMITTEE ON
WATER POLICY

March 19, 1991Hearing Room 137
3:15 p.m. Tapes 34

MEMBERS PRESENT:Sen. Larry Hill, Chair
Sen. Wayne Fawbush
Sen. Bob Kintigh

MEMBERS EXCUSED:Sen. Eugene Timms
Sen. John Kitzhaber, Vice-Chair

STAFF PRESENT: Lisa Zavala, Committee Administrator
Bernadette Williams, Committee Assistant

MEASURES

CONSIDERED:HB 2606 - Changes statute reference to scientific name for steelhead trout, PAW
HB 2188 - Modifies requirements relating to records of Water Resources Department, PUB

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TAPE 34, SIDE A

006 CHAIR HILL: Calls the meeting to order at 3:30 p.m..

(Tape 34, Side A)

HB 2606 - PUBLIC HEARING AND WORK SESSION

Witnesses:Representative McTeague, District 25

Jeff Curtis, Oregon Department of Fish and Wildlife (ODFW)

006 HILL: Opens public hearing on HB 2606-A.

010 REPRESENTATIVE DAVE MCTEAGUE, DISTRICT 25:

Submits and summarizes written testimony supporting HB 2606-A.
(EXHIBIT A)

056 JEFF CURTIS, OREGON DEPARTMENT OF FISH AND WILDLIFE:
Testifies in support of HB 2606-A.

058 HILL: Does this adequately protect the species from being considered a commercial fish?

059 CURTIS: The language in the statute is clear.

064 KINTIGH: The steelhead trout is the same species as rainbow trout?

065 CURTIS: That is correct.

071 KINTIGH: Why are some of them anadromous and others not, if they are both the same species?

073 CURTIS: That happens quite frequently with species. There can be both landlocked and sea run versions of the same species. You can re-establish sea run populations from landlocked populations in some instances.

083 KINTIGH: That individual fish doesn't have to have a history of being anadromous; it could possibly go down to sea?

087 CURTIS: It is my understanding that the sockeye population in Redfish Lake was at one time wiped out and did reestablish itself from a landlocked population.

093 HILL: Closes public hearing on HB 2606-A. Opens work session on HB 2606-A.

095 MOTION: SEN. KINTIGH moved HB 2606-A to the floor with a "do pass" recommendation.

099 VOTE: In a roll call vote, the motion carried with all members present voting AYE. Senators Kitzhaber and Timms were excused.

102 HILL: Senator Kintigh will lead the floor discussion. Closes work session on HB 2606-A.

(Tape 34, Side A)

HB 2188-A - PUBLIC HEARING

Witnesses: John Borden, Water Resources Department (WRD)

102 HILL: Opens public hearing on SB 2188. Requested by Water Resources Department.

117 JOHN BORDEN, WATER RESOURCES DEPARTMENT:

Submits and summarizes written testimony relating to HB 2606. (EXHIBIT B)
The primary

function of this bill is to update some antiquated law. The House agreed and the amendment was that they didn't want us to take it so far that we would abolish paper records altogether.

Representative Jones' amendment was that we kept at least one paper copy of every permit, certificate, order, decree, or registration statement at a secure location

in our department.

We support the HB 2188-A.

130 HILL: This allows you to make "handwritten, typewritten....in the document." (See section 1, sub-section 2 of HB 2188-S) You must maintain a paper copy, but you don't have to use it.

138 BORDEN: Nor do we have to maintain it in the Director's office.

140 HILL: Why do you have to maintain them in the Department? Is that in your physical office space?

143 BORDEN: That is what we interpret it to mean. I don't know if we see that as a difficulty.

145 HILL: Why can't you put them in a storage container and store them somewhere that is safe outside the office proper?

146 BORDEN: I believe that anything that we lease would be considered in the Department.

152 HILL: What does Section 2 do?

153 BORDEN: The various chapters of water law that had references to the Director's office to the type of book, paper record, etc. have all been sought out by a sorting technique located in each of the statutes and then replaced or changed in harmony with the concept of this bill.

159 HILL: The intent is to make technical adjustments?

169 BORDEN: Yes, and they conform with the first three sections of HB 218 8-A.

170 HILL: What is on page 6?

173 BORDEN: The watermasters are to distribute water for water rights purposes based on records of the Department. We want to make it clear that these documents are records of the Department. Likewise, Subsection 3 indicates that these various types of registration statements are in fact records of the Department.

194 HILL: We are alright in terms of the policy of the bill. We will study the bill and bring it back for a work session. Closes work session on HB 2188-A. Adjourns meeting at 3:45 p.m..

Submitted by: Reviewed by:

Bernadette Williams Lisa Zavala
Assistant Administrator

EXHIBIT LOG:

A - Testimony on HB 2606-A - Rep. McTeague - 4 pages
B - Testimony on HB 2188-A - John Borden, WRD - 1 page