



Oregon

Kate Brown, Governor

Water Resources Department

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MEMORANDUM

TO: Water Resources Commission

FROM: Lisa J. Snyder, Administrative Services Administrator
Racquel R. Rancier, Senior Policy Coordinator

SUBJECT: Agenda Item A, August 17, 2017
Water Resources Commission Meeting

Budget and Legislative Update

I. Introduction

The 2017 Legislative Session of the 79th Oregon Legislative Assembly convened on February 1 and adjourned July 7. This informational report provides an overview of the Water Resources Department's 2017-2019 Legislatively Adopted Budget, as well as an update on legislation that was passed during the session.

II. Background

Going into the 2017 Legislative Session, the State of Oregon was anticipating a \$1.8 billion dollar revenue shortfall, despite experiencing low levels of unemployment and healthy revenues. The shortfall was primarily the result of a step down in federal participation under the Affordable Care Act. Other contributing factors were voter enacted measures and pension costs that each account for about a fifth of the overall deficit.

The Oregon Legislature is required to develop a balanced budget; therefore, much of the Legislative Session was focused on the budget and containing costs while increasing revenues. As discussed at the May Commission meeting, Governor Brown issued Executive Order 17-07, instituting a hiring freeze for May and June, reducing 2017-19 travel budgets by 10 percent, and directing agencies to conduct a review of state-owned and leased space. While the Legislature was unable to agree on a larger revenue package, they passed Senate Bill 1067, which included several measures aimed at cost-containment. In addition, the end of session budget bill, Senate Bill 5006, made several adjustments to agency budgets reflecting the Governor's and Legislature's cost-saving measures.

In total, the Legislature introduced 2,829 measures, and the House passed 952 measures, while the Senate passed 908 measures. For comparison, the 2015 Oregon Legislature introduced 2,779 measures, with House passing 1,079 and the Senate passing 1,003. Staff tracked hundreds of bills, many of which were of broad applicability to state agency business, or contained broad “relating to” clauses. A smaller subset of bills were specifically related to water policy.

Information for all measures can be found on the Oregon Legislature’s website, (www.oregonlegislature.gov), including bill versions, amendments, video recordings of committee meetings, fiscal analyses, and written testimony.

II. Department Budget

As shown in Table 1, the Department’s Legislatively Adopted Budget included both reductions and additions, generally maintaining the Department’s current level of services. With additional investments, adjustments for reductions and changes in interagency charges, the total budget of the Water Resources Department is now \$98.6 million and 167.59 FTE.

Table 1. Summary of Budget Changes

	FTE	Operational	Grants and Loans ¹	Total ²
2015-17 Legislatively Approved Budget (Feb 16 Session)	163.25	\$44,388,480	\$64,874,836	\$109,263,216
2017-19 Current Service Level	160.59	\$46,962,864	\$34,563,134	\$81,525,998
Reductions	-	\$2,282,124	\$4,559,165	\$6,841,289
2017-19 Additional	7.00	\$1,316,436	\$22,622,536	\$23,938,972
Total 2017-19 Budget	167.59	\$45,997,176	\$52,626,505	\$98,623,681

A detailed summary of changes to the Department’s budget is included in Attachment 1.

Staff Capacity: While it appears from Table 1 that the budget increased staff capacity, the authorization of seven positions in the Legislatively Adopted Budget does not increase the Department’s capacity from 2015-2017 levels. Legislative approval of Package 102 makes permanent a previously limited duration dam safety position, and the limited duration place-based planning position continues a position that was funded in 2015-2017. The authorization of five FTE for positions in Umatilla County moves existing positions employed by the County to the state, and shifts \$334,000 of funding for the positions from the County to the state General Fund.³

¹ Grants and Loan figures include debt service and cost of issuance

² Dollar values are draft pending audit

³ In 2015-17, 0.75 FTE was authorized for a limited duration feasibility study grant coordinator. This authorization is not in the 2017-19 budget, resulting in a reduction in staff capacity to manage feasibility study grants.

Reductions: The Department's Operational budget included more than \$2 million in reductions, mostly in services and supplies, travel, and other statewide cost-saving measures. The agency will likely need to hold vacant positions open longer in order to meet these reductions, while also implementing other cost-saving measures. Specific programmatic reductions totaled \$550,000: reducing general fund dollars for Feasibility Study Grants by \$400,000 (~\$405,000 remaining), gaging stations by \$50,000 (~\$206,000 remaining), and observation wells by \$100,000 (~\$387,000 remaining).

New Lottery Bonding Authority: The Legislature authorized \$1.5 million for Feasibility Study Grants, \$15 million for Water Projects Grants and Loans, and \$5.7 million to three specific projects as outlined in Attachment 1. The three projects will have to meet *some* of the Water Project Grants and Loans program requirements; however, House Bill 3470 states that they are not subject to application, scoring, or ranking requirements.

III. Water-Related Legislation

As outlined in Attachment 1, the Legislature also passed several water-related bills this session. Staff will provide an overview of these bills to the Commission. In addition, as shown in Attachment 2, there were a number of water-related measures that were not passed by the Legislature. The Department anticipates that some of these issues will receive further work during the interim.

IV. Conclusion

The 2017 Oregon Legislature continued investments in the Department's core programs and data needs, while making investments in the Water Resources Development Program to address water resources challenges. The Legislature also passed several water-related bills this session and is expected to continue discussions on water issues during the interim.

Attachments:

1. Oregon Water Resources Department Legislative Recap
2. Water-related Measures that Did Not Pass

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Oregon Water Resources Department Legislative Recap

2017 Legislative Session

	2013-15 Legislatively Adopted Budget	2015-17 Legislatively Adopted Budget	2015-17 Legislatively Approved Budget (Feb Session)	2017-19 Legislatively Adopted Budget*
General Fund	\$ 26,504,946	\$ 29,622,753	\$ 31,185,564	\$31,483,809
Other Funds (Including Fees)	10,626,121	13,469,293	13,777,317	12,633,833
Other Funds (Grants and Loans)	23,920,890	60,476,515	60,476,515	**48,672,536
Lottery Funds (Debt Service)	574,025	2,511,482	2,511,482	3,953,969
Federal Funds	1,272,735	1,302,403	1,312,338	1,879,534
Total Funds	\$ 62,898,717	\$ 107,382,446	\$ 109,263,216	\$98,623,681
Full-Time Equivalent (FTE)	154.80	162.58	163.25	167.59

*Figures are not final until audited by Department of Administrative Services (DAS).

**Includes \$26 million carried over from 2015-2017, which is mostly committed but has not been expended. \$22.2 million in new bonding authority plus cost of issuance.

Water Resources Department Budget and Funding Authorizations

[SB 5542](#) – Agency Budget / [SB 5530](#) - Lottery Bonds / [HB 5006](#) - Budget Reconciliation / [HB 3470](#) – Program Change

Sustaining Current Service Levels: Water Rights Transactions and Dam Safety Fee Schedule Increase (Fee revenue \$838k)

- This package is associated with House Bill 2295, accounting for increases of 15.88%, on average, to the current fee schedule to maintain the current level of services through 2021, based on projected costs supplied by the Department of Administrative Services. *Integrated Water Resources Strategy (IWRs) Action #7a & 13b. Governor's Recommended Budget (GRB) Packages #070/100.*

Protecting the Public and Water Supplies through Dam Safety Inspections (\$123k OF & 123k FF; 1 FTE)

- Protects public safety and water storage capacity of dams through the addition of one dam safety engineer funded by federal (FF) and other funds (OF) to conduct dam inspections, assess dams' ability to pass flood flows, and review hazard ratings. *IWRs Action #7a. GRB Package #102.*

Payroll Shared Services (\$67k OF revenue)

- Authorizes Department to accept funding from Department of State Lands for payroll shared services, allowing the agencies to efficiently share payroll staff, broaden the knowledge base, establish best practices, and provide backup for staff on leave. *GRB Package #106.*

Umatilla Field Presence (\$334k GF, \$100k OF and \$434k FF; 5.0 FTE)

- Adds five positions that were previously Umatilla County personnel under supervision of OWRD: includes two assistant watermasters funded by the U.S. Bureau of Reclamation, and three positions (two assistant watermasters, one administrative assistant) previously funded by the County that will now be funded by General Fund. The County is anticipated to contribute funding to a portion of these positions. *Modified GRB Package #107.*

Helping Communities Plan for Water Needs through Place-Based Planning (\$204k GF, 1 FTE LD)

- Continues one limited duration place-based planning coordinator to pilot place-based planning and help communities identify solutions to meet their instream and out-of-stream water resources needs. *IWRs Action #9a. Modified GRB Package #104.*

Grants to Evaluate the Feasibility of Potential Water Projects (\$1.5 million LB, \$47k cost of issuance)

- Helps meet Oregon's water needs by providing \$1.5 million in Lottery Bonds for grants to assess the feasibility of developing water conservation, reuse, or storage projects (SB 1069). *IWRs Action #13c. Modified GRB Package #109.*

Grants and Loans to Implement Water Projects (\$22.2 million LB, \$375k cost of issuance)

- Authorizes \$15 million to recapitalize the fund for Water Project Grants and Loans (SB 839) to develop water resources projects that have economic, environmental and community benefits to help meet Oregon's water needs. *IWRs Action #10a, 10b, 10c, 10e, 11b. Modified GRB Package #110.*
- Allocates \$2.5 million for the City of Carlton's Panther Creek Reservoir, \$2 million for the City of Carlton's Water Supply Line, and \$1.2 million for Santiam Water Control District's Mill Creek Corporate Center. [HB 3470](#) states that these projects are not subject to application, scoring, or ranking requirements of the Water Project Grants and Loans program.

Water Resources Department Budget Reductions

SB 5542 – Agency Budget Reductions (-\$700k GF)

- Reduces General Fund by \$400k for Feasibility Study Grants, \$100k for new observation wells, \$50k for gaging stations, and \$100k for personal services. Shifts \$50k in services and supplies from General Fund to Water Right Fees. *Modified GRB Package #090.*

HB 5006 – Budget Reconciliation Reductions (-\$1.3 million GF)

- Reductions totaling \$1.3 million in Personal Services, Attorney General rates, DAS services and assessments, travel, and inflation adjustments. Also includes reductions in OF limitation and debt service adjustment of \$2 million in Lottery Funds.

Water-Related Legislation

HB 2066 – Extends Tax Credits on Fish Screening Devices

Extends fish screening tax credit to 2024. See ORS 315.138 for details of the tax credit. *IWRS Action #11d.*

HB 2099 – Municipal Permit Extensions

Modifies the definition of the undeveloped portion of a municipal water right permit for the purpose of determining the amount of water that may be subject to fish persistence conditioning for the first extension of time after June 29, 2005 for pre-1998 municipal permits. Specifies that the undeveloped portion of a municipal permit is the amount of water that has not been diverted as of the later of June 29, 2005 or the date specified in the permit or last approved extension. Requires that a water management and conservation plan be developed and approved as a condition of an extension of time on a municipal permit, and that none of the undeveloped portion, as defined above, can be diverted until the water management and conservation plan is approved. Prohibits issuance of water right certificate for municipal use if extension of time is required but order approving extension has not become final. Effective on passage.

HB 2132 – Local Government Financing of Water Efficiency

Expands purposes for which improvements may be made under local government financing program to include energy storage, smart electric vehicle charging stations and water efficiency. Clarifies provisions relating to liens on benefited qualifying real property. Effective October 6, 2017. *IWRS Action #10a.*

HB 2295 – Water Rights Transactions and Dam Safety Fee Schedule

To maintain current staffing to process water right transactions and inspect dams to protect public safety, House Bill 2295 removes the sunset on the water right transactions and dam safety fee schedules and increases the fees by, on average, 15.88 percent to account for projected increased costs through 2021. Increases effective July 1, 2017. *IWRS Action #7a & 13b.*

HB 2296 – Well Construction

House Bill 2296 helps protect groundwater resources from contamination and waste through proper well construction by increasing the Landowner Permit Application Fee, expanding the requirement to obtain a Landowner Permit, and increasing the bonding requirements for landowners and well drillers. House Bill 2296 increases the Landowner Permit Application Fee from \$25 to \$500 to reflect the minimum cost to the Department to process these requests and expands the requirement to obtain such a permit to include work done by means other than a well-drilling machine. This fee and application only applies when a landowner chooses to work on their own well (construct, repair, modify, decommission) without the expertise of a licensed driller. The bill also increases the well construction bond requirement to \$10,000 for a landowner, who does not use a licensed driller, and \$20,000 for a driller, which covers all of the wells the driller works on, to better reflect the costs of repairing or decommissioning a well that is improperly constructed. Effective January 1, 2018. *IWRS Action #12a.*

HB 2722 – Enforcement of Condominium Irrigation Requirements and Landscaping

Prohibits enforcement of condominium or planned community governing documents that impose irrigation requirements: during drought declaration by the Governor or finding of drought by the Water Resources Commission; when the governing body of a political subdivision requires conservation or curtailment of water use; or the association adopts rule to reduce or eliminate irrigation water use. Authorizes association for planned community or condominium to adopt rules that require the reduction or elimination of irrigation on any portion of the planned community and permit or require the replacement of turf or other landscape vegetation with xeriscape. Authorizes association to require prior review and approval by association of any plans by unit owner to replace landscape vegetation with xeriscape and requires the use of best practices and industry standards to reduce landscaped areas. Effective June 22, 2017.

Water-Related Legislation (*continued*)

[HB 2933](#) – Cap on Grants for Emergency Projects

Removes limitation on amount Business Oregon’s Infrastructure Finance Authority may grant from the Special Public Works Fund for emergency projects. Effective January 1, 2018.

[HB 3051](#) – Cost-Share Water Measurement Fund

Allows the Water Resources Department, through the existing Water Measurement Cost-Share Program, to partner with well owners to fund the installation of devices to measure groundwater use. The bill itself establishes no new measurement requirements and the program can be used to assist water right holders, regardless of whether installation of a measuring device is voluntary or required. Effective January 1, 2018. *IWRS Action #2b*

[HB 3427](#) – Dam Safety

Requires owner or operator of a high-hazard dam to develop an emergency action plan and file it with the Department, Office of Emergency Management (OEM), and the local county emergency agency. For dams constructed prior to January 1, 2018, requires filing of Emergency Action Plan no later than January 1, 2019. Authorizes the Department, in consultation with local emergency managers and OEM, to establish a schedule for conducting emergency response exercises. Directs Department to conduct annual inspections of high-hazard dams, unless a different schedule is deemed appropriate. Exempts dams that are regulated by a federal agency from requirements. Effective January 1, 2018. *IWRS Action #7*

[HJM 5](#) – Hanford Groundwater Contamination

Urges Congress to continue to appropriate funds for Hanford Nuclear Reservation cleanup, with specific focus on funding for expansion of existing groundwater treatment systems.

[SB 56](#) – Cannabis Coordination

Requires Oregon Liquor Control Commission and Oregon Health Authority to maintain telephone hotlines for Water Resources Department and Watermasters to inquire about license status of particular premises. Provisions relating to telephone hotlines become operative on January 1, 2018. See bill for other modifications to laws related to marijuana. Declares emergency, effective on passage.

[SB 520](#) – Recall of Irrigation District Officials

Requires that recall petition of district officer of irrigation district be filed with members of board of directors of irrigation district who are not subject to recall petition, under specified circumstances. Clarifies that the petition process for recalling public officers applies to irrigation districts. Effective January 1, 2018.

[SB 865](#) – Coordination on Development and Water Infrastructure

Requires county or city governing body to submit notice of tentative plan of a proposed plat of a subdivision or partition to certain special districts (irrigation, drainage, water control, and water improvement) for district to recommend conditions of approval to governing body. Requires districts to submit report by January 1, 2019, detailing district boundaries, facilities, easements, and rights of way held by the district to the city and county. Requires district to notify city or county within 90 days of change to information in report. Effective January 1, 2018.

[SCR 21](#) – Vanport Flood

Commemorates 69th anniversary of 1948 Vanport flood. Remembers 18,500 survivors and the 15 people who lost their lives.

For additional information contact: Racquel.R.Rancier@oregon.gov; 503-302-9235.

Bill Name	Bill Summary	Last Three Actions
HB 2027	Prohibits person, public body or local service district from constructing bridge crossing Deschutes River within certain segment of Deschutes Scenic Waterway. Authorizes construction by person, public body, local service district or federal government of pedestrian and bicycle bridge crossing Deschutes River within certain segment of Deschutes Scenic Waterway.	07/07/17 - In committee upon adjournment. 06/08/17 - Referred to Rules by order of the President. 06/08/17 - Minority Recommendation: Do pass the A-Eng.(Printed A-Eng.)
HB 2076	Extends sunset for tax credit for fish screening devices.	07/07/17 - In committee upon adjournment. 02/14/17 - Public Hearing held. 01/17/17 - Referred to Agriculture and Natural Resources with subsequent referral to Tax Credits.
HB 2097	Makes findings and declarations regarding use of state region approach to water resource management and drought resilience. Directs Water Resources Department to establish and administer six target regions within state for purpose of addressing priorities and achieving goals to improve water resource management and drought resiliency. Requires department to consult with Oregon Business Development Department, Regional Solutions Program and Oregon Watershed Enhancement Board regarding establishment and administration of target regions. Requires Water Resources Department to establish transition teams to assist department with establishment of target regions. Requires joint agency report to interim committee of Legislative Assembly no later than September 15, 2018, regarding opportunities for integrating resources to optimize water development or water supply study resources.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Agriculture and Natural Resources with subsequent referral to Ways and Means. 01/09/17 - First reading. Referred to Speaker's desk.
HB 2205	Directs State Department of Agriculture to solicit proposals from third party vendors to create for producers of cannabis efficiency standards for energy and water consumption and certification protocols for meeting those standards.	7/7/17 - In committee upon adjournment 1/17/17 - Referred to Agriculture and Natural Resources with subsequent referral to Ways and Means. 1/9/17- First reading. Referred to Speaker's desk.
HB 2206	Eliminates education, experience and examination requirements for issuance or renewal of landscape contracting business license or landscape construction professional license.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Business and Labor. 01/09/17 - First reading. Referred to Speaker's desk.
HB 2241	Extends sunset for Task Force on Drought Emergency Response. Applies retroactively. Validates lawful actions taken, or lawful obligations incurred, on or after original sunset date and prior to effective date of Act. Requires task force to report findings regarding water conservation issues on or before November 1, 2018. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 02/09/17 - Public Hearing held. 01/17/17 - Referred to Agriculture and Natural Resources with subsequent referral to Ways and Means.

Bill Name	Bill Summary	Last Three Actions
HB 2297	Extends sunset for Task Force on Drought Emergency Response. Applies retroactively. Validates lawful actions taken, or lawful obligations incurred, on or after original sunset date and prior to effective date of Act. Requires task force to report findings on or before November 1, 2018. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 02/09/17 - Public Hearing held. 01/17/17 - Referred to Agriculture and Natural Resources with subsequent referral to Ways and Means.
HB 2404	Requires Oregon Health Authority to analyze ground water contaminant data and provide education in areas with ground water contaminant problems. Authorizes authority to make grants and loans for purpose of assisting rental property owners and low-income property owners with installation of treatment systems. Authorizes authority to make grants to local public health authorities and other specified entities for purposes related to ensuring safe ground water. Establishes Safe Ground Water Fund and continuously appropriates moneys in fund to authority for purpose of making grants and loans. Appropriates moneys for deposit in fund. Requires, for each dwelling unit rented by landlord for which source of drinking water is well, landlord to collect and test samples of drinking water from dwelling unit for arsenic, total coliform bacteria and nitrates. Becomes operative March 1, 2018.	07/07/17 - In committee upon adjournment. 04/14/17 - Referred to Ways and Means by prior reference. 04/14/17 - Recommendation: Do pass with amendments, be printed A-Engrossed, and be referred to Ways and Means by prior reference.
HB 2485	Establishes water right pilot program to encourage and facilitate point of diversion changes requested by State Department of Fish and Wildlife for purpose of benefitting fish passage. Creates special process for Water Resources Department approval of point of diversion changes. Requires Water Resources Department and State Department of Fish and Wildlife to biennially submit report regarding pilot program to committee of Legislative Assembly. Sunsets pilot program January 2, 2028.	07/07/17 - In committee upon adjournment. 03/08/17 - Public Hearing held. 01/17/17 - Referred to Energy and Environment with subsequent referral to Ways and Means.
HB 2486	Permits irrigation district to conduct voluntary inspection and decontamination of recreational or commercial watercraft. Permits district to charge fee for services.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Agriculture and Natural Resources. 01/09/17 - First reading. Referred to Speaker's desk.
HB 2496	Appropriates moneys from General Fund to Oregon Department of Administrative Services for payment to River Docs, LLC for purpose of implementing first phase of sediment study of lower Rogue River. Declares emergency, effective July 1, 2017.	07/07/17 - In committee upon adjournment. 03/15/17 - Public Hearing held. 01/17/17 - Referred to Energy and Environment with subsequent referral to Ways and Means.

Bill Name	Bill Summary	Last Three Actions
HB 2694	Directs Department of State Lands to conduct study to assess options to address low water levels at Tenmile Lakes. Requires report to be submitted to interim legislative committees related to environment and natural resources no later than November 30, 2017. Sunsets on date of convening of 2018 regular session of Legislative Assembly. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Agriculture and Natural Resources. 01/09/17 - First reading. Referred to Speaker's desk.
HB 2705	Requires water appropriator to install device at point of diversion or appropriation to measure amount, and allow determination of rate and duty, of water being used. Creates exception for water being used for exempt purpose. Requires reporting measurements to Water Resources Department. Allows civil penalty for violation, not to exceed \$500 per day.	07/07/17 - In committee upon adjournment. 04/14/17 - Referred to Rules by order of Speaker. 04/14/17 - Recommendation: Do pass and be referred to Rules.
HB 2706	Imposes annual management fee on each primary or supplemental water right. Provides for deposit of management fee moneys into Water Resources Department Water Right Operating Fund. Revises permissible use of moneys from fund. Authorizes collection and assessment for annual periods beginning on or after July 1, 2017. Allows phased imposition of assessment and collection during period beginning July 1, 2017, and ending July 1, 2019, subject to constitutional restrictions. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 04/21/17 - Referred to Ways and Means by order of Speaker. 04/21/17 - Subsequent referral to Revenue rescinded by order of the Speaker.
HB 2707	Appropriates moneys from General Fund to Water Resources Department for ground water studies and investigations, or other ground water data gathering and analysis, in priority basins determined by department. Declares emergency, effective July 1, 2017.	07/07/17 - In committee upon adjournment. 04/17/17 - Referred to Ways and Means by prior reference. 04/17/17 - Recommendation: Do pass with amendments, be printed A-Engrossed, and be referred to Ways and Means by prior reference.
HB 2727	Allows water right holder to rebut presumption of forfeiture by showing that nonuse occurred during period land was subject to conservation easement, conservation covenant or similar interest. Deletes reference to nonuse under federal law repealed in 1965.	07/07/17 - In committee upon adjournment. 02/06/17 - Referred to Energy and Environment. 02/01/17 - First reading. Referred to Speaker's desk.
HB 2984	Appropriates moneys to Oregon Watershed Enhancement Board for 2017-2019 biennium for issuing grant to Curry County for implementing replacement of control devices at discharge from Floras Lake into Floras Creek. Declares emergency, effective July 1, 2017.	07/07/17 - In committee upon adjournment. 02/28/17 - Referred to Energy and Environment with subsequent referral to Ways and Means. 02/22/17 - First reading. Referred to Speaker's desk.

Bill Name	Bill Summary	Last Three Actions
HB 3053	Creates Task Force on Water Infrastructure Investment. Specifies duties of task force. Requires task force to report to interim committee of Legislative Assembly on or before September 15, 2018. Sunsets task force December 31, 2018. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 03/28/17 - Public Hearing held. 03/03/17 - Referred to Agriculture and Natural Resources.
HB 3168	Exempts certain persons measuring or describing water, underwater areas or submerged lands from laws regulating practice of surveying or other practices regulated by State Board of Examiners for Engineering and Land Surveying. Sunsets exemption January 2, 2019.	07/07/17 - In committee upon adjournment. 03/06/17 - Referred to Business and Labor. 03/01/17 - First reading. Referred to Speaker's desk.
HB 3205	Requires that state and commercial water bottler enter into agreement for sharing gross amount received from sale of water prior to state agency transferring interest in real property having appurtenant water right to bottler or prior to Water Resources Department issuing water right to bottler for certain waters formerly reserved, conserved or withdrawn from appropriation. Prohibits issuing commercial water bottler right to use water formerly reserved for in-stream use. Prohibits exchange of in-stream use of water to benefit commercial water bottler. Provides that commercial water bottler's use of water in violation of requirements or prohibition is not beneficial use for purposes of water right forfeiture statutes. Creates rebuttable presumption that transfer of property interest or issuance of water right for formerly reserved or withdrawn water was subject to agreement requirement if commercial water bottler is allowed use of water less than one year after property interest transfer or issuance of water right. Creates rebuttable presumption that in-stream water right was issued or exchanged in violation of prohibition if commercial water bottler is allowed use of water less than one year after issuance or less than one year after first injury resulting from exchange.	07/07/17 - In committee upon adjournment. 03/08/17 - Referred to Energy and Environment. 03/01/17 - First reading. Referred to Speaker's desk.
HB 3337	Creates limited landscape construction professional license.	7/7/17 - In committee upon adjournment. 5/30/17 - Referred to Rules by order of the President. 5/30/17 - Recommendation: Without recommendation as to passage and be referred to Rules.
HB 3382	Provides that projects that make water artificially available for ground water users from implementation of ground water recharge projects may be authorized as mitigation projects compliant with requirements related to Deschutes Scenic Waterway.	07/07/17 - In committee upon adjournment. 03/13/17 - Referred to Energy and Environment. 03/06/17 - First reading. Referred to Speaker's desk.

Bill Name	Bill Summary	Last Three Actions
HB 3421	Requires Water Resources Department to maintain registry of historic-use reservoirs. Exempts historic-use reservoirs from requirement to have water right permit or water right certificate. Assigns historic-use reservoir priority based on registration application date. Makes historic-use reservoir subject to distribution and flow control device requirements. Creates temporary process for registering qualifying reservoir as historic-use reservoir. Sunsets temporary registration process January 2, 2035.	07/07/17 - In committee upon adjournment. 04/21/17 - Referred to Rules by order of Speaker and then Ways and Means by prior reference. 04/21/17 - Recommendation: Do pass as amended and be printed A-Engrossed, be referred to Rules, and then referred to Ways and Means by prior reference.
HB 3433	Appropriates moneys from General Fund to Oregon Department of Administrative Services for distribution to Stillwagon Distillery for developing process for recycling and reusing distillery spent wash. Declares emergency, effective July 1, 2017.	07/07/17 - In committee upon adjournment. 04/05/17 - Referred to Energy and Environment with subsequent referral to Ways and Means. 04/03/17 - First reading. Referred to Speaker's desk.
SB 283	Appropriates moneys from General Fund to Oregon Department of Administrative Services for Reedsport levee project. Declares emergency, effective July 1, 2017.	07/07/17 - In committee upon adjournment. 03/06/17 - Recommendation: Do pass and be referred to Ways and Means by prior reference. 02/27/17 - Public Hearing and Work Session held.
SB 428	Exempts collection, storage or use of diffuse surface water from falling rain, melting snow or other precipitation from requirement to obtain water right permit or certificate.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Environment and Natural Resources. 01/09/17 - Introduction and first reading. Referred to President's desk.
SB 429	Requires Water Resources Department to establish expedited process for approval of permits and certificates to construct and operate ponds on agricultural lands to capture runoff or ephemeral or intermittent stream water.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Environment and Natural Resources. 01/09/17 - Introduction and first reading. Referred to President's desk.
SB 465	Requires nonapplicant to pay Water Resources Department higher fee for submitting protest if nonapplicant has filed nonapplicant protest under certain statutes within prior 12 months. Increases filing fee as number of previous nonapplicant protests filed increases.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Environment and Natural Resources. 01/09/17 - Introduction and first reading. Referred to President's desk.

Bill Name	Bill Summary	Last Three Actions
SB 466	Changes water management and conservation plan approval condition for extension of time to construct works or perfect right for municipal use of water. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Environment and Natural Resources. 01/09/17 - Introduction and first reading. Referred to President's desk.
SB 474	Eliminates continuing education requirements for landscape construction professionals.	7/7/17 - In committee upon adjournment. 3/6/17 - Public Hearing held. 1/17/17 - Referred to Business and Transportation.
SB 477	Requires unsuccessful protestant to pay Water Resources Department costs and reasonable attorney fees if protestant has filed or intervened under certain statutes in three or more protests within preceding 12 months.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Environment and Natural Resources, then Judiciary. 01/09/17 - Introduction and first reading. Referred to President's desk.
SB 499	Creates exceptions to limitation on liability for certain farming and forest practices for actions for serious harm to human health and loss of use of residential property or domestic drinking water. Exempts actions alleging nuisance or trespass arising from use of pesticide from provisions requiring award of attorney fees to prevailing party.	07/07/17 - In committee upon adjournment. 01/17/17 - Referred to Judiciary. 01/09/17 - Introduction and first reading. Referred to President's desk.
SB 647	Extends sunset for Task Force on Drought Emergency Response. Applies retroactively. Validates lawful actions taken, or lawful obligations incurred, on or after original sunset date and prior to effective date of Act. Requires task force to report findings on or before November 1, 2018. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 02/06/17 - Referred to Environment and Natural Resources, then Ways and Means. 02/01/17 - Introduction and first reading. Referred to President's desk.
SB 770	Imposes annual management fee on each primary or supplemental water right. Provides for deposit of management fee moneys into Water Resources Department Water Right Operating Fund. Revises permissible use of moneys from fund. Authorizes collection and assessment for annual periods beginning on or after July 1, 2017. Allows phased imposition of assessment and collection during period beginning July 1, 2017, and ending July 1, 2019, subject to constitutional restrictions. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 02/13/17 - Referred to Environment and Natural Resources, then Ways and Means. 02/09/17 - Introduction and first reading. Referred to President's desk.

Bill Name	Bill Summary	Last Three Actions
SB 771	Appropriates moneys from General Fund to Water Resources Department for ground water studies and investigations, or other ground water data gathering and analysis, conducted in cooperation with United States Geological Survey in priority basins determined by department. Declares emergency, effective July 1, 2017.	07/07/17 - In committee upon adjournment. 02/13/17 - Referred to Environment and Natural Resources, then Ways and Means. 02/09/17 - Introduction and first reading. Referred to President's desk.
SB 772	Requires water appropriator to install device at point of diversion or appropriation to measure amount, and allow determination of rate and duty, of water being used. Creates exception for water being used for exempt purpose. Requires reporting measurements to Water Resources Department. Allows civil penalty for violation, not to exceed \$500 per day.	07/07/17 - In committee upon adjournment. 02/13/17 - Referred to Environment and Natural Resources. 02/09/17 - Introduction and first reading. Referred to President's desk.
SB 866	Requires certain public entities to ensure that discharge of storm water into canal or infrastructure of other entity complies with state and federal water quality standards. Requires certain public entities to obtain written permission for discharge. Imposes liability on discharging entity for discharge without written permission. Creates exception to liability. Becomes operative July 1, 2019. Declares emergency, effective on passage.	07/07/17 - In committee upon adjournment. 03/09/17 - Public Hearing held. 02/27/17 - Referred to Environment and Natural Resources.
SJM 8	Urges U.S. Army Corps of Engineers to consider recreation, fish passage, downstream water use, irrigation and other variables in management of Big Cliff Dam and Detroit Reservoir.	07/07/17 - In committee upon adjournment. 02/22/17 - Referred to Environment and Natural Resources. 02/21/17 - Introduction and first reading. Referred to President's desk.