

REVENUE IMPACT OF PROPOSED LEGISLATION

74th Oregon Legislative Assembly
2007 Regular Session
Legislative Revenue Office

Bill Number:	HB 2294-B
Revenue Area:	Income
Economist:	Chris Allnach
Date:	May 1, 2007

Measure Description:

Expands ODFW Fish Screening Cost-Share Program to include water diversions of any size, with preference for diversions of 30 cfs or less. Modifies Oregon Department of Fish and Wildlife (ODFW) fish screening goal from 75 water diversions per year to 150 diversions or 150 cubic feet per second (cfs) of water per biennium (one cfs equals 449 gallons per minute). Requires installation if: (1) the water diversion is at least 30 cfs; (2) a new water right is issued for the water diversion; (3) the point of water diversion is transferred. Prohibits payment of cost-share funds for diversions involving water rights issued on or after July 1, 1996, unless the Fish Screening Task Force finds good cause to allow an exception. Eliminates dollar expenditure limits of \$10,000 for ODFW and \$5,000 for the water diverter, but retains the percentage limits. Requires ODFW be responsible for major maintenance and repair of screening devices at water diversions of less than 30 cfs. Requires individual be responsible for all maintenance of screening/by-pass devices at water diversions of at least 30 cfs. Authorizes ODFW to charge \$150 per visit for inspection and maintenance of a bypass device if the owner fails to maintain it. Requires ODFW notify a person required to install, operate, maintain, repair, or replace a screening or bypass device and allows the person to request a contested case hearing before the State Fish and Wildlife Commission.

Revenue Impact:

	2007-08	2008-09	2007-09 Biennium	2009-11 Biennium
State General Fund	Minimal	Minimal	Minimal	Minimal

Impact Explanation:

Current law allows a credit against personal and corporation income taxes for installing a fish screening device, by-pass device, or fishway when required to do so by law (except where the device is part of a federally regulated hydroelectric project). The credit for each device installed equals the lesser of 50% of the taxpayer's net certified installation costs, or \$5,000. The device must receive a preliminary certification from the Oregon Department of Fish and Wildlife to be eligible for the credit. The credit is claimed in the year of final certification. The credit is non-refundable and amounts unused because of insufficient tax liability can be carried forward up to five years.

In tax year 2005, fewer than 20 taxpayers claimed roughly \$30,000 of tax credits against personal income taxes, reducing tax liability by roughly \$20,000.

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