2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 193 **STATUS:** A Engrossed
SUBJECT: Integrated state water resource strategy and progress report
GOVERNMENT UNIT AFFECTED: Water Resource Department, Department of Fish and Wildlife, and Department of Environmental Quality
PREPARED BY: Dawn Farr
REVIEWED BY: Monica Brown and Paul Siebert
DATE: April 1, 2009

	2009-2011	2011-2013
EXPENDITURES:		
See comments below.		

EFFECTIVE DATE: January 1, 2010

GOVERNOR'S BUDGET: The bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: The bill indicates that the Water Resource Department (WRD) may develop an integrated state water resources strategy in consultation with the Department of Environmental Quality (DEQ) and Department of Fish and Wildlife (ODFW); requires that WRD provide the Environmental Quality Commission with notice of adoption of the strategy and that the water resources strategy be updated every five years; and, that the WRD, in consultation with DEQ and ODFW, provide a status report to the Seventy-sixth Legislative Assembly on development of the integrated strategy.

The WRD indicates that they already have statutory authority to develop an integrated state water resources strategy based on ORS 536.300 (2), which states "the commission shall progressively formulate an integrated, coordinated program for the use and control of all the water resources of this state and issue statements thereof." This assumes that the definition of an integrated state water resources strategy is synonymous with the formulation of an integrated program for the use and control of all waters of this state. If this assumption is true than it might be argued that the permissive language of the bill relieves the WRD of the requirement of developing an integrated water resources program. At this time it is not known what General Fund savings may result from the passage of this bill. The Legislative Fiscal Office is concerned that this implication may be an unintended consequence of the bill.

WRD indicates that the costs associated with updating an integrated water resources strategy every five years and preparing a progress report are expected to be minimal and can be absorbed with existing resources.

DEQ and ODFW anticipate an indeterminate minimal fiscal impact as a result of the bill as nothing is required of them until the WRD begins to work on the integrated state water resource strategy. Both agencies anticipate that they will coordinate with the WRD during the process; however, the timing and degree to which they might be involved is not known at this time.