

Senate Bill 537

Sponsored by Senator KRUSE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Task Force on Standing in Proceedings Regarding Water. Requires task force to review and evaluate Oregon laws, rules, policies and procedures affecting ability or inability of person or public body to obtain standing in administrative or judicial proceedings regarding Oregon water laws. Authorizes task force to review and evaluate laws, rules, policies and procedures of other states and federal government to identify provisions suitable for adoption or adaptation in Oregon that affect ability or inability of person or public body to obtain standing in administrative or judicial proceeding regarding water.

Requires task force to report to interim committee on judiciary no later than September 15, 2016.

Sunsets task force December 31, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to standing in proceedings regarding water; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Task Force on Standing in Proceedings Regarding Water is estab-**
5 **lished, consisting of seven members appointed as follows:**

6 (a) **The President of the Senate shall appoint one member having expertise in adminis-**
7 **trative or judicial procedure or water law.**

8 (b) **The Speaker of the House of Representatives shall appoint one member having ex-**
9 **pertise in administrative or judicial procedure or water law.**

10 (c) **The Chief Justice of the Supreme Court shall appoint one member having expertise**
11 **in administrative or judicial procedure or water law.**

12 (d) **The chief administrative law judge for the Office of Administrative Hearings shall**
13 **appoint one member having expertise in administrative or judicial procedure or water law.**

14 (e) **The Governor shall appoint three members. At least one member appointed by the**
15 **Governor shall have expertise in administrative or judicial procedure and at least one mem-**
16 **ber shall have expertise in water law.**

17 (2) **The task force shall review and evaluate the existing laws, rules, policies and proce-**
18 **dures affecting the ability or inability of a person or of a public body as defined in ORS**
19 **174.109 to obtain standing in administrative or judicial proceedings regarding the water laws**
20 **of this state.**

21 (3) **The task force may review and evaluate the laws, rules, policies and procedures of**
22 **other states and the federal government affecting the ability or inability of a person or public**
23 **body to obtain standing in administrative or judicial proceedings of those states and identify**
24 **any provisions that the task force believes may be suitable for adoption or adaptation in this**
25 **state with regard to the ability or inability of a person or public body to obtain standing in**
26 **administrative or judicial proceedings regarding water.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (4) A majority of the members of the task force constitutes a quorum for the transaction
2 of business.

3 (5) Official action by the task force requires the approval of a majority of the members
4 of the task force.

5 (6) The task force shall elect one of its members to serve as chairperson.

6 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
7 ment to become immediately effective.

8 (8) The task force shall meet at times and places specified by the call of the chairperson
9 or of a majority of the members of the task force.

10 (9) The task force may adopt rules necessary for the operation of the task force.

11 (10) The task force shall submit a report in the manner provided in ORS 192.245, and may
12 include recommendations for legislation, to an interim committee of the Legislative Assem-
13 bly related to judiciary matters no later than September 15, 2016.

14 (11) The Water Resources Department shall provide staff support to the task force.

15 (12) Members of the task force are not entitled to compensation, but may be reimbursed
16 for actual and necessary travel and other expenses incurred by them in the performance of
17 their official duties in the manner and amounts provided for in ORS 292.495. Claims for ex-
18 penses shall be paid out of funds appropriated to the department for purposes of the task
19 force.

20 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist
21 the task force in the performance of its duties and, to the extent permitted by laws relating
22 to confidentiality, to furnish such information and advice as the members of the task force
23 consider necessary to perform their duties.

24 **SECTION 2.** Section 1 of this 2015 Act is repealed on December 31, 2016.

25 **SECTION 3.** This 2015 Act being necessary for the immediate preservation of the public
26 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
27 on its passage.

28