

HB 2331 -2, -3 STAFF MEASURE SUMMARY

House Committee On Natural Resources

Prepared By: Kailey Kornhauser, LPRO Analyst

Meeting Dates: 4/4, 4/9

WHAT THE MEASURE DOES:

Establishes that Water Resources Commission (Commission) may not enforce general or special standards related to repairing, constructing, altering, abandoning, or converting a well unless commission determines activity did not meet standards at time of activity. Establishes that Commission may not enforce general or special well standards more than six years after log has been filed for logs filed before defective date of act, or more than three years for logs filed after effective date of this act. Establishes that Commission may enforce only standards related to material misrepresentation contain in log after time period established.

FISCAL: May have fiscal impact, no statement yet issued

REVENUE: May have revenue impact, no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces measure. Establishes that Water Resources Commission (Commission) may not enforce general or special standards against licensed well constructors related to repair, construction, alteration, abandonment, or conversion of well after three years from date well constructor filed log with Commission (ORS 537.780). Establishes that Commission may not enforce general or special standards against licensed well constructors relating to well repair, construction, alteration, abandonment, or conversion which a report, fee, and log have been filed with Commission. Authorizes Commission to enforce general or special standards in effect when work was completed, if Commission finds log contains misrepresented material in log.

Establishes Task Force on Oregon Well Construction Enforcement Activities. Establishes Task Force consists of nine members appointed jointly by President of the Senate, Speaker of the House of Representatives, Senate Minority Leader, and House Minority Leader. Establishes that Task Force membership include: three members who represent Water Resources Department; one member representing a groundwater association; three members who do not work for government and are licensed as water supply well constructors in Oregon; one member who does not work for government and is licensed as a monitoring well constructor in Oregon; one member who does not work for government, specializes in groundwater, and is certified as water rights examiner and registered as a geologist in Oregon. Requires at least half of members be active members of an association related to groundwater.

Establishes that Task Force review and make recommendations on: priorities and procedures developed by Commission for technical review of well logs and fiscal impact and funding consequences of those priorities and procedures; limiting enforcement of well construction standards; enforcement, operations, and maintenance practices for well construction.

Requires majority of voting members of Task Force for quorum. Requires majority of voting members for official action of Task Force. Requires Task Force elect one member to serve as chairperson and one to serve as vice-chairperson. Requires appointing authority make appointment in case of vacancy; requires chairperson or majority of voting members select meeting times and places. Authorizes Task Force to adopt rules necessary for operation. Establishes that members of Task Force are not entitled to compensation or reimbursement for expenses.

This summary has not been adopted or officially endorsed by action of the committee.

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Requires Task Force to submit report and recommendations to interim committee of Legislative Assembly related to water resources no later than September 15, 2020. Requires Water Resources Department provide staff support to Task Force. Requires all state agencies assist task force.

Sunsets Task Force December 31, 2020. Effective on 91st day following adjournment sine die.

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BACKGROUND:

The Water Resources Commission is responsible for adopting and enforcing general rules and standards relating to the construction and maintenance of wells. A well log is a document that contains information on the history of the well and the ground surrounding it. Well contractors file logs with the state upon completion of a new well, and when maintenance or alterations have occurred. A well log includes information about the well, a history of pump installation and general maintenance, and ground water level and quality.

House Bill 2331 would establish that the Water Resources Commission has a specific amount of time to enforce general or special standards related to well construction activities.