

HB 2436 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Clem

Joint Committee On Ways and Means

Action Date: 06/20/19

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

House Vote

Yeas: 9 - Gomberg, Holvey, McLain, McLane, Nosse, Piluso, Rayfield, Smith G, Stark

Senate Vote

Yeas: 7 - Beyer, Frederick, Johnson, Manning Jr, Roblan, Steiner Hayward, Wagner

Abs: 5 - Baertschiger Jr, Girod, Hansell, Heard, Thomsen

Prepared By: Lisa Pearson, Department of Administrative Services

Reviewed By: Matt Stayner, Legislative Fiscal Office

Department of State Lands

2019-21

Budget Summary*

	2017-19 Legislatively Approved Budget ⁽¹⁾	2019-21 Current Service Level	2019-21 Committee Recommendation	Committee Change from 2017-19 Leg. Approved	
				\$ Change	% Change
Other Funds Limited	\$ -	\$ -	\$ 355,776	\$ 355,776	100.0%
Total	\$ -	\$ -	\$ 355,776	\$ 355,776	100.0%

Position Summary

Authorized Positions	0	0	2	2
Full-time Equivalent (FTE) positions	0.00	0.00	1.50	1.50

⁽¹⁾ Includes adjustments through December 2018

* Excludes Capital Construction expenditures

Summary of Revenue Changes

Revenue to support House Bill 2436 is in the Common School Fund. The bill affects expenditure limitation only.

Summary of Capital Construction Subcommittee Action

House Bill 2436 increases Other Funds expenditure limitation for the Department of State Lands (DSL) by \$355,776 and adds two limited duration positions (1.50 FTE) to develop a legislative proposal for partial assumption of the authority to administer permits for the discharge of dredge or fill materials under section 404 of the Federal Water Pollution Control Act. Currently, wetlands and waterways are protected through permits issued by DSL and the US Army Corps of Engineers. Oregon has pursued assuming more of the permitting responsibilities for 25 years to streamline the process for applicants. The bill limits assumption to permits within an acknowledged urban growth boundary, mining and related activities, and the creation and operation of mitigation banks.

DSL must collaborate with multiple agencies to develop the proposal, including the Department of Justice, the Department of Environmental Quality, the Department of Land Conservation and Development, the State Department of Fish and Wildlife, the State Department of Agriculture, the State Forestry Department, the State Department of Geology and Mineral Industries, the National Marine Fisheries Service, the United States Fish and Wildlife Service, and the United States Environmental Protection Agency.

The bill amends statute to remove the requirement that the DSL director consider all items of an enumerated list of standards related to a removal-fill permit application. The bill allows the director to determine whether an application is, or is not, consistent with statutory requirements for a permit to be issued, regardless of consideration of those items.

House Bill 2436 also removes restrictions on the purchase of credits from the Oregon Removal-Fill Mitigation Fund; most relate to the availability of approved credits. Additionally, the bill specifies that credits may be purchased when mitigation bank credits are also available in the same region.

Development of the proposal for legislation is anticipated to be highly complex and require two limited duration Legislative Policy Analysts (1.50 FTE) for a cost of \$327,276 in Personal Service and \$28,500 in Services and Supplies or a total of \$355,776 Other Funds in the 2019-21 biennium.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of State Lands
 Lisa Pearson -- 503-373-7501

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SUBCOMMITTEE RECOMMENDATION</u>									
SCR 010 - Common School Fund									
Personal Services	\$ -	\$ -	\$ 327,276	\$ -	\$ -	\$ -	\$ 327,276	2	1.50
Services and Supplies	\$ -	\$ -	\$ 28,500	\$ -	\$ -	\$ -	\$ 28,500		
TOTAL ADJUSTMENTS	\$ -	\$ -	\$ 355,776	\$ -	\$ -	\$ -	\$ 355,776	2	1.50
SUBCOMMITTEE RECOMMENDATION	\$ -	\$ -	\$ 355,776	\$ -	\$ -	\$ -	\$ 355,776	2	1.50