

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3091 - 6

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Provides the option for a person holding a right to store water that intends to apply to transfer a right to store water to obtain a declaratory ruling from Water Resources Department.

Government Unit(s) Affected:

Water Resources Department (WRD), Department of Justice (DOJ), Oregon Judicial Department (OJD)

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

HB 3091 with the -6 amendment provides the option for a person holding a right to store water, that intends to apply to transfer a right to store water, to obtain a declaratory ruling from the Oregon Water Resources Department (OWRD) within 120 days of the petition being submitted on the Department’s authority to transfer rights to store water and to be able to petition the Supreme Court directly for judicial review of the declaratory ruling.

Oregon Water Resources Department (WRD)

Although OWRD anticipates using existing staff and resources to process petitions, passage of this measure could result in additional Department of Justice (DOJ) expenses for the agency. At this time, OWRD cannot predict how much time it will require from DOJ to assist with the declaratory ruling process. The level of work will depend on the number of petitions received and the number of intervenors. If OWRD incurs DOJ expenses beyond what is anticipated in the agency’s budget, OWRD will need to return to an Emergency Board or to the 2022 Legislative Session for additional appropriation.

Oregon Judicial Department (OJD), Department of Justice (DOJ)

Passage of this measure is anticipated to have a minimal fiscal impact on OJD and DOJ.