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Testimony of Arthur Towers

OTLA Political Director

In Opposition to SB 58

Before the Senate Committee on Natural Resources

March 15, 2023

Chair Golden, Vice-Chair Girod, members of the committee, thank you for the opportunity to testify in opposition to one narrow provision of SB 58.

We would urge the removal of Section 1(5)(a) on page 2 line 13. With the removal of that provision, OTLA would be neutral on the bill.

This bill allows the state to study the development of a cloud seeding program to address drought conditions in central Oregon.

However, Section 1(5)(a) would limit property owners' rights to hold the Water Resources Department or cloud seeding operations accountable for certain harms the program might cause.

Since the program is only being studied at this point, there is no reason to limit the rights of property owners at this juncture, if ever.

It is important that Oregonians preserve the right to hold government agencies accountable for harm they cause. We have no reason whatsoever to believe that the Water Resources Department will act negligently or maliciously in the development of this program, but the legislature cannot foresee the problems that may arise from a cloud seeding program.

Judges and juries in the communities that are affected are well positioned to mete out justice for property owners. We would entrust the local communities in central Oregon to reach fair decisions if a local landowner felt harmed by the government. Local judges and juries can listen to both sides and do a deep dive into the specific facts of a complaint in a way that the legislature is ill-equipped to do.

Please preserve the right to petition the government and the Constitutional right to a jury trial. We urge the deletion of this subsection. Thank you for your consideration.