

HB 4004-3  
(LC 242)  
2/26 (ASD/gpb/ps)

Requested by HOUSE COMMITTEE ON AGRICULTURE, LAND USE, NATURAL RESOURCES, AND WATER (at the request of Representatives Ken Helm, Mark Owens)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4004**

1       On page 1 of the printed bill, line 2, after “308A.707” insert “, 536.032 and  
2       537.623”.

3       On page 2, after line 29, insert:

4       **“SECTION 4.** ORS 536.032 is amended to read:

5       “536.032. Subject to confirmation by the Senate in the manner provided  
6       in section 4, Article III, Oregon Constitution, the Governor shall appoint a  
7       Water Resources Director. The director shall be an individual qualified by  
8       training and experience and shall serve for a term of four years at the  
9       pleasure of the Governor. The director [*or a principal assistant*] must [*be*]  
10      **ensure that** a registered engineer experienced in water-related engineering  
11      **is employed by the Water Resources Department to carry out the**  
12      **department’s functions under ORS 540.443 to 540.491.**

13      **“SECTION 5.** ORS 537.623 is amended to read:

14      “537.623. (1) Notwithstanding ORS chapter 537, 540 or 541, a proposed  
15      final order issued by the Water Resources Department under ORS chapter  
16      537, 540 or 541 for an application requesting that the department approve a  
17      new water right or a change to an existing water right or permit, registra-  
18      tion or license, shall become, without further department action, a final or-  
19      der as a matter of law 33 days after the close of the time period for  
20      submitting a protest if:

21      “(a) The department includes a provision in the proposed final order ex-

1 plaining that the proposed final order will become a final order under this  
2 section; and

3       “(b) A protest **under ORS 536.077** is not **timely** received by the depart-  
4       ment [*within the 33 days*].

5       “(2) Notwithstanding subsection (1) of this section, the department may  
6 withdraw a proposed final order for reconsideration and issuance of a su-  
7 perseding proposed final order not more than 33 days after the close of the  
8 time period for submitting a protest.”.

9 In line 30, delete “4” and insert “6”.

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