

HB 3343-1
(LC 2800)
4/3/23 (AG/ps)

Requested by Representative HARTMAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 3343**

1 In line 2 of the printed bill, after “water” insert “; and declaring an
2 emergency”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. (1) The Department of Environmental Quality shall**
5 **contract for an evaluation of the effectiveness, adequacy and imple-**
6 **mentation of the provisions of ORS 448.268, 448.271 and 468B.150 to**
7 **468B.190.**

8 **“(2) The contract must require the evaluation to:**

9 **“(a) Address both qualitative and quantitative measures of effec-**
10 **tiveness.**

11 **“(b) Identify potential policy or regulatory gaps in the provisions**
12 **of ORS 448.268, 448.271 and 468B.150 to 468B.190, as well as policy or**
13 **regulatory gaps in, and associated impacts from, the implementation**
14 **of ORS 448.268, 448.271 and 468B.150 to 468B.190, and options to address**
15 **the gaps and impacts.**

16 **“(c) Identify data, resources or potential legislation or funding that**
17 **would be necessary to successfully achieve the goals of ORS 448.268,**
18 **448.271 and 468B.150 to 468B.190 to achieve the ground water manage-**
19 **ment and use policies set forth in ORS 468B.160.**

20 **“(3) The department shall consult with the Ground Water Quality**
21 **Advisory Committee established under section 2 of this 2023 Act on the**

1 advisory committee’s activities described in section 2 (5) of this 2023
2 Act.

3 “(4) On or before November 1, 2024, the department shall submit a
4 report, in the manner prescribed by ORS 192.245, that includes the
5 evaluation described in subsection (1) of this section and any recom-
6 mendations from the advisory committee pursuant to section 2 of this
7 2023 Act, to a committee or interim committee of the Legislative As-
8 sembly related to water.

9 **“SECTION 2. (1) The Ground Water Quality Advisory Committee is**
10 **established.**

11 **“(2) The advisory committee shall consist of not fewer than 16**
12 **members and not more than 21 members, including:**

13 **“(a) Four nonvoting members appointed as follows:**

14 **“(A) One member appointed by the President of the Senate.**

15 **“(B) One member appointed by the Speaker of the House of Repre-**
16 **sentatives.**

17 **“(C) One member appointed by the Senate Minority Leader.**

18 **“(D) One member appointed by the House Minority Leader.**

19 **“(b) Not less than six and not more than 11 voting members ap-**
20 **pointed by the Department of Environmental Quality, in consultation**
21 **with the State Department of Agriculture, the Oregon Health Au-**
22 **thority, the Water Resources Department, Oregon State University,**
23 **the Department of Land Conservation and Development, communities,**
24 **environment and health advocates and experts in relevant industries.**

25 **“(c) Six nonvoting, ex officio members as follows:**

26 **“(A) The Director of the Department of Environmental Quality or**
27 **the director’s designee.**

28 **“(B) The Director of the Oregon Health Authority or the director’s**
29 **designee.**

30 **“(C) The Director of Agriculture or the director’s designee.**

1 **“(D) The President of Oregon State University or the president’s**
2 **designee.**

3 **“(E) The Water Resources Director or the director’s designee.**

4 **“(F) The Director of the Department of Land Conservation and**
5 **Development or the director’s designee.**

6 **“(3)(a) The members appointed under subsection (2)(a) and (b) of**
7 **this section must:**

8 **“(A) Have expertise in matters related to ground water quality; or**

9 **“(B) Represent public or private sector entities that have an inter-**
10 **est in matters related to ground water quality.**

11 **“(b) In addition to the requirements of paragraph (a) of this sub-**
12 **section, the members appointed under subsection (2)(b) of this section:**

13 **“(A) May represent counties, industries and industry organizations,**
14 **the conservation community, agriculture, irrigation districts, envi-**
15 **ronmental justice communities, as defined in ORS 182.535,**
16 **community-based organizations, public health organizations and mu-**
17 **nicipal and nonmunicipal community water systems; and**

18 **“(B) Must be from geographically diverse areas of this state, in-**
19 **cluding, at a minimum, the western, central and eastern areas of this**
20 **sate and groundwater management areas designated under ORS**
21 **468B.180.**

22 **“(c) In making appointments under subsection (2)(b) of this section,**
23 **the Department of Environmental Quality shall include a balanced**
24 **representation of interests on the advisory committee.**

25 **“(4) The Department of Environmental Quality shall invite each**
26 **federally recognized Indian tribe in Oregon to participate in the ac-**
27 **tivities of the advisory committee or shall identify others ways in**
28 **which the federally recognized Indian tribes in Oregon will be con-**
29 **sulted by the advisory committee, including through intergovern-**
30 **mental agreements.**

1 **“(5) The advisory committee shall:**

2 **“(a) Advise the Department of Environmental Quality on the de-**
3 **velopment of a request for proposals for the contract described in**
4 **section 1 of this 2023 Act.**

5 **“(b) Provide support for the evaluation described in section 1 of this**
6 **2023 Act.**

7 **“(c) Identify data collection, research and monitoring activities**
8 **necessary to:**

9 **“(A) Better understand statewide ground water quality and trends.**

10 **“(B) Assess, prevent, manage, mitigate for and address potential**
11 **threats to ground water quality.**

12 **“(C) Track progress in remediating ground water quality issues.**

13 **“(d) Identify actions to improve public notice and coordinated re-**
14 **sponses to public health threats resulting from ground water contam-**
15 **ination.**

16 **“(e) Review the evaluation described in section 1 of this 2023 Act,**
17 **along with any other relevant, scientifically supported information, to:**

18 **“(A) Provide additional context and considerations to accompany**
19 **findings and recommendations in the evaluation.**

20 **“(B) Recommend additional actions not covered by the evaluation**
21 **that the advisory committee determines to be high priorities for con-**
22 **sideration.**

23 **“(C) Develop recommendations for prioritized state actions to pro-**
24 **tect and restore ground water quality, including potential investments**
25 **and policy changes.**

26 **“(6) A majority of the voting members of the advisory committee**
27 **constitutes a quorum for the transaction of business.**

28 **“(7) Official action by the advisory committee requires the approval**
29 **of a majority of the voting members of the advisory committee.**

30 **“(8) The advisory committee shall elect one of its voting members**

1 to serve as chairperson.

2 “(9) If there is a vacancy for any cause, the appointing authority
3 shall make an appointment to become effective immediately.

4 “(10) The advisory committee shall meet at times and places speci-
5 fied by the call of the chairperson or by a majority of the voting
6 members of the advisory committee.

7 “(11) The Department of Environmental Quality shall contract with
8 a third party to provide staff support to the advisory committee.

9 “(12) Appointed members of the advisory committee are not entitled
10 to compensation but may be reimbursed for actual and necessary
11 travel and other expenses incurred by them in the performance of
12 their official duties, in the manner and amounts provided for in ORS
13 292.495. Claims for expenses incurred in performing functions of the
14 advisory committee must be paid out of funds appropriated to the
15 Department of Environmental Quality for purposes of the advisory
16 committee.

17 “(13) All agencies of state government, as defined in ORS 174.111,
18 are directed to assist the advisory committee in the performance of
19 the advisory committee’s duties and, to the extent permitted by laws
20 relating to confidentiality, to furnish information and advice that
21 members of the advisory committee consider necessary to perform
22 their duties.

23 “SECTION 3. Sections 1 and 2 of this 2023 Act are repealed on Jan-
24 uary 2, 2025.

25 “SECTION 4. In addition to and not in lieu of any other appropri-
26 ation, there is appropriated to the Department of Environmental
27 Quality, for the biennium beginning July 1, 2023, out of the General
28 Fund, the amount of \$275,000, which may be expended for purposes
29 described in sections 1 and 2 of this 2023 Act.

30 “SECTION 5. This 2023 Act being necessary for the immediate

1 **preservation of the public peace, health and safety, an emergency is**
2 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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