

Submitter: Colinda Lennox

On Behalf Of:

Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water

Measure, Appointment or Topic: HB3343

In my opinion, this bill represents an overreach by the government and could potentially infringe upon rights protected under the Oregon Constitution. I would like to respectfully highlight several points of concern regarding the implications of this bill:

1. Potential Property Rights Concerns

From my perspective, Oregon's Constitution protects private property rights, particularly under Article I, Section 18, which states that private property shall not be taken for public use without just compensation. In my view, the mandatory installation of water meters on private landowners' properties holding water rights may be perceived as government intervention into private property use without adequate compensation or due process under the Constitution.

2. Excessive Government Regulation

In my opinion, the requirement to install water meters on all government entities and water rights holders in Oregon, both groundwater and surface water users, appears to be an overextension of government control over natural resources. Oregon residents already pay for water rights and are subject to regulatory oversight; however, I believe that this bill could introduce an additional layer of costly compliance that may be unnecessary. It could complicate existing systems, especially for individuals who rely on community wells or shared water resources.

3. Potential Conflicts with Oregon Supreme Court Precedents

In my view, the Oregon Supreme Court's decision in *State v. Brown*, 305 Or. 153 (1988) emphasizes the importance of balancing regulatory measures with constitutional protections afforded to property owners. The imposition of civil penalties for non-compliance with this bill could be seen as an extreme and disproportionate response. In my opinion, there are likely less intrusive measures that could achieve water conservation goals without infringing upon property rights or imposing excessive financial burdens.

4. Financial Impact on Water Rights Holders

From my perspective, the proposed civil penalties for non-compliance could have a significant financial impact on rural landowners, small communities, and non-profit entities, who may struggle to meet the requirements of this bill. The bill, in my opinion, does not sufficiently take into account the economic realities these individuals and groups face, especially those who may lack the resources or technical ability to comply.

5. Concerns About Transparency and Oversight

While I understand that water conservation is a critical issue, I feel that this bill, as written, does not provide sufficient transparency regarding how the data collected will

be used or how the bill's enforcement will be carried out. I am concerned about the potential misuse of this data, especially in light of the lack of clarity about enforcement mechanisms.

6. Property Rights and Oregon's Constitutional Protections

In my opinion, Oregon has historically upheld the importance of private property rights, particularly regarding water use. This bill, I believe, could undermine the concept of ownership and control over one's property and natural resources by increasing government oversight over how individuals and communities manage their water rights. In my view, the Oregon Constitution should protect citizens from undue interference in matters concerning natural resources that rightfully belong to them. While I acknowledge the importance of responsible water use and conservation, I respectfully believe that this bill, as currently written, places excessive government control, infringes on property rights, and overlooks constitutional protections. I hope you to reconsider this bill in light of these concerns and explore alternative solutions that respect both the need for regulation and the importance of safeguarding property rights and economic realities.

Thank you for your time and consideration.