Submitter:	Dana Hindman-Allen
On Behalf Of:	
Committee:	Senate Committee On Natural Resources and Wildfire
Measure, Appointment or Topic:	SB1154

Testimony Opposing [SB-1154] – Protection of Private Property Rights and Real Estate Integrity

I am writing in strong opposition to this bill due to its potential to enable unfettered violations of private property rights in Oregon. While the intent—to protect groundwater—is understandable and commendable, the way this bill is written raises serious concerns about governmental overreach, lack of clarity, and the erosion of established property rights.

First and foremost, the bill allows the State to designate a “ground water quality concern area” with few clear standards, no transparent process, and minimal guardrails. There is no definition provided for what constitutes contamination, nor any clear criteria outlined for how an area is identified, who initiates this designation, or what process of appeal or review exists. In its current form, the bill leaves far too much room for subjective interpretation and potential misuse.

Oregon already has mechanisms in place to protect buyers and public health. The Domestic Well Testing Act (ORS 448.271) requires that sellers of properties with domestic wells test for arsenic, nitrate, and total coliform bacteria prior to accepting an offer, and that results are shared with both the buyer and the Oregon Health Authority. This ensures transparency and safety at the point of sale without infringing on long-term property rights.

What is most troubling is the language that allows the State to reclassify private property or mandate the abandonment of a well based on its own undefined determinations. This is an outrageous overstep. A well is part of the real property, and in Oregon, the legal definition of real property under ORS 307.010 includes not only the land and fixtures, but also all water rights and water powers appertaining to the land. When a property is purchased, the buyer acquires not just a home, but all legally permitted improvements and natural resources on that land—including the well. Any mandate that diminishes that value or utility is effectively a taking.

Who will compensate the homeowner when their permitted well, which factored into the purchase price and their ability to live on the land, is suddenly reclassified, restricted, or rendered unusable? This bill fails to answer that. In fact, the entire 36-page document omits mention of how these decisions are made, by whom, and with

what oversight or accountability.

As a Realtor and homeowner, I value private property rights deeply. Real estate is the cornerstone of stability, equity, and opportunity for Oregonians. Bills like this threaten that foundation. The clause that allows the State to reclassify land “for the benefit of the State as a whole” is a dangerously vague justification that could be abused, especially against those in the agricultural sector, who already face immense regulatory pressure.

If the State truly seeks to protect groundwater, I ask: Why not focus on education and partnership rather than punitive overreach? Promote organic and regenerative farming practices. Encourage responsible land stewardship through incentives, not restrictions. The public will be far more willing to cooperate when they are respected, not coerced.

In closing, this bill serves to concentrate more power in the hands of the State at the expense of everyday Oregonians—especially rural landowners and farmers. I urge you to oppose this bill in its current form and instead work toward policy that protects both the environment and the rights of the people who live on and care for the land.

Respectfully,
Dana Hindman-Allen
Realtor, Property Owner