

2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 235

STATUS: Original - **MINORITY REPORT**

SUBJECT: Relating to air quality laws for agriculture operations

GOVERNMENT UNIT AFFECTED: Department of Agriculture and Department of Environmental Quality

PREPARED BY: Dawn Farr

REVIEWED BY: Paul Siebert

DATE: April 18, 2007

EXPENDITURES: See Comments.

REVENUES: See Comments.

EFFECTIVE DATE: January 1, 2008.

GOVERNOR'S BUDGET: This bill is anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: The bill allows the Environmental Quality Commission (EQC) and the Oregon Department of Agriculture (ODA) to enter into a memorandum of understanding to allow ODA to administer and enforce air quality laws that apply to agricultural operations or equipment.

The bill gives ODA and DEQ authority to implement federal Clean Air Act requirements for agriculture operations. The bill allows ODA to perform DEQ functions including, but not limited to, the adoption of rules, issuance of permits, establishment of fees, entry and inspection of premises and assessment of civil penalties. At present, the number of impacted agriculture operations that would trigger the need for a permit is indeterminate; although, the number is expected to be small. Given this, ODA estimates that fiscal impacts will be minimal and can be absorbed with existing resources.

The bill establishes ODA as the lead agency for administration of programs identified in the bill. Given this, DEQ anticipates that their involvement in implementation will be minimal and can be absorbed with existing resources.