

SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 235

By JOINT COMMITTEE ON WAYS AND MEANS

June 22

1 On page 1 of the printed A-engrossed bill, line 2, delete the first “and” and after “561.400” insert
2 “; and declaring an emergency”.

3 On page 2, delete lines 10 through 19 and insert:

4 **“SECTION 3. (1) There is created the Task Force on Dairy Air Quality, consisting of 15**
5 **members appointed as follows:**

6 **“(a) The President of the Senate shall appoint two members from among members of the**
7 **Senate.**

8 **“(b) The Speaker of the House of Representatives shall appoint two members from among**
9 **members of the House of Representatives.**

10 **“(c) The Director of the Department of Environmental Quality shall appoint one repre-**
11 **sentative from the Department of Environmental Quality.**

12 **“(d) The Director of Agriculture shall appoint one representative from the State De-**
13 **partment of Agriculture.**

14 **“(e) The Director of Human Services shall appoint one representative from the Depart-**
15 **ment of Human Services having expertise in public health.**

16 **“(f) The Governor shall appoint three representatives from the dairy industry.**

17 **“(g) The Governor shall appoint three representatives from environmental and public**
18 **interest organizations.**

19 **“(h) The Governor shall appoint two representatives from institutions of higher educa-**
20 **tion listed in ORS 352.002 having expertise in science and technology relevant to air emis-**
21 **sions generated by dairy operations.**

22 **“(2) The task force shall:**

23 **“(a) Study the emission of air contaminants from dairy operations, including but not**
24 **limited to emissions regulated under the federal Clean Air Act;**

25 **“(b) Study available data on the emission of air contaminants, including but not limited**
26 **to the United States Environmental Protection Agency national air study of animal feeding**
27 **operations; and**

28 **“(c) Evaluate available alternatives for reducing emissions, taking into consideration:**

29 **“(A) The diverse nature and economic viability of dairies and the economic contribution**
30 **dairies make to the state economy;**

31 **“(B) The impact that federal Clean Air Act regulations have, and that actions to address**
32 **air emissions would have, on Oregon’s dairies in Pacific Northwest markets;**

33 **“(C) The protection of human health, the environment and scenic and cultural resources;**

34 **“(D) The impact of available alternatives on other environmental media, energy and the**
35 **cost of producing dairy products; and**

1 “(E) The feasibility of implementation.

2 “(3) To assist the task force in its work, the task force may establish technical or advisory committees as the task force considers necessary. The task force may determine committee representation, duration and organization and may appoint the members. Committee members who are not members of the task force are not entitled to compensation or reimbursement of expenses.

7 “(4) A majority of the members of the task force constitutes a quorum for the transaction of business.

9 “(5) Official action by the task force requires the approval of a majority of the members of the task force.

11 “(6) The task force shall elect one of its members to serve as chairperson.

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

14 “(8) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the members of the task force.

16 “(9) The task force may adopt rules necessary for the operation of the task force.

17 “(10) The task force shall present its findings and recommendations to the Department of Environmental Quality and the State Department of Agriculture no later than July 1, 2008. The findings and recommendations may include, but need not be limited to, findings and recommendations for technical studies, voluntary actions, regulation and proposed legislation.

22 “(11) The Department of Environmental Quality and the State Department of Agriculture shall jointly report on dairy air quality to an interim committee related to agriculture or natural resources no later than October 1, 2008. The report shall include any recommendations of the departments for proposed legislation to reduce the emission of air contaminants by dairies.

27 “(12) The Department of Environmental Quality and the State Department of Agriculture shall provide staff support to the task force.

29 “(13) Members of the task force who are not members of the Legislative Assembly are not entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses incurred by them in the performance of their official duties in the manner and amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions of the task force shall be paid out of funds appropriated to the Department of Environmental Quality and the State Department of Agriculture for that purpose.

35 “(14) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the task force consider necessary to perform their duties.”.

39 On page 3, delete lines 19 through 21 and insert:

40 “(c) Necessary for the Environmental Quality Commission, in the commission’s discretion, to implement a recommendation of the Task Force on Dairy Air Quality created under section 3 of this 2007 Act for the regulation of dairy air contaminant emissions.”.

43 On page 5, after line 12, insert:

44 “**SECTION 7.** Section 3 of this 2007 Act is repealed on the date of the convening of the next regular biennial legislative session.

1 **“SECTION 8. This 2007 Act being necessary for the immediate preservation of the public**
2 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
3 **on its passage.”.**

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