

# Enrolled Senate Bill 420

Sponsored by Senator GORDLY

CHAPTER .....

AN ACT

Relating to environmental justice.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** For purposes of sections 1 to 5 of this 2007 Act, “natural resource agency” means the Department of Environmental Quality, the State Department of Agriculture, the Water Resources Department, the State Department of Fish and Wildlife, the State Forestry Department, the Department of State Lands, the Department of Education, the State Department of Geology and Mineral Industries, the Department of Land Conservation and Development, the State Marine Board, the Public Utility Commission, the Department of Transportation, the State Fire Marshal and the Department of Human Services.

**SECTION 2.** (1) There is established the Environmental Justice Task Force consisting of 12 members appointed by the Governor. The members shall be persons who are well-informed on the principles of environmental justice and who, to the greatest extent practicable, represent minority communities, low-income communities, environmental interests, industry groups and geographically diverse areas of the state. Of the 12 members, the Governor shall appoint one member of the task force from each of the following commissions:

- (a) The Commission on Asian Affairs;
- (b) The Commission on Black Affairs;
- (c) The Commission on Hispanic Affairs; and
- (d) The Commission on Indian Services.

(2) The task force shall submit an annual report to the Governor setting forth its view of the progress of natural resource agencies toward achieving the goals established pursuant to section 3 of this 2007 Act and identifying any other environmental issues that the task force determines need attention.

(3) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on January 1 of the following year. A member may be reappointed. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(4) A member of the task force who is not a member of the Legislative Assembly is entitled to compensation and expenses in the manner and amounts provided for in ORS 292.495. Claims for compensation and expenses incurred in performing functions of the task force shall be paid out of funds appropriated to the Governor for that purpose.

(5) The task force shall elect one of its members as a chairperson and another as vice chairperson, for the terms and with the duties and powers necessary for the performance of the functions of such offices as the task force determines.

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

(7) The task force shall meet at least once every three months at times and places specified by the chairperson. The task force also shall meet at other times and places specified by the call of the chairperson or of a majority of the members of the task force.

(8) The Governor shall provide the task force with the necessary clerical and administrative staff support.

(9) Natural resource agencies 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.

(10) A member of the task force who is a member of the Legislative Assembly may serve in an advisory capacity only.

**SECTION 3.** The Environmental Justice Task Force shall:

(1) Advise the Governor on environmental justice issues;

(2) Advise natural resource agencies on environmental justice issues, including community concerns and public participation processes;

(3) Identify, in cooperation with natural resource agencies, minority and low-income communities that may be affected by environmental decisions made by the agencies;

(4) Meet with environmental justice communities and make recommendations to the Governor regarding concerns raised by these communities; and

(5) Define environmental justice issues in the state.

**SECTION 4.** In order to provide greater public participation and to ensure that all persons affected by decisions of the natural resource agencies have a voice in those decisions, each natural resource agency shall:

(1) In making a determination whether and how to act, consider the effects of the action on environmental justice issues.

(2) Hold hearings at times and in locations that are convenient for people in the communities that will be affected by the decisions stemming from the hearings.

(3) Engage in public outreach activities in the communities that will be affected by decisions of the agency.

(4) Create a citizen advocate position that is responsible for:

(a) Encouraging public participation;

(b) Ensuring that the agency considers environmental justice issues; and

(c) Informing the agency of the effect of its decisions on communities traditionally underrepresented in public processes.

**SECTION 5.** All directors of natural resource agencies, and other agency directors as the Governor may designate, shall report annually to the Environmental Justice Task Force and to the Governor on the results of the agencies' efforts to:

(1) Address environmental justice issues;

(2) Increase public participation of individuals and communities affected by agencies' decisions;

(3) Determine the effect of the agencies' decisions on traditionally underrepresented communities; and

(4) Improve plans to further the progress of environmental justice in Oregon.

**SECTION 6.** Notwithstanding the term of office specified in section 2 of this 2007 Act, of the members first appointed to the Environmental Justice Task Force under section 2 of this 2007 Act:

(1) Four shall serve for terms ending June 30, 2009.

- (2) Four shall serve for terms ending June 30, 2010.
  - (3) Four shall serve for terms ending June 30, 2011.
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**Passed by Senate June 19, 2007**

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 Secretary of Senate

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 President of Senate

**Passed by House June 28, 2007**

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 Speaker of House

**Received by Governor:**

.....M,....., 2007

**Approved:**

.....M,....., 2007

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 Governor

**Filed in Office of Secretary of State:**

.....M,....., 2007

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 Secretary of State