

Senate Bill 420

Sponsored by Senator GORDLY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Environmental Justice Task Force. Specifies duties and responsibilities. Requires natural resource agencies to perform certain actions relating to environmental justice. Defines "natural resource agency."

A BILL FOR AN ACT

1
2 Relating to environmental justice.

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

4 **SECTION 1. For purposes of sections 1 to 5 of this 2007 Act, "natural resource agency"**
5 **means the Department of Environmental Quality, the State Department of Agriculture, the**
6 **Water Resources Department, the State Department of Fish and Wildlife, the State Forestry**
7 **Department, the Department of State Lands, the Department of Education, the State De-**
8 **partment of Geology and Mineral Industries, the Department of Land Conservation and De-**
9 **velopment, the State Marine Board, the Public Utility Commission, the Department of**
10 **Transportation, the State Fire Marshal and the Department of Human Services.**

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

- 17 (a) **The Commission on Asian Affairs;**
18 (b) **The Commission on Black Affairs;**
19 (c) **The Commission on Hispanic Affairs; and**
20 (d) **The Commission on Indian Services.**

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

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

30 **(4) A member of the task force who is not a member of the Legislative Assembly is en-**
31 **titled to compensation and expenses in the manner and amounts provided for in ORS 292.495.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **Claims for compensation and expenses incurred in performing functions of the task force**
2 **shall be paid out of funds appropriated to the Governor for that purpose.**

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

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

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

11 **(8) The Governor shall provide the task force with the necessary clerical and adminis-**
12 **trative staff support.**

13 **(9) Natural resource agencies are directed to assist the task force in the performance**
14 **of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such**
15 **information and advice as the members of the task force consider necessary to perform their**
16 **duties.**

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

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

20 **(1) Advise the Governor on environmental justice issues;**

21 **(2) Advise natural resource agencies on environmental justice issues, including commu-**
22 **nity concerns and public participation processes;**

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

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

27 **(5) Define environmental justice issues in the state.**

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

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

33 **(2) Hold hearings at times and in locations that are convenient for people in the com-**
34 **munities that will be affected by the decisions stemming from the hearings.**

35 **(3) Engage in public outreach activities in the communities that will be affected by deci-**
36 **sions of the agency.**

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

38 **(a) Encouraging public participation;**

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

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

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

45 **(1) Address environmental justice issues;**

1 **(2) Increase public participation of individuals and communities affected by agencies' de-**
2 **isions;**

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

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

6 **SECTION 6. Notwithstanding the term of office specified in section 2 of this 2007 Act, of**
7 **the members first appointed to the Environmental Justice Task Force under section 2 of this**
8 **2007 Act:**

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

10 **(2) Four shall serve for terms ending June 30, 2010.**

11 **(3) Four shall serve for terms ending June 30, 2011.**

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