

A-Engrossed
House Bill 3006

Ordered by the House March 28
Including House Amendments dated March 28

Sponsored by Representative GILLIAM

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.

Creates [*Independent Multidisciplinary*] Dairy Animal Welfare Board. Establishes duties of board.

A BILL FOR AN ACT

1
2 Relating to dairy animals.

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

4 **SECTION 1. As used in this section and sections 2 and 3 of this 2011 Act:**

5 (1) **"Confined animal feeding operation" has the meaning given that term in ORS**
6 **468B.205.**

7 (2) **"Dairy animal" means an animal that is commercially raised for milk production**
8 **purposes and is housed in a confined animal feeding operation.**

9 **SECTION 2. (1) There is established the Dairy Animal Welfare Board. The State**
10 **Veterinarian shall serve as chairperson of the board. In addition to the State Veterinarian,**
11 **the board shall have not more than five members appointed by the Director of Agriculture.**

12 (2) **The appointed members of the board must be residents of this state who are well-**
13 **informed on scientific or veterinary principles regarding dairy animal care, welfare and**
14 **husbandry and recognized agricultural practices affecting dairy animals.**

15 (3) **The term of office of each appointed member is two years, but an appointed member**
16 **serves at the pleasure of the director. Members are eligible for reappointment. The ap-**
17 **pointment of a member by the director shall be after consultation with, and is subject to**
18 **confirmation by, the State Board of Agriculture.**

19 (4) **A majority of the members of the Dairy Animal Welfare Board constitutes a quorum**
20 **for the transaction of business.**

21 (5) **If requested by a person, group, commission or state agency or by a local government**
22 **as defined in ORS 174.116, the board shall meet as necessary to perform board duties de-**
23 **scribed in section 3 of this 2011 Act. The board may meet at other times and places as**
24 **specified by the call of the chairperson or of a majority of the members of the board for the**
25 **purpose of performing board duties described in section 3 of this 2011 Act.**

26 (6) **The State Department of Agriculture shall provide administrative support to the**
27 **board.**

28 (7) **A member of the board is entitled to compensation and expenses as provided in ORS**

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 **292.495. Payment of compensation and expenses of the board shall be from funds available**
2 **to the department.**

3 **SECTION 3. (1) The Dairy Animal Welfare Board may submit to the Legislative Assembly**
4 **comments that are based on the most recent scientific data of accepted animal husbandry**
5 **practices existing at the time. The comments may include, but need not be limited to, com-**
6 **ments regarding the potential impacts on dairy animal care and welfare and on the safety**
7 **of human dairy food supplies of:**

8 (a) **Legislation dealing with dairy animal care, welfare or husbandry or with agricultural**
9 **practices affecting dairy animals;**

10 (b) **Proposed or adopted administrative rules dealing with dairy animal care, welfare or**
11 **husbandry or with agricultural practices affecting dairy animals;**

12 (c) **Ballot measures certified to the ballot dealing with dairy animal care, welfare or**
13 **husbandry or with agricultural practices affecting dairy animals; and**

14 (d) **Decisions of the Supreme Court or the Court of Appeals that may have a significant**
15 **effect on laws or rules regarding dairy animal care, welfare or husbandry or on agricultural**
16 **practices affecting dairy animals.**

17 (2) **If the board submits comments under subsection (1) of this section regarding the**
18 **potential impacts of legislation, a proposed or adopted rule or a certified ballot measure, the**
19 **board shall attempt to develop and provide with the comments an assessment of the likely**
20 **economic impact of the legislation, rule or ballot measure on the dairy industry.**

21 (3) **The board shall act as an independent scientific peer review panel for state agencies**
22 **that are responsible for regulating dairy animal care and welfare or regulating confined an-**
23 **imal feeding operations that house dairy animals. If the board submits a suggestion to a**
24 **state agency regarding the regulation of dairy animal care and welfare or the regulation of**
25 **confined animal feeding operations that house dairy animals, the agency shall respond in**
26 **writing to the board regarding the suggestion. If the state agency intends to implement a**
27 **suggestion submitted by the board, the agency response shall include, but need not be limited**
28 **to, a description of how the agency intends to accomplish implementation of the suggestion.**
29 **If the state agency does not intend to implement a suggestion submitted by the board, the**
30 **agency response shall include, but need not be limited to, the reasons that the agency does**
31 **not intend to implement the suggestion.**

32 (4) **The board shall provide advisory services as requested by legislative committees.**
33 **However, the board may not submit proposals for legislation.**

34 (5) **In carrying out duties under this section, the board shall operate under guidelines and**
35 **practices that are generally accepted by the scientific community as appropriate for use by**
36 **independent science boards.**

37 **SECTION 4. Notwithstanding the term of office specified by section 2 of this 2011 Act,**
38 **the Director of Agriculture may adjust the term of members first appointed to the Dairy**
39 **Animal Welfare Board to reduce the disruption of board functions when member terms ex-**
40 **pire.**

41 **SECTION 5. The State Department of Agriculture may adopt rules to recover from a**
42 **person, group, commission or state agency or from a local government as defined in ORS**
43 **174.116 any member compensation or other expenses incurred by the department due to a**
44 **meeting of the Dairy Animal Welfare Board that was requested by the person, group, com-**
45 **mission, state agency or local government.**

