

**Enrolled**  
**Senate Bill 120**

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber for State Department of Agriculture)

CHAPTER .....

AN ACT

Relating to fees for confined animal feeding operations; creating new provisions; amending ORS 561.255; and declaring an emergency.

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

**SECTION 1.** ORS 561.255 is amended to read:

561.255. (1) The State Department of Agriculture *[by rule shall establish a schedule of]* **shall charge the following** annual **permit** fees *[, not to exceed \$25,]* to be paid under ORS 468B.215 by any persons operating *[a]* **the following categories of** confined animal feeding *[operation.]* **operations:**

- (a) **Small confined animal feeding operations, \$100.**
- (b) **Medium confined animal feeding operations, \$200.**
- (c) **Large confined animal feeding operations, \$300.**

(2) As used in this section[,]:

(a) "Confined animal feeding operation" has the meaning given that term in rules adopted by the *[State]* department *[of Agriculture]*.

(b) "Large confined animal feeding operations" has the meaning given that term in rules adopted by the department.

(c) "Medium confined animal feeding operations" has the meaning given that term in rules adopted by the department.

(d) "Small confined animal feeding operations" has the meaning given that term in rules adopted by the department.

**SECTION 2.** (1) The amendments to ORS 561.255 by section 1 of this 2011 Act apply only to annual permit fees charged by the State Department of Agriculture for annual permit periods beginning on or after May 15, 2011.

(2) If this 2011 Act becomes effective after May 15, 2011, the department shall issue a supplemental billing for additional fees owing by reason of the provisions of subsection (1) of this section.

**SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

**Passed by Senate May 19, 2011**

.....  
Robert Taylor, Secretary of Senate

.....  
Peter Courtney, President of Senate

**Passed by House June 1, 2011**

.....  
Bruce Hanna, Speaker of House

.....  
Arnie Roblan, Speaker of House

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

.....  
John Kitzhaber, Governor

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

.....M,....., 2011

.....  
Kate Brown, Secretary of State