

LC 2706
2019 Regular Session
11/15/18 (CDT/ps)

D R A F T

SUMMARY

Classifies dairies exceeding specified size as industrial facilities for purposes of right to farm laws, air pollution laws and land use laws. Provides that use of water for industrial dairy is industrial use. Allows local governments to adopt human health and safety ordinances restricting or prohibiting air and water emissions by dairies classified as industrial facilities.

Prohibits Department of Environmental Quality and State Department of Agriculture from issuing permits for construction of new industrial dairy or for addition to, or expansion of, existing industrial dairy.

Requires Environmental Quality Commission to adopt rules establishing program to regulate industrial dairy emissions into air. Requires commission to pattern program on recommendations in final report by Task Force on Dairy Air Quality. Requires implementation no later than January 1, 2021.

Prohibits Department of Environmental Quality and State Department of Agriculture from issuing permits for industrial dairies unless applicant has water right permit having specified characteristics. Limits stockwatering exemption from water right permit requirements if user is industrial dairy.

Requires applicant for permit to operate industrial dairy to post bond with State Department of Agriculture as security against environmental, health or animal welfare costs arising from operation of industrial dairy.

Requires State Department of Agriculture to conduct study on impacts of industrial dairies on small and medium sized dairies, identify state policies to lessen impacts and produce public report no later than one year after effective date of Act.

Creates Task Force on Dairy Animal Welfare. Requires task force to study animal welfare at industrial dairies. Allows task force to recommend minimum standards for animal welfare at industrial dairies. Requires task force to report to interim legislative committee related to agriculture no later than September 15, 2020. Sunsets task force December 31, 2020.

Requires Environmental Quality Commission to annually report to interim committee of Legislative Assembly regarding whether specified activities regarding regulation of industrial dairies have occurred. Requires first report no later than September 15, 2021. Terminates further reporting if commission reports all specified activities have occurred. Repeals reporting

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 requirement January 2, 2024.

2 Takes effect on 91st day following adjournment sine die.

3 **A BILL FOR AN ACT**

4 Relating to industrial dairies; creating new provisions; amending ORS
5 537.141 and 537.545; and prescribing an effective date.

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

7
8 **LOCAL GOVERNMENT REGULATION OF INDUSTRIAL DAIRIES**

9
10 **SECTION 1. (1) As used in this section, “industrial dairy” means a**
11 **concentrated animal feeding operation or confined animal feeding op-**
12 **eration that:**

13 (a)(A) Has not less than 700 mature dairy cows;

14 (B) Does not guarantee to provide the cows with seasonal daily ac-
15 cess to pasture land; or

16 (b) Has more than 2,500 dairy cows.

17 (2) For purposes of ORS 30.930 to 30.947 and ORS chapters 195, 196,
18 197 and 215:

19 (a) An industrial dairy:

20 (A) Is an industrial facility; and

21 (B) Is not a farm.

22 (b) The operation of an industrial dairy:

23 (A) Is an industrial activity; and

24 (B) Is not a farming practice.

25 (c) The use of land for an industrial dairy operation:

26 (A) Is an industrial use of land; and

27 (B) Is not an agricultural or farm use of land.

28 (3) For purposes of ORS chapters 468, 468A and 468B, notwith-
29 standing ORS 468A.020, an industrial dairy:

30 (a) Is an industrial operation; and

31 (b) Is not an agricultural operation.

1 (4) For purposes of ORS chapters 536 to 543A, the provision of water
2 to cows at an industrial dairy:

3 (a) Is an industrial use of water; and

4 (b) Is not stock watering or other agricultural use of water.

5 (5) A local government, as defined in ORS 174.116, may adopt ordi-
6 nances to protect human health and safety by restricting or prohibit-
7 ing air and water emissions by industrial dairies. The local
8 governments shall model any ordinances adopted under authority of
9 this section on the recommendations contained in the final report of
10 the Task Force on Dairy Air Quality created under section 3, chapter
11 799, Oregon Laws 2007. The ordinances may include, but need not be
12 limited to, restricting or prohibiting the emission of hydrogen sulfide,
13 methane or haze into the air or emissions of nitrates into water.

14
15 **PROHIBITION ON NEW OR EXPANDED INDUSTRIAL DAIRIES**

16
17 **SECTION 2.** (1) As used in this section, “industrial dairy” has the
18 meaning given that term in section 1 of this 2019 Act.

19 (2) The Department of Environmental Quality and the State De-
20 partment of Agriculture may not issue any license or permit to allow
21 the construction or operation of a new industrial dairy or issue or re-
22 new a license or permit to allow the construction or operation of an
23 addition to, or expansion of, an existing industrial dairy.

24
25 **EMISSIONS REDUCTION PROGRAM**

26
27 **SECTION 3.** Section 4 of this 2019 Act is added to and made a part
28 of ORS chapter 468A.

29 **SECTION 4.** (1) As used in this section, “industrial dairy” has the
30 meaning given that term in section 1 of this 2019 Act.

31 (2) Notwithstanding ORS 468A.020, the Environmental Quality

1 **Commission shall establish by rule an Industrial Dairy Air Emission**
2 **Program to regulate the release of industrial dairy emissions into the**
3 **air. The commission shall model the program on the recommendations**
4 **in the final report of the Task Force on Dairy Air Quality created**
5 **under section 3, chapter 799, Oregon Laws 2007, regarding the regu-**
6 **lation of dairy air contaminant emissions. The commission shall make**
7 **the program requirements operative immediately upon adoption.**

8 **(3) The program required by this section shall include, but need not**
9 **be limited to, provisions for the reduction of hydrogen sulfide,**
10 **methane, haze and carbon dioxide equivalent emissions.**

11 **(4) The Department of Environmental Quality may enter onto and**
12 **inspect the facilities of an industrial dairy at any reasonable time for**
13 **the purpose of investigating air emission sources or to ensure compli-**
14 **ance with the program established by the commission under this sec-**
15 **tion. The commission may require an industrial dairy to maintain**
16 **records regarding the maintenance and operation of industrial dairy**
17 **facilities and to allow inspection of the records by the department.**

18 **SECTION 5. The Environment Quality Commission shall complete**
19 **the adoption of initial rules establishing the program described in**
20 **section 4 of this 2019 Act no later than January 1, 2021.**

21
22 **INDUSTRIAL DAIRY WATER USE**

23
24 **SECTION 6. (1) As used in this section, “industrial dairy” has the**
25 **meaning given that term in section 1 of this 2019 Act.**

26 **(2) The Environmental Quality Commission, in consultation with**
27 **the State Department of Agriculture and the Water Resources De-**
28 **partment, shall adopt rules to ensure that the Department of Envi-**
29 **ronmental Quality does not issue any license or permit for an**
30 **industrial dairy, or allow an industrial dairy to begin operation, unless**
31 **the industrial dairy has obtained a water use permit that:**

1 (a) Is not subject to appeal;

2 (b) Identifies a water source with sufficient capacity to supply the
3 full amount of water allowed to be appropriated under the permit; and

4 (c) Allows all types of use required for operation of the industrial
5 dairy.

6 **SECTION 7.** The adoption of commission rules under section 6 of
7 this 2019 Act does not authorize the Department of Environmental
8 Quality to issue an industrial dairy permit in violation of section 2 of
9 this 2019 Act. The Environmental Quality Commission shall suspend
10 operation of a rule adopted under section 6 of this 2019 Act during any
11 period that the rule is in conflict with section 2 of this 2019 Act.

12 **SECTION 8.** (1) As used in this section, “industrial dairy” has the
13 meaning given that term in section 1 of this 2019 Act.

14 (2) The State Department of Agriculture, in consultation with the
15 Environmental Quality Commission and the Water Resources Depart-
16 ment, shall adopt rules to ensure that the State Department of Agri-
17 culture does not issue any license or permit for an industrial dairy,
18 or allow an industrial dairy to begin operation, unless the industrial
19 dairy has obtained a water use permit that:

20 (a) Is not subject to appeal;

21 (b) Identifies a water source with sufficient capacity to supply the
22 full amount of water allowed to be appropriated under the permit; and

23 (c) Allows all types of use required for operation of the industrial
24 dairy.

25 **SECTION 9.** The adoption of rules under section 8 of this 2019 Act
26 does not authorize the State Department of Agriculture to issue an
27 industrial dairy permit in violation of section 2 of this 2019 Act. The
28 department shall suspend operation of a rule adopted under section 8
29 of this 2019 Act during any period that the rule is in conflict with
30 section 2 of this 2019 Act.

31 **SECTION 10.** ORS 537.141 is amended to read:

1 537.141. (1) The following water uses do not require an application under
2 ORS 537.130 or 537.615, a water right permit under ORS 537.211 or a water
3 right certificate under ORS 537.250:

4 (a) Emergency fire-fighting uses;

5 (b) Nonemergency fire-fighting training, provided:

6 (A) The source of the water is existing storage and the use occurs with
7 permission of the owner of the stored water; or

8 (B) If the source of water is other than existing storage, the use occurs
9 with the prior written approval of the watermaster in the district where the
10 training will take place and subject to any conditions the watermaster de-
11 termines are necessary to prevent injury to existing water rights and to
12 protect in-stream resources;

13 (c) Water uses that divert water to water tanks or troughs from a reser-
14 voir for a use allowed under an existing water right permit or certificate for
15 the reservoir;

16 (d) Fish screens, fishways and fish by-pass structures, as exempted by rule
17 of the Water Resources Commission;

18 (e) Land management practices intended to save soil and improve water
19 quality by temporarily impeding or changing the natural flow of diffuse
20 surface water across agricultural lands when storage of public waters is not
21 an intended purpose. Such practices include but are not limited to:

22 (A) Terraces;

23 (B) Dikes;

24 (C) Retention dams and other temporary impoundments; and

25 (D) Agronomic practices designed to improve water quality and control
26 surface runoff to prevent erosion, such as ripping, pitting, rough tillage and
27 cross slope farming;

28 (f) Livestock watering operations that comply with the requirements un-
29 der subsections (2) and (3) of this section;

30 (g) Forest management activities that require the use of water in con-
31 junction with mixing pesticides as defined in ORS 634.006, or in slash burn-

1 ing;

2 (h) The collection of precipitation water from an artificial impervious
3 surface and the use of such water;

4 (i) Land application of ground water so long as the ground water:

5 (A) Has first been appropriated and used under a permit or certificate
6 issued under ORS 537.625 or 537.630 for a water right issued for industrial
7 purposes or a water right authorizing use of water for confined animal
8 feeding purposes;

9 (B) Is reused for irrigation purposes and the period of irrigation is a pe-
10 riod during which the reused water has never been discharged to the waters
11 of the state; and

12 (C) Is applied pursuant to a permit issued by the Department of Envi-
13 ronmental Quality or the State Department of Agriculture under either ORS
14 468B.050 to construct and operate a disposal system or ORS 468B.215 to op-
15 erate a confined animal feeding operation; and

16 (j) Surface mining practices that result in the removal of water from a
17 surface mine subject to an operating permit or reclamation plan approved
18 by the State Department of Geology and Mineral Industries, unless the water
19 is used for a subsequent beneficial use.

20 (2) The use of surface water for livestock watering may be exempted un-
21 der subsection (1) of this section if:

22 (a) The water is diverted from a stream or other surface water source to
23 a trough or tank through an enclosed water delivery system;

24 (b) The delivery system either is equipped with an automatic shutoff or
25 flow control mechanism or includes a means for returning water to the sur-
26 face water source through an enclosed delivery system; *[and]*

27 (c) The operation is located on land from which the livestock would oth-
28 erwise have legal access to both the use and source of the surface water
29 source; **and**

30 **(d) For an operation that is an industrial dairy, as defined in section**
31 **1 of this 2019 Act, the water use does not exceed 5,000 gallons per**

1 **day.**

2 (3) If the diversion system described in subsection (2) of this section is
3 located within or above a scenic waterway, the amount of water that may
4 be used without a water right is limited to one-tenth of one cubic foot per
5 second per 1,000 head of livestock. Nothing in this section shall prevent the
6 Water Resources Commission from approving an application for a water
7 right permit for a delivery system not qualifying under subsection (2) of this
8 section.

9 (4) The Water Resources Department, in conjunction with local soil and
10 water conservation districts, the Oregon State University Extension Service,
11 the State Department of Agriculture and the State Department of Fish and
12 Wildlife and any other organization interested in participating, shall develop
13 and implement a voluntary educational program on livestock management
14 techniques designed to keep livestock away from streams and riparian areas.

15 (5) To qualify for an exempt use under subsection (1)(g) of this section,
16 the user shall:

17 (a) Submit notice of the proposed use, including the identification of the
18 proposed water source, to the Water Resources Department and to the State
19 Department of Fish and Wildlife at the time notice is provided to other af-
20 fected agencies pursuant to ORS 527.670; and

21 (b) Comply with any restrictions imposed by the department pertaining
22 to sources of water that may not be used in conjunction with the proposed
23 activity.

24 (6) Except for the use of water under subsection (1)(i) of this section, the
25 Water Resources Commission by rule may require any person or public
26 agency diverting water as described in subsection (1) of this section to fur-
27 nish information with regard to such water and the use thereof. For a use
28 of water described in subsection (1)(i) of this section, the Department of
29 Environmental Quality or the State Department of Agriculture shall provide
30 to the Water Resources Department a copy of the permit issued under ORS
31 468B.050 or 468B.215 authorizing the land application of ground water for

1 reuse. The permit shall provide the information regarding the place of use
2 of such water and the nature of the beneficial reuse.

3 **SECTION 11.** ORS 537.545 is amended to read:

4 537.545. (1) No registration, certificate of registration, application for a
5 permit, permit, certificate of completion or ground water right certificate
6 under ORS 537.505 to 537.795 and 537.992 is required for the use of ground
7 water for:

8 (a) Stockwatering purposes, **not to exceed 5,000 gallons per day if used**
9 **in the operation of an industrial dairy as defined in section 1 of this**
10 **2019 Act;**

11 (b) Watering any lawn or noncommercial garden not exceeding one-half
12 acre in area;

13 (c) Watering the lawns, grounds and fields not exceeding 10 acres in area
14 of schools located within a critical ground water area established pursuant
15 to ORS 537.730 to 537.740;

16 (d) Single or group domestic purposes in an amount not exceeding 15,000
17 gallons a day;

18 (e) Down-hole heat exchange purposes;

19 (f) Any single industrial or commercial purpose in an amount not ex-
20 ceeding 5,000 gallons a day; or

21 (g) Land application, so long as the ground water:

22 (A) Has first been appropriated and used under a permit or certificate
23 issued under ORS 537.625 or 537.630 for a water right issued for industrial
24 purposes or a water right authorizing use of water for confined animal
25 feeding purposes;

26 (B) Is reused for irrigation purposes and the period of irrigation is a pe-
27 riod during which the reused water has never been discharged to the waters
28 of the state; and

29 (C) Is applied pursuant to a permit issued by the Department of Envi-
30 ronmental Quality or the State Department of Agriculture under either ORS
31 468B.050 to construct and operate a disposal system or ORS 468B.215 to op-

1 erate a confined animal feeding operation.

2 (2) A ground water use for a purpose that is exempt under subsection (1)
3 of this section, to the extent that the use is beneficial, constitutes a right
4 to appropriate ground water equal to that established by a ground water
5 right certificate issued under ORS 537.700.

6 (3) Except for the use of water under subsection (1)(g) of this section, the
7 Water Resources Commission by rule may require any person or public
8 agency using ground water for any such purpose to furnish information with
9 regard to such ground water and the use thereof. For a use of water de-
10 scribed in subsection (1)(g) of this section, the Department of Environmental
11 Quality or the State Department of Agriculture shall provide to the Water
12 Resources Department a copy of the permit issued under ORS 468B.050 or
13 468B.215 authorizing the land application of ground water for reuse. The
14 permit shall provide the information regarding the place of use of such water
15 and the nature of the beneficial reuse.

16 (4) If it is necessary for the Water Resources Department to regulate the
17 use or distribution of ground water, including uses for purposes that are
18 exempt under subsection (1) of this section, the department shall use as a
19 priority date for the exempt uses the date indicated in the log for the well
20 filed with the department under ORS 537.765 or other documentation pro-
21 vided by the well owner showing when water use began.

22 (5) The owner of land on which a well is drilled to allow ground water
23 use for a purpose that is exempt under subsection (1) of this section shall
24 provide the Water Resources Department with a map showing the exact lo-
25 cation of the well on the tax lot. The landowner shall provide a map required
26 by this subsection to the department no later than 30 days after the well is
27 completed. The map must be prepared in accordance with standards estab-
28 lished by the department.

29 (6) The owner of land on which a well described in subsection (5) of this
30 section is located shall file the exempt ground water use with the Water
31 Resources Department for recording. The filing must be accompanied by the

1 fee described in subsection (7) of this section. The filing must be received
2 by the department no later than 30 days after the well is completed.

3 (7) The Water Resources Department shall collect a fee of \$300 for re-
4 cording an exempt ground water use under subsection (6) of this section.
5 Moneys from fees collected under this subsection shall be deposited to the
6 credit of the Water Resources Department Water Right Operating Fund.
7 Notwithstanding ORS 536.009, moneys deposited to the fund under this sub-
8 section shall be used for the purposes of evaluating ground water supplies,
9 conducting ground water studies, carrying out ground water monitoring,
10 processing ground water data and the administration and enforcement of this
11 subsection and subsections (3), (5), (6) and (8) of this section.

12 (8) The Water Resources Commission shall adopt rules to implement, ad-
13 minister and enforce subsections (5) to (7) of this section.

14

15

BOND REQUIREMENT

16

17 **SECTION 12. (1) As used in this section, “industrial dairy” has the**
18 **meaning given that term in section 1 of this 2019 Act.**

19 **(2) An applicant for issuance or renewal of a permit to operate an**
20 **industrial dairy shall file with the State Department of Agriculture a**
21 **surety bond with one or more corporate sureties authorized to do**
22 **business in this state. The department shall adopt rules establishing**
23 **reasonable bond requirements.**

24 **(3) The surety bond must provide that the applicant will pay**
25 **amounts to reimburse the department or other entities for any envi-**
26 **ronmental, health or animal welfare costs arising from operations of**
27 **the industrial dairy, including but not limited to costs due to manure**
28 **spills, improper disposal of animals, excessive applications of manure**
29 **that threaten water quality or public health, the cleaning of aban-**
30 **doned facilities and the relocation of animals due to facility closure**
31 **or permit suspension or revocation. Bonds filed under this section**

1 shall remain in effect for the permit period or until depleted by pay-
2 ments under this section, unless the surety sooner cancels the bond.
3 If the surety cancels the bond, the surety shall send written notice of
4 the cancellation to the department no later than the third business
5 day following the cancellation.

6 (4) The department may require a permit holder to obtain a new
7 surety bond if the surety pays an amount out of the bond of the permit
8 holder. The new surety bond must be in the amount that was paid by
9 the surety, unless the department requires a higher amount by rule.

10 (5) If the amount the permit holder must pay in cost reimburse-
11 ments under subsection (3) of this section exceeds the amount of the
12 bond, the department shall suspend the industrial dairy permit until
13 the amount owed is paid. The department may, as a condition of end-
14 ing the suspension, require the permit holder to obtain a bond in a
15 higher amount.

16 (6) The bond required under this section is for the exclusive purpose
17 of costs under subsection (3) of this section that are approved by the
18 department for payment from the bond.

19

20

ECONOMIC EFFECT STUDY

21

22 SECTION 13. (1) As used in this section, “industrial dairy” has the
23 meaning given that term in section 1 of this 2019 Act.

24 (2) The State Department of Agriculture, in consultation with the
25 Oregon Business Development Department, the Department of Reve-
26 nue and any other entities the State Department of Agriculture deems
27 appropriate, shall conduct a study to determine the effect of industrial
28 dairies on the economic viability of small and medium sized dairies,
29 including but not limited to the effect industrial dairies have on milk
30 prices. The department shall identify additions to, or changes in, state
31 policies having the potential to allow small and medium sized dairies

1 to counteract any negative economic impacts caused by the presence
2 of industrial dairies in the marketplace.

3 (3) The department shall issue the results of the study in a public
4 report no later than one year after the effective date of this 2019 Act.

5
6 **DAIRY ANIMAL WELFARE TASK FORCE**

7
8 **SECTION 14.** (1) As used in this section, “industrial dairy” has the
9 meaning given that term in section 1 of this 2019 Act.

10 (2) The Task Force on Dairy Animal Welfare is established.

11 (3) The task force consists of nine members as follows:

12 (a) The Director of Agriculture, or a designee of the director, shall
13 serve as chairperson of the task force.

14 (b) The Governor shall appoint eight members. Four of the mem-
15 bers shall be representatives of animal welfare organizations. Four
16 of the members shall be actively involved in the dairy industry. In
17 appointing members actively involved in the dairy industry, the Gov-
18 ernor shall attempt to ensure that at least one member represents an
19 industrial dairy.

20 (4) The task force shall conduct a review of animal welfare practices
21 at industrial dairies. The task force may make recommendations for
22 minimum animal welfare standards for industrial dairies.

23 (5) The task force may conduct hearings, accept exhibits and take
24 other actions reasonable for the collection of information regarding
25 animal welfare at industrial dairies.

26 (6) A majority of the members of the task force constitutes a quo-
27 rum for the transaction of business.

28 (7) Official action by the task force requires the approval of a ma-
29 jority of the members of the task force.

30 (8) The chairperson of the task force shall select one of its members
31 to serve as co-chairperson.

1 (9) If there is a vacancy in an appointed position for any cause, the
2 Governor shall make an appointment to become immediately effective.

3 (10) The task force shall meet at times and places specified by the
4 call of the chairperson or of a majority of the members of the task
5 force.

6 (11) The task force may adopt rules necessary for the operation of
7 the task force.

8 (12) The task force shall submit a report in the manner provided in
9 ORS 192.245, and may include recommendations for legislation, to an
10 interim committee of the Legislative Assembly related to agriculture
11 no later than September 15, 2020.

12 (13) The State Department of Agriculture shall provide staff support
13 to the task force.

14 (14) Members of the task force are not entitled to compensation or
15 reimbursement for expenses and serve as volunteers on the task force.

16 (15) All agencies of state government, as defined in ORS 174.111, are
17 directed to assist the task force in the performance of the duties of the
18 task force and, to the extent permitted by laws relating to
19 confidentiality, to furnish information and advice the members of the
20 task force consider necessary to perform their duties.

21 SECTION 15. Section 14 of this 2019 Act is repealed on December
22 31, 2020.

23
24 **PROGRESS REPORT**
25

26 SECTION 16. (1) The Environmental Quality Commission shall an-
27 nually determine whether:

28 (a) Rules fully establishing a commission program under section 4
29 of this 2019 Act are in effect.

30 (b) Rules under section 6 of this 2019 Act to prevent the improper
31 issuance of permits by the Department of Environmental Quality are

1 in effect. For purposes of this paragraph, a rule under section 6 of this
2 2019 Act for which operation is suspended under section 7 of this 2019
3 Act is in effect.

4 (c) Rules under section 8 of this 2019 Act to prevent the improper
5 issuance of permits by the State Department of Agriculture are in ef-
6 fect. For purposes of this paragraph, a rule under section 8 of this 2019
7 Act for which operation is suspended under section 9 of this 2019 Act
8 is in effect.

9 (d) The State Department of Agriculture has adopted rules estab-
10 lishing bonding amount requirements under section 12 of this 2019 Act.

11 (e) The State Department of Agriculture has released a public re-
12 port under section 13 of this 2019 Act.

13 (f) The Task Force on Dairy Animal Welfare has submitted a report
14 to an interim legislative committee under section 14 of this 2019 Act.

15 (2) Except as provided in subsection (3) of this section, the com-
16 mission shall report its annual determination under subsection (1) of
17 this section in the manner provided in ORS 192.245 to an interim
18 committee of the Legislative Assembly related to the environment no
19 later than September 15 of each year.

20 (3) If the commission determines and reports that all activities un-
21 der subsection (1) of this section have occurred, the commission shall
22 cease making determinations and submitting reports under this sec-
23 tion.

24 SECTION 17. Section 16 of this 2019 Act is repealed on January 2,
25 2024.

26

27

APPLICABILITY

28

29 SECTION 18. For purposes of ORS 30.930 to 30.947, section 1 (2) of
30 this 2019 Act applies to industrial dairy activities taking place on or
31 after the effective date of this 2019 Act.

1 **SECTION 19.** For purposes of ORS chapters 195, 196, 197 and 215,
2 section 1 (2) of this 2019 Act applies to land use decisions that become
3 final by operation of law or on appeal on or after the effective date
4 of this 2019 Act.

5 **SECTION 20.** For purposes of ORS chapters 536 to 543A, section 1
6 (4) of this 2019 Act applies to water right permits and water right
7 certificates issued on or after the effective date of this 2019 Act and
8 to stock watering on or after the effective date of this 2019 Act under
9 ORS 537.141 or 537.545.

10 **SECTION 21.** Section 12 of this 2019 Act applies to permit applica-
11 tions received by the State Department of Agriculture on or after
12 January 1, 2021.

13

14

CAPTIONS

15

16 **SECTION 22.** The unit captions used in this 2019 Act are provided
17 only for the convenience of the reader and do not become part of the
18 statutory law of this state or express any legislative intent in the
19 enactment of this 2019 Act.

20

21

EFFECTIVE DATE

22

23 **SECTION 23.** This 2019 Act takes effect on the 91st day after the
24 date on which the 2019 regular session of the Eightieth Legislative
25 Assembly adjourns sine die.

26
