

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 4014 - A11

80th Oregon Legislative Assembly – 2020 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Meg Bushman-Reinhold
Reviewed by: John Terpening, Ken Rocco
Date: February 21, 2020

Measure Description:

Exempts dog training facilities from state structural specialty codes, allows county to site accessory dwellings in areas zoned as rural residential, and requires the Energy Facility Siting Council in the Oregon Department of Energy to adopt standards and rules to prevent the disposal of radioactive waste in the State of Oregon.

Government Unit(s) Affected:

Counties, Department of Environmental Quality (DEQ), Department of Energy (DOE), Cities

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

This bill exempts dog training facilities from state structural specialty codes. This portion of the bill is not expected to have a fiscal impact on state or local governments.

This bill allows county to site accessory dwellings in areas zoned as rural residential. This portion of the bill is not expected to have a fiscal impact on state government. It may have a minimal impact on counties opting to modify their land use rules pursuant to the bill.

The bill, as amended, also requires the Department of Energy (ODOE) to provide a report to the Legislature on the disposal of radioactive waste in the Chemical Waste Management of the Northwest facility in Arlington, Oregon. The report must include a description of events and key causal factors associated with the illegal disposal and describe actions the Department has taken or plans to take to prevent reoccurrence.

Additionally, the report is to include the Department’s plans for an enhanced enforcement program, a description of funding necessary to support an enhanced enforcement program, modification or development of requirements for notifying local governments and federally recognized Indian tribes that may be affected by occurrences of the disposal of radioactive waste and suggested legislative changes to support the enhanced enforcement program. The report is due no later than September 15, 2020.

The bill also expands and clarifies ODOE enforcement authority relating to radioactive waste disposal, including allowing ODOE to obtain all necessary records from persons and gain access to property for inspections and sample collection. The bill allows ODOE, with written permission of the Governor, to subpoena records, and interview persons under oath.

The fiscal impact to ODOE is indeterminate. The rulemaking and the report to the Legislature will result in additional workload for the Department’s Nuclear Safety Division and Siting Division which can be absorbed within existing resources in the current biennium. However, depending on the rules adopted and the impact of those rules on the Department’s level of oversight and enforcement to the waste disposal program, the Department may need to request additional resources to implement those rules.

The Legislative Fiscal Office notes that the contents of the required report would be informative for the

Legislature to determine appropriate funding and staffing levels for an enhanced enforcement program, which could be considered as part of the development of the 2021-23 budget.

There is a minimal fiscal impact to the Department of Environmental Quality for coordination on corrective actions issued regarding radioactive waste disposal violations.