

THE CENTER FOR WATERSHED AND COMMUNITY HEALTH

STEWARDSHIP PLAN HB 3135

70th OREGON LEGISLATIVE ASSEMBLY--1999 Regular Session

NOTE: Matter within { + braces and plus signs + } in an amended section is new. Matter within { - braces and minus signs - } is existing law to be omitted. New sections are within { + braces and plus signs + } .

LC 1787

House Bill 3135

Sponsored by Representative WELLS; Representative PIERCY (at the request of Stewardship Planned Partnership)

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.

Declares sustainable development as policy goal of State of Oregon. Establishes Sustainable Development Task Force to study feasibility of adopting goal oriented and performance based regulatory system to achieve goal.

Declares emergency, effective July 1, 1999.

A BILL FOR AN ACT

Relating to sustainable development study; appropriating money; limiting expenditures; and declaring an emergency.

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

SECTION 1. { + As used in sections 1 to 5 of this 1999 Act:

(1) 'Benchmarks' means interim indicators that measure the progress in achieving measurable objectives and long term measurable goals.

(2) 'Long term measurable goals' means the attainment of the condition for a parameter that is necessary to achieve sustainable development within 25 years.

(3) 'Measurable objectives' means measurable achievements at specific points in time, typically in two- to five-year segments

that over the duration achieve long term measurable goals.

(4) 'Natural resource agency' includes the Office of Energy, Department of Land Conservation and Development, Environmental Quality Commission, State Department of Geology and Mineral Industries, State Department of Fish and Wildlife, Water Resources Department, State Forestry Department, Division of State Lands, State Parks and Recreation Department and State Department of Agriculture.

(5) 'Sustainable development' means managing the use, development and protection of natural and physical resources in a way, or at a rate, that enables people to meet their current needs without compromising the ability of future generations to meet their own needs. + }

SECTION 2. { + The Legislative Assembly finds and declares that:

(1) In order to establish a policy of sustainable development, the State of Oregon must achieve the following intermediate value goals:

- (a) A competitive and balanced economy;
- (b) A healthy environment;
- (c) A continuing resource base; and
- (d) Communities that provide a good quality of life, for both current and future generations of Oregonians.

(2) Although Oregon has made progress toward the goals set forth in subsection (1) of this section, Oregon lacks an integrated strategy for achieving these goals concurrently.

Oregon also lacks established mechanisms for measuring the success of activities implemented to achieve these goals.

(3) To develop an integrated strategy for achieving the four goals set forth in subsection (1) of this section, and thus establishing a sustainable development policy, the State of Oregon must:

(a) Examine the feasibility of establishing clear, long term measurable goals for environmental and natural resource stewardship along with measurable objectives and interim benchmarks to monitor progress towards the goals in accordance with ORS 291.110 and 291.200;

(b) Examine a performance based system in which long term measurable goals can be attained by carefully monitored and self-generated, incentive based strategies that improve the efficiency and effectiveness of environmental management and regulation for businesses, communities and government; and

(c) Integrate environmental and natural resource goals with economic and societal goals. + }

SECTION 3. { + In order to achieve the goals set forth in section 2 (1) of this 1999 Act, the State of Oregon shall examine

an environmental and natural resource management system that is based on a policy of sustainable development and that:

- (1) Establishes clear long term measurable goals and measurable objectives in accordance with ORS 291.110;
- (2) Is incentive based and performance oriented;
- (3) Allows attainment of superior environmental and natural resource management performance by adoption of a performance track in which entities would be held accountable for achieving long term measurable goals but have freedom to choose how to accomplish them;
- (4) Assures predictability for participants;
- (5) Is integrated, cross media, cross agency and flexible;
- (6) Focuses on managing the causes of environmental degradation rather than simply impacts;
- (7) Concentrates on issues of long term ecological significance; and
- (8) Achieve the objectives of subsections (1) to (7) of this section in the most cost-effective, economically accommodating and community oriented manner. + }

SECTION 4. { + (1) There is created a Sustainable Development Task Force consisting of not more than 18 members. The President of the Senate shall appoint two at-large members, the Speaker of the House of Representatives shall appoint two at-large members,

and the Governor shall appoint one at-large member who shall serve as chairperson of the task force. In addition to the five at-large members, each director of a natural resource agency shall appoint one member. The Governor shall appoint the remaining members of the task force to represent industry, public interest groups and municipalities.

(2) The task force shall conduct the examination described in section 3 of this 1999 Act and determine the viability of adopting a goal oriented and performance based regulatory system with sustainable development as the overarching environmental policy for the State of Oregon.

(3) The task force may cause to be employed such persons as are necessary to the performance of the function of the task force. The task force shall fix the duties and amounts of compensation of such employees. The task force shall use the services of natural resource agency staff to the greatest extent practicable.

(4) All agencies, departments and officers of this state are directed to assist the task force created under this section in attaining its mission, and to furnish such information and advice as the members of the task force consider necessary to perform their functions.

(5) Subject to the approval of the Emergency Board, the task force created under this section may accept contributions of

funds and assistance from the United States or its agencies or from any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the task force. All such funds are to aid in financing the functions of the task force and shall be deposited in the General Fund of the State Treasury to the credit of separate accounts for the task force and shall be disbursed for the purpose for which contributed in the same manner as funds appropriated for the task force.

(6) Official action by the task force established under this section shall require the approval of a majority of the quorum of the task force. A majority of the members of the task force constitutes a quorum. All legislation recommended by official action of the task force must indicate that the legislation is introduced at the request of the task force. Such legislation shall be prepared in time for pre-session numbering and pre-session filing pursuant to ORS 171.130. + }

SECTION 5. { + In accordance with the requirements established by the Sustainable Development Task Force, each natural resource agency shall determine the following and report to the task force:

(1) The degree to which a state policy of sustainable development will assist the agency in carrying out its mission.

(2) Methods for establishing long term measurable goals to

achieve sustainable development, including interim benchmarks, from the agency's perspective.

(3) How collaboration would occur with other governmental entities and state agencies under a policy of sustainable development.

(4) Changes to statutes, rules, policies, intergovernmental agreements, strategic plans, relationships with private and nonprofit sectors and the agency's organization and processes that would be necessary to implement a policy of sustainable development.

(5) Whether resources are being allocated in reasonable proportion to the ecological significance of sustainable development and the resource allocation changes necessary to bring the allocation into proper proportion.

(6) The extent to which new systems can be developed, particularly incentive based programs, to achieve measurable superior environmental protection and natural resource management. + }

SECTION 6. { + The appointing authorities shall appoint the members of the Sustainable Development Task Force on or before October 1, 1999. The task force shall convene its first meeting on or before October 15, 1999. + }

SECTION 7. { + In addition to and not in lieu of any other

appropriation, there is appropriated to the Sustainable Development Task Force for the biennium beginning July 1, 1999, out of the General Fund, the sum of \$____, which may be expended for the purposes set forth in section 4 of this 1999 Act. + }

SECTION 8. { + Notwithstanding any other law, the amount of \$____ is establish for the biennium beginning July 1, 1999, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, excluding federal funds, collected or received by the Sustainable Development Task Force. + }

SECTION 9. { + Sections 1 to 6 of this 1999 Act are repealed on _____. + }

SECTION 10. { + This 1999 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 1999 Act takes effect July 1, 1999. + }
