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## PERMANENT ADMINISTRATIVE ORDER

### EFSC 2-2021

CHAPTER 345  
DEPARTMENT OF ENERGY  
ENERGY FACILITY SITING COUNCIL

**FILED**

12/17/2021 1:12 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Implementation of HB 2064 and Energy Facility Siting Council Quorum Requirements

EFFECTIVE DATE: 01/01/2022

AGENCY APPROVED DATE: 12/17/2021

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AMEND: 345-011-0005

NOTICE FILED DATE: 10/22/2021

RULE SUMMARY: The proposed rule reduces the number of Council members that constitute a quorum from five to four, consistent with Oregon Laws 2021, chapter 110, section 1.

CHANGES TO RULE:

345-011-0005  
Quorum and Rules of Order ¶

- (1) ~~Five~~four members of the Council constitute a quorum. The Council may meet to discuss any matter in the absence of a quorum but shall take no formal action on any matter unless a quorum is present.¶
  - (2) A majority of the Council members present at a meeting must concur for the Council to act on any matter before it; however, in accordance with ORS 469.370(7), a Council decision to approve or reject an application for a site certificate requires the affirmative vote of at least four members.¶
  - (3) The Council shall not vote on any proposed Council action unless a Council member has moved, and another Council member has seconded, the proposed action.¶
  - (4) For all Council actions that result in a written order or administrative rule, the Council's action authorizes the Department of Energy to make scrivener's corrections in the written order or administrative rule.
- Statutory/Other Authority: ORS 469.470  
Statutes/Other Implemented: ORS 174.130, 469.370, 469.460