

C-Engrossed
House Bill 3106

Ordered by the Senate June 22
Including House Amendments dated April 30 and June 15 and Senate
Amendments dated June 22

Sponsored by Representatives ROBLAN, BOONE; Representatives COWAN, WITT, Senators JOHNSON, VERGER,
WHITSETT

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.

Creates Task Force on Nearshore Research for purpose of making recommendations to ensure protection and utilization of Oregon's nearshore resources.

Establishes Nearshore Resources Fund. Continuously appropriates moneys in fund to Coastal Oregon Marine Experiment Station of Oregon State University for purpose of enabling task force to carry out actions required by Act.

Sunsets January 2, 2012.

Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to nearshore research; appropriating money; and declaring an emergency.

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

4 **SECTION 1. (1)(a) There is created the Task Force on Nearshore Research consisting of**
5 **the following 14 members:**

6 **(A) The superintendent of the Coastal Oregon Marine Experiment Station or a designee.**

7 **(B) The director of the Oregon Institute of Marine Biology or a designee.**

8 **(C) The director of Oregon Sea Grant or a designee.**

9 **(D) The manager of the State Department of Fish and Wildlife's Marine Resources Pro-**
10 **gram or a designee.**

11 **(E) The manager of the Ocean and Coastal Services Division of the Department of Land**
12 **Conservation and Development or a designee.**

13 **(F) The executive director of the Oregon Coastal Zone Management Association or a**
14 **designee.**

15 **(G) The Director of the Department of State Lands or a designee.**

16 **(H) The following seven members appointed by the Governor after the Governor consid-**
17 **ers recommendations made by the Speaker of the House of Representatives and the Presi-**
18 **dent of the Senate:**

19 **(i) One member representing local government;**

20 **(ii) One member representing conservation and environmental organizations;**

21 **(iii) One member representing the commercial fishing and fish processing industries;**

22 **(iv) One member representing sport fishers or the sport fishing industry;**

23 **(v) One member representing community-based fishing interests;**

24 **(vi) One member representing nearshore industry other than the fishing industry; and**

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 (vii) One member representing nearshore recreation other than fishing.

2 (b) In addition to the voting members specified in paragraph (a) of this subsection, the
3 Governor may invite representatives of federal agencies to serve as additional nonvoting
4 members of the task force.

5 (2) The task force shall elect one of its members to serve as chairperson.

6 (3) The purpose of the task force is to make recommendations to ensure the protection
7 and utilization of Oregon's nearshore resources.

8 (4) The task force shall recommend a long-term funding and coordination strategy for
9 implementing the nearshore priorities of the state, including, but not limited to, the
10 nearshore priorities identified in:

11 (a) The Oregon Nearshore Marine Resource Management Strategy;

12 (b) The West Coast Governors' Agreement on Ocean Health Action Plan;

13 (c) The Territorial Sea Plan as defined in ORS 196.405; and

14 (d) The West Coast regional marine research and information plan developed by Sea
15 Grant.

16 (5) The strategy recommended by the task force under subsection (4) of this section
17 must:

18 (a) Review, consolidate and anticipate nearshore priorities for purposes relating to:

19 (A) Researching and monitoring nearshore resources;

20 (B) Management of nearshore resources and policy formation; and

21 (C) Education and outreach.

22 (b) Identify the funding needs of current and anticipated nearshore programs.

23 (c) Determine transparent procedures and oversight mechanisms for pursuing, securing
24 and administering public and private funds.

25 (d) Identify mechanisms for data sharing to coordinate, collaborate and reevaluate pri-
26 orities and programs among state agencies, universities and other stakeholders with an in-
27 terest in nearshore resources.

28 (6) A majority of the members of the task force constitutes a quorum for the transaction
29 of business.

30 (7) Official action by the task force requires the approval of a majority of the members
31 of the task force.

32 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-
33 ment to become immediately effective.

34 (9) The task force shall meet at times and places specified by the call of the chairperson
35 or of a majority of the members of the task force.

36 (10) The task force may adopt rules necessary for the operation of the task force.

37 (11) The task force shall submit any recommendations for legislation to the Governor and
38 the Emergency Board no later than August 1, 2010.

39 (12) The College of Agricultural Sciences of Oregon State University shall provide the
40 task force with staff support, by using Coastal Oregon Marine Experiment Station employees
41 or by contract.

42 (13) Members of the task force are not entitled to compensation, but may be reimbursed
43 for actual and necessary travel expenses incurred by them in the performance of their offi-
44 cial duties in the manner and amounts provided for in ORS 292.495. Claims for expenses shall
45 be paid out of funds appropriated to the Department of Higher Education for that purpose.

1 (14) All agencies of state government, as defined in ORS 174.111, are directed to assist
2 the task force in the performance of its duties and, to the extent permitted by laws relating
3 to confidentiality, to furnish such information and advice as the members of the task force
4 consider necessary to perform their duties.

5 **SECTION 2.** (1) The Nearshore Resources Fund is established in the State Treasury,
6 separate and distinct from the General Fund. Interest earned by the Nearshore Resources
7 Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the
8 Coastal Oregon Marine Experiment Station of Oregon State University for the purpose of
9 enabling the Task Force on Nearshore Research to carry out the actions required by section
10 1 of this 2009 Act.

11 (2) Oregon State University may accept grants, donations, contributions or gifts from
12 any source for deposit in the Nearshore Resources Fund established in subsection (1) of this
13 section for the purpose of enabling the Task Force on Nearshore Research to carry out the
14 actions required by section 1 of this 2009 Act.

15 **SECTION 3.** Section 1 of this 2009 Act is repealed on January 2, 2012.

16 **SECTION 4.** This 2009 Act being necessary for the immediate preservation of the public
17 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
18 July 1, 2009.