

Enrolled
House Bill 3106

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

CHAPTER

AN ACT

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

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

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

- (A) The superintendent of the Coastal Oregon Marine Experiment Station or a designee.**
- (B) The director of the Oregon Institute of Marine Biology or a designee.**
- (C) The director of Oregon Sea Grant or a designee.**
- (D) The manager of the State Department of Fish and Wildlife’s Marine Resources Program or a designee.**
- (E) The manager of the Ocean and Coastal Services Division of the Department of Land Conservation and Development or a designee.**
- (F) The executive director of the Oregon Coastal Zone Management Association or a designee.**
- (G) The Director of the Department of State Lands or a designee.**
- (H) The following seven members appointed by the Governor after the Governor considers recommendations made by the Speaker of the House of Representatives and the President of the Senate:**
 - (i) One member representing local government;**
 - (ii) One member representing conservation and environmental organizations;**
 - (iii) One member representing the commercial fishing and fish processing industries;**
 - (iv) One member representing sport fishers or the sport fishing industry;**
 - (v) One member representing community-based fishing interests;**
 - (vi) One member representing nearshore industry other than the fishing industry; and**
 - (vii) One member representing nearshore recreation other than fishing.**
- (b) In addition to the voting members specified in paragraph (a) of this subsection, the Governor may invite representatives of federal agencies to serve as additional nonvoting members of the task force.**
- (2) The task force shall elect one of its members to serve as chairperson.**
- (3) The purpose of the task force is to make recommendations to ensure the protection and utilization of Oregon’s nearshore resources.**
- (4) The task force shall recommend a long-term funding and coordination strategy for implementing the nearshore priorities of the state, including, but not limited to, the nearshore priorities identified in:**

- (a) The Oregon Nearshore Marine Resource Management Strategy;
- (b) The West Coast Governors' Agreement on Ocean Health Action Plan;
- (c) The Territorial Sea Plan as defined in ORS 196.405; and
- (d) The West Coast regional marine research and information plan developed by Sea Grant.

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

- (a) Review, consolidate and anticipate nearshore priorities for purposes relating to:
 - (A) Researching and monitoring nearshore resources;
 - (B) Management of nearshore resources and policy formation; and
 - (C) Education and outreach.
- (b) Identify the funding needs of current and anticipated nearshore programs.
- (c) Determine transparent procedures and oversight mechanisms for pursuing, securing and administering public and private funds.
- (d) Identify mechanisms for data sharing to coordinate, collaborate and reevaluate priorities and programs among state agencies, universities and other stakeholders with an interest in nearshore resources.

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

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

(8) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.

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

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

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

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

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

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

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

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

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

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

Passed by House June 16, 2009

Received by Governor:

Repassed by House June 25, 2009

.....M,....., 2009

Approved:

.....
Chief Clerk of House

.....M,....., 2009

.....
Speaker of House

.....
Governor

Passed by Senate June 24, 2009

Filed in Office of Secretary of State:

.....
President of Senate

.....M,....., 2009

.....
Secretary of State