

Enrolled Senate Bill 122

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber for State Department of Geology and Mineral Industries)

CHAPTER

AN ACT

Relating to the State Department of Geology and Mineral Industries; amending ORS 516.035 and 516.090.

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

SECTION 1. ORS 516.035 is amended to read:

516.035. The State Department of Geology and Mineral Industries may:

(1) Make or have made qualitative and quantitative determinations of ores and minerals that are submitted for such purpose and that are from within the State of Oregon. The department shall mail to the sender of such ores or minerals the results of such determination as soon as practicable after making such determination. Such services shall be performed by the department at the request of a member of the general public at a reasonable charge.

(2) Perform geological surveys or analyses at the request of any state agency if department funding allows undertaking such surveys or analyses and may make reasonable charges for these services.

(3) Collect and exhibit specimens, samples and photographs, models and drawings of appliances in the mines, mills and metallurgical plants of Oregon.

(4) Enter into contracts or agreements with the federal government or any agency thereof, pursuant to which the department shall operate or act as the agent of the federal government in the operation of a mineral assay service or similar analytical service, the cost of which is to be reimbursed by the federal government.

(5) Establish, equip and operate a geochemical laboratory which may:

(a) Make geochemical determinations at the request of any department, institution or other agency of the state, without any charge in excess of the actual cost thereof.

(b) Make other geochemical determinations at a reasonable charge in excess of the actual cost thereof.

(6) Enter into contracts or agreements with a person, a public body as defined in ORS 174.109 or the federal government or an agency thereof, pursuant to which the department performs geoscientific surveys or analyses.

SECTION 2. ORS 516.090 is amended to read:

516.090. (1) The governing board of the State Department of Geology and Mineral Industries shall:

(a) Direct and review the performance of the State Geologist and the State Department of Geology and Mineral Industries in carrying out its duties and responsibilities pursuant to this chapter and ORS chapters 517, 520 and 522.

(b) Carry out the policies set forth in this chapter and ORS chapters 517, 520 and 522.

(c) Establish policies and approve plans that lead to an understanding of geology and mineral resources of the state, geologic processes and hazards and scientific, economic and tourism issues relating to geology and mineral industries.

(d) At the discretion of the board, accept from the United States or any of its agencies such funds as may be made available to this state for any of the purposes contemplated by this chapter, and shall enter into such contracts and agreements with the United States or any of its agencies or with Oregon or any of its agencies as may be necessary, proper and convenient, and not contrary to the laws of this state.

(e) Review and approve budget requests of the department.

(f) In accordance with applicable provisions of ORS chapter 183, adopt rules establishing criteria and procedures by which the department may enter into contracts or agreements pursuant to ORS 516.035 (6), including but not limited to criteria and procedures that ensure protection of the public interest and advance the duties of the department as described in ORS 516.030.

(2) The board may:

(a) In accordance with applicable provisions of ORS chapter 183, adopt rules necessary for the administration of the laws that the board is charged with administering.

(b) Receive on behalf of this state, for the use and benefit of the department, gifts, devises and legacies of real or other property, and use them in accordance with the wishes of the donors, or, in the absence of specific instructions by the donors, manage, use and dispose of the gifts and legacies as may be deemed by the board for the best interest of the state.

Passed by Senate February 10, 2011

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 11, 2011

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

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Kate Brown, Secretary of State