

A-Engrossed House Bill 3441

Ordered by the House April 16
Including House Amendments dated April 16

Sponsored by Representative KRIEGER, Senator ROBLAN, Representative WITT; Representatives BARKER, BARTON, BENTZ, BERGER, BOONE, CAMERON, CLEM, CONGER, ESQUIVEL, FREEMAN, GARRETT, GILLIAM, GOMBERG, HANNA, HICKS, HOLVEY, HOYLE, HUFFMAN, JENSON, JOHNSON, KENNEMER, MATTHEWS, MCKEOWN, MCLANE, OLSON, PARRISH, RICHARDSON, SMITH, SPRENGER, THOMPSON, UNGER, WEIDNER, WHISNANT, WHITSETT, WILLIAMSON, Senators BAERTSCHIGER JR, BOQUIST, BURDICK, GEORGE, GIROD, HANSELL, JOHNSON, KRUSE, PROZANSKI, STARR, THOMSEN, 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.

Establishes Oregon Hatchery Research Center Board. Specifies duties of board.
Specifies *[duties]* **activities** of Oregon Hatchery Research Center.
[Establishes Oregon Hatchery Research Fund. Continuously appropriates moneys in fund to State Department of Fish and Wildlife. Specifies uses of moneys.]
[Provides that agreement between State Board of Higher Education and department related to Oregon Hatchery Research Center is terminated on effective date of Act.]
Requires State Department of Fish and Wildlife to renegotiate certain agreement.
Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to the hatchery research center near Alsea; and declaring an emergency.

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

OREGON HATCHERY RESEARCH CENTER BOARD

SECTION 1. Establishment of Oregon Hatchery Research Center Board. (1) **There is established the Oregon Hatchery Research Center Board within the State Department of Fish and Wildlife. The board shall consist of 13 members, including 10 voting members appointed by the State Fish and Wildlife Director under subsection (2) of this section and three non-voting members specified in subsection (3) of this section. Members of the board must be residents of this state who are well informed on matters related to fish management policy and demonstrate an interest in the propagation of fish in hatcheries.**

(2) **The 10 voting members appointed by the director shall be representative of each of the following interests:**

(a) **One member shall represent the Oregon Salmon Commission established under ORS 576.062.**

(b) **One member shall represent the Columbia River gillnet salmon fishery established under ORS 508.775 to 508.796.**

(c) **Two members shall represent wild fish advocacy organizations.**

(d) **Two members shall represent statewide sport angling organizations.**

(e) **One member shall represent the agricultural industry.**

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 (f) One member shall represent coastal ports.

2 (g) One member shall represent the forest products industry.

3 (h) One member shall represent Oregon Indian tribes, to be appointed by the director
4 after consultation with the Commission on Indian Services.

5 (3) In addition to the members appointed under subsection (2) of this section, the director
6 shall:

7 (a) Appoint the following two nonvoting members of the board:

8 (A) One member to represent the State Department of Fish and Wildlife.

9 (B) One member to represent Oregon State University.

10 (b) Invite a representative of the federal government to serve as a nonvoting member
11 of the board.

12 (4) The term of office of each member is four years, but a member serves at the pleasure
13 of the director. Before the expiration of the term of a member, the director shall appoint a
14 successor whose term begins on July 1 next following. A member is eligible for reappoint-
15 ment. If there is a vacancy for any cause, the director shall make an appointment to become
16 immediately effective for the unexpired term.

17 (5) A member of the board is not entitled to compensation under ORS 292.495. At the
18 discretion of the board, board members may be reimbursed from funds available to the board
19 for actual and necessary travel and other expenses incurred by members of the board in the
20 performance of their official duties, subject to the limits described in ORS 292.495.

21 **SECTION 2. Initial terms of office.** Notwithstanding the term of office specified in section
22 1 of this 2013 Act, of the members first appointed to the Oregon Hatchery Research Center
23 Board pursuant to section 1 (2) of this 2013 Act:

24 (1) Five shall serve for a term ending June 30, 2015.

25 (2) Five shall serve for a term ending June 30, 2016.

26 **SECTION 3. Duties of Oregon Hatchery Research Center Board.** The Oregon Hatchery
27 Research Center Board shall:

28 (1) Establish strategic directions and operation objectives for the Oregon Hatchery Re-
29 search Center located on Fall Creek, near Alsea, consistent with ORS 496.275.

30 (2) Develop, after consultation with the Director of the Oregon Hatchery Research Cen-
31 ter, Oregon State University and the State Department of Fish and Wildlife, the proposed
32 operating budget for the center.

33 (3) Propose research projects for the Oregon Hatchery Research Center.

34 (4) Review, approve and prioritize all research proposals for the Oregon Hatchery Re-
35 search Center before research takes place, to determine if the proposed research meets the
36 strategic directions and operation objectives specified in subsection (1) of this section.

37 (5) Issue requests for research proposals as needed to carry out the activities of the
38 Oregon Hatchery Research Center specified in section 5 of this 2013 Act.

39 (6) On or before February 1 of each calendar year, report to the Legislative Assembly in
40 the manner required by ORS 192.245, and to the State Fish and Wildlife Director and the
41 State Fish and Wildlife Commission, regarding the findings of research projects carried out
42 by the Oregon Hatchery Research Center and any recommendations regarding current
43 hatchery management practices based on the research projects.

44 **SECTION 4. Officers, quorum and meetings.** (1) The Oregon Hatchery Research Center
45 Board shall select one of its members as chairperson and another as vice chairperson, for

1 such terms and with duties and powers necessary for the performance of the functions of
2 such offices as the board determines.

3 (2) A majority of the voting members of the board constitutes a quorum for the trans-
4 action of business.

5 (3) The board shall meet at least once every three months at a place, day and hour de-
6 termined by the board. The board may also meet at other times and places specified by the
7 call of the chairperson or of a majority of the members of the board.

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9 **OREGON HATCHERY RESEARCH CENTER**

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11 **SECTION 5.** (1) The hatchery research center located on Fall Creek, near Alsea, is named
12 the Oregon Hatchery Research Center.

13 (2) Pursuant to the strategic directions and operation objectives established by the
14 Oregon Hatchery Research Center Board under section 3 of this 2013 Act, the center shall
15 carry out the following activities:

16 (a) Conduct research on methods to minimize the genetic and ecological risk to naturally
17 produced fish when hatchery produced fish are released in the waters of this state, while also
18 maintaining the consumptive harvest of hatchery produced fish.

19 (b) Conduct research to determine the genetic and ecological risk to naturally produced
20 fish when wild broodstock hatchery produced fish are released into the waters of this state.

21 (c) Conduct research to determine the effect of hatchery operations on naturally
22 produced fish and the habitat of naturally produced fish.

23 (d) Provide educational and research opportunities for undergraduate students, graduate
24 students and postgraduate students.

25 (e) Provide educational opportunities for the public and for students in grades 1 through
26 12.

27 (3) As used in this section, "waters of this state" has the meaning given that term in
28 ORS 196.800.

29 **SECTION 6. Director.** The State Fish and Wildlife Director, after consultation with the
30 chairperson of a department related to fish and wildlife at Oregon State University and the
31 Oregon Hatchery Research Center Board established under section 1 of this 2013 Act, shall
32 appoint a Director of the Oregon Hatchery Research Center.

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34 **MISCELLANEOUS**

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36 **SECTION 7.** No later than January 1, 2014, and in order to carry out the activities of the
37 Oregon Hatchery Research Center specified in section 5 of this 2013 Act, the State Depart-
38 ment of Fish and Wildlife shall, after consultation with the Oregon Hatchery Research Cen-
39 ter Board established under section 1 of this 2013 Act, renegotiate any agreement entered
40 into between the State Board of Higher Education and the State Department of Fish and
41 Wildlife related to the Oregon Hatchery Research Center.

42 **SECTION 8.** The State Fish and Wildlife Director shall make the appointments, and ex-
43 tend the invitation, specified in section 1 of this 2013 Act related to members of the Oregon
44 Hatchery Research Center Board no later than January 1, 2014.

45 **SECTION 9.** The unit and section captions used in this 2013 Act are provided only for the

1 convenience of the reader and do not become part of the statutory law of this state or ex-
2 press any legislative intent in the enactment of this 2013 Act.

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EMERGENCY CLAUSE

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6 **SECTION 10. This 2013 Act being necessary for the immediate preservation of the public**
7 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
8 **on its passage.**

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