

House Bill 3441

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 **as introduced**.

- Establishes Oregon Hatchery Research Center Board. Specifies duties of board.
- Specifies duties 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.
- Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to the hatchery research center near Alsea; appropriating money; 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 12 members, including nine voting members appointed by the State Fish and Wildlife Director under subsection (2) of this section and three nonvoting 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 nine voting members appointed by the director shall be representative of each of the following fish hatchery interests:**

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

(b) **Two members shall represent a wild fish advocacy organization.**

(c) **Two members shall represent a statewide sport angling organization.**

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

(e) **One member shall represent coastal ports.**

(f) **One member shall represent the forest products industry.**

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

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

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

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

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

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

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

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

17 **SECTION 2. Initial terms of office.** Notwithstanding the term of office specified in section
18 1 of this 2013 Act, of the members first appointed to the Oregon Hatchery Research Center
19 Board pursuant to section 1 (2) of this 2013 Act:

20 (1) Four shall serve for a term ending June 30, 2015.

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

22 **SECTION 3. Duties of Oregon Hatchery Research Center Board.** The Oregon Hatchery
23 Research Center Board shall:

24 (1) Establish strategic directions, operation objectives and policies for the Oregon
25 Hatchery Research Center located on Fall Creek, near Alsea.

26 (2) Develop, after consultation with the Oregon Hatchery Research Center and the State
27 Department of Fish and Wildlife, the proposed operating budget for the center.

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

29 (4) Review, approve and prioritize all research proposals for the Oregon Hatchery Re-
30 search Center before research takes place, to determine if the proposed research meets the
31 strategic directions, operation objectives and policies specified in subsection (1) of this sec-
32 tion.

33 **SECTION 4. Officers, quorum and meetings.** (1) The Oregon Hatchery Research Center
34 Board shall select one of its members as chairperson and another as vice chairperson, for
35 such terms and with duties and powers necessary for the performance of the functions of
36 such offices as the board determines.

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

39 (3) The board shall meet at least once every six months at a place, day and hour deter-
40 mined by the board. The board may also meet at other times and places specified by the call
41 of the chairperson or of a majority of the members of the board.

42 **SECTION 5. Rules.** In accordance with applicable provisions of ORS chapter 183, the
43 Oregon Hatchery Research Center Board may adopt rules necessary to carry out sections 1
44 to 6 of this 2013 Act.

45 **SECTION 6. Advisory and technical committees.** (1) The Oregon Hatchery Research

1 Center Board may establish such advisory and technical committees as it considers neces-
 2 sary to aid and advise the board in the performance of its functions. These committees may
 3 be continuing or temporary committees. The board shall determine the representation,
 4 membership, terms and organization of the committees and shall appoint committee mem-
 5 bers.

6 (2) Members of advisory and technical committees are not entitled to compensation, but
 7 at the discretion of the board may be reimbursed from funds available to the board for actual
 8 and necessary travel and other expenses incurred by committee members in the performance
 9 of their official duties, in the manner and amount provided in ORS 292.495.

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 11 **OREGON HATCHERY RESEARCH CENTER**

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 13 **SECTION 7.** (1) The hatchery research center located on Fall Creek, near Alsea, is named
 14 the Oregon Hatchery Research Center.

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

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

21 (b) Conduct research on procedures for hatcheries operated by the State Department of
 22 Fish and Wildlife that minimize the genetic and ecological risk to naturally produced fish
 23 when hatchery produced fish are released into the waters of this state, while also maintain-
 24 ing the consumptive harvest of hatchery produced fish.

25 (c) Conduct research to determine the genetic and ecological risk to naturally produced
 26 fish when pure wild broodstock hatchery produced fish are released into the waters of this
 27 state.

28 (d) Conduct research to determine the effect of hatchery operations on naturally
 29 produced fish and the habitat of naturally produced fish.

30 (e) Provide educational and research opportunities for undergraduate students, graduate
 31 students and postgraduate students related to determining and reducing the genetic and ec-
 32 ological risk to naturally produced fish when hatchery produced fish are released into the
 33 waters of this state.

34 (f) Provide educational opportunities for the public and for students in grades 1 through
 35 12.

36 (3) As used in this section, “waters of this state” has the meaning given that term in
 37 ORS 196.800.

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 39 **OREGON HATCHERY RESEARCH FUND**

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 41 **SECTION 8.** (1) The Oregon Hatchery Research Fund is established in the State Treas-
 42 ury, separate and distinct from the General Fund. Interest earned by the Oregon Hatchery
 43 Research Fund shall be credited to the fund. Moneys in the fund are continuously appropri-
 44 ated to the State Department of Fish and Wildlife for the purpose of carrying out the pro-
 45 visions of sections 1 to 6 and 7 of this 2013 Act.

