

**PROPOSED AMENDMENTS TO
B-ENGROSSED HOUSE BILL 3441**

1 On page 1 of the printed B-engrossed bill, delete lines 4 through 23 and
2 delete pages 2 and 3 and insert:

3

4 **“OREGON HATCHERY RESEARCH CENTER BOARD**

5

6 **“SECTION 1. Establishment of Oregon Hatchery Research Center**
7 **Board. (1) There is established the Oregon Hatchery Research Center**
8 **Board within the State Department of Fish and Wildlife. The board**
9 **shall consist of 15 members, including 12 voting members appointed**
10 **by the State Fish and Wildlife Director under subsection (2) of this**
11 **section and three nonvoting members specified in subsection (3) of this**
12 **section. Members of the board must be residents of this state who are**
13 **well informed on matters related to fish management policy and sci-**
14 **entific research and who demonstrate an interest in research related**
15 **to the propagation of fish in hatcheries.**

16 **“(2) The 12 voting members appointed by the director shall be rep-**
17 **resentative of each of the following interests:**

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

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

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

1 “(d) Two members shall represent statewide sport angling organ-
2 izations.

3 “(e) One member shall represent the agricultural industry.

4 “(f) One member shall represent coastal ports.

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

6 “(h) One member shall represent the independent scientific com-
7 munity and have scientific background related to fish management
8 and the propagation of fish in hatcheries.

9 “(i) One member shall represent fish habitat restoration interests
10 and have experience in the management or implementation of habitat
11 restoration projects.

12 “(j) One member shall represent Oregon Indian tribes, to be ap-
13 pointed by the director after consultation with the Commission on
14 Indian Services.

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

17 “(a) Appoint the following two nonvoting members of the board who
18 have a background in fish management and the propagation of fish in
19 hatcheries:

20 “(A) One member to represent the State Department of Fish and
21 Wildlife.

22 “(B) One member to represent Oregon State University.

23 “(b) Invite a representative of agencies of the federal government
24 related to fish management to serve as a nonvoting member of the
25 board.

26 “(4) The term of office of each member is four years, but a member
27 serves at the pleasure of the director. Before the expiration of the
28 term of a member, the director shall appoint a successor whose term
29 begins on July 1 next following. A member is eligible for reappoint-
30 ment. If there is a vacancy for any cause, the director shall make an

1 appointment to become immediately effective for the unexpired term.

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

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

12 “(a) Four shall serve for a term ending July 1, 2015.

13 “(b) Four shall serve for a term ending July 1, 2016.

14 “(c) Four shall serve for a term ending July 1, 2017.

15 “(2) The State Fish and Wildlife Director shall designate the posi-
16 tions of members first appointed to the Oregon Hatchery Research
17 Center Board who are subject to the terms of office described in sub-
18 section (1) of this section.

19 **“SECTION 3. Duties of Oregon Hatchery Research Center Board.**
20 The Oregon Hatchery Research Center Board shall report to the Di-
21 rector of the Oregon Hatchery Research Center and shall:

22 “(1) Establish strategic directions and operational objectives for the
23 Oregon Hatchery Research Center located on Fall Creek, near Alsea,
24 consistent with ORS 496.275.

25 “(2) Develop, after consultation with the Director of the Oregon
26 Hatchery Research Center, Oregon State University and the State De-
27 partment of Fish and Wildlife, the proposed operating budget for the
28 center.

29 “(3) Recommend research projects for the Oregon Hatchery Re-
30 search Center and issue requests for research proposals as needed to

1 carry out the activities of the Oregon Hatchery Research Center
2 specified in section 5 of this 2013 Act.

3 “(4) Review and prioritize all research proposals submitted to the
4 Oregon Hatchery Research Center before research takes place and
5 prioritize the research according to whether the research is consistent
6 with the strategic directions and operational objectives specified in
7 subsection (1) of this section and with the activities of the Oregon
8 Hatchery Research Center specified in section 5 of this 2013 Act.

9 “(5) Make recommendations, as needed, regarding how the research
10 projects at the Oregon Hatchery Research Center may be enhanced to
11 meet the strategic directions and operational objectives specified in
12 subsection (1) of this section and the activities specified in section 5
13 of this 2013 Act.

14 “(6) On or before February 1 of each calendar year, report to the
15 Legislative Assembly in the manner required by ORS 192.245, and to
16 the State Fish and Wildlife Director and the State Fish and Wildlife
17 Commission, regarding the findings of research projects carried out
18 by the Oregon Hatchery Research Center and any recommendations
19 regarding current hatchery management practices based on the re-
20 search projects. The Director of the Oregon Hatchery Research Center
21 shall post the report on the center’s website for public access.

22 “SECTION 4. Officers, quorum and meetings. (1) The Oregon
23 Hatchery Research Center Board shall select one of its members as
24 chairperson and another as vice chairperson, for such terms and with
25 duties and powers necessary for the performance of the functions of
26 such offices as the board determines.

27 “(2) A majority of the voting members of the board constitutes a
28 quorum for the transaction of business.

29 “(3) The board shall meet at least once every three months at a
30 place, day and hour determined by the board. The board may also meet

1 at other times and places specified by the call of the chairperson or
2 of a majority of the members of the board.

3
4 **“OREGON HATCHERY RESEARCH CENTER**

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

8 **“(2) Pursuant to the strategic directions and operation objectives**
9 **established by the Oregon Hatchery Research Center Board under**
10 **section 3 of this 2013 Act, the center shall carry out the following ac-**
11 **tivities:**

12 **“(a) Conduct research that assists in the implementation and ad-**
13 **vancement of native fish population recovery as well as viable**
14 **fisheries.**

15 **“(b) Conduct research on methods to minimize the genetic and ec-**
16 **ological risks to naturally produced native fish when hatchery**
17 **produced fish are released in the waters of this state for population**
18 **recovery or consumptive fishery objectives.**

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

23 **“(d) Conduct research to determine the effect of hatchery oper-**
24 **ations on naturally produced native fish and the habitat of naturally**
25 **produced native fish.**

26 **“(e) Provide educational and research opportunities for undergrad-**
27 **uate students, graduate students and post-graduate students.**

28 **“(f) Provide educational opportunities for the public and for stu-**
29 **dents in grades 1 through 12.**

30 **“(g) Consider any recommendations made by the Oregon Hatchery**

1 **Research Center Board pursuant to section 3 of this 2013 Act.**

2 **“(3) The Director of the Oregon Hatchery Research Center shall**
3 **post information about the research specified in subsection (2) of this**
4 **section on the center’s website for public access.**

5 **“(4) As used in this section, ‘waters of this state’ has the meaning**
6 **given that term in ORS 196.800.**

7 **“SECTION 6. Director. The State Fish and Wildlife Director, after**
8 **consultation with the chairperson of a department related to fish and**
9 **wildlife at Oregon State University and the Oregon Hatchery Research**
10 **Center Board established under section 1 of this 2013 Act, shall appoint**
11 **a Director of the Oregon Hatchery Research Center.**

12

13 **“MISCELLANEOUS**

14

15 **“SECTION 7. (1) Subject to subsection (2) of this section, no later**
16 **than January 1, 2014, and in order to carry out the activities of the**
17 **Oregon Hatchery Research Center specified in section 5 of this 2013**
18 **Act, the State Department of Fish and Wildlife shall, after consulta-**
19 **tion with the Oregon Hatchery Research Center Board established**
20 **under section 1 of this 2013 Act, renegotiate any agreement entered**
21 **into between the State Board of Higher Education and the State De-**
22 **partment of Fish and Wildlife related to the Oregon Hatchery Re-**
23 **search Center.**

24 **“(2) Any agreement entered into between the State Board of Higher**
25 **Education and the State Department of Fish and Wildlife related to**
26 **advisory committees for the Oregon Hatchery Research Center is ter-**
27 **minated on the effective date of this 2013 Act and any advisory com-**
28 **mittees cease to exist.**

29 **“SECTION 8. The State Fish and Wildlife Director shall make the**
30 **appointments, and extend the invitation, specified in section 1 of this**

1 **2013 Act related to members of the Oregon Hatchery Research Center**
2 **Board no later than January 1, 2014.**

3 **“SECTION 9. The unit and section captions used in this 2013 Act**
4 **are provided only for the convenience of the reader and do not become**
5 **part of the statutory law of this state or express any legislative intent**
6 **in the enactment of this 2013 Act.**

7

8 **“EMERGENCY CLAUSE**

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

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