

**PROPOSED AMENDMENTS TO
SENATE BILL 202**

1 On page 1 of the printed bill, line 2, after “ORS” insert “352.239,”.

2 After line 3, insert:

3 “Whereas the Legislative Assembly seeks recommendations regarding in-
4 dependent scientific review of a broad range of natural resources issues; now,
5 therefore,”.

6 Delete lines 5 through 24 and delete page 2.

7 On page 3, delete lines 1 through 24 and insert:

8

9 **“TASK FORCE ON INDEPENDENT SCIENTIFIC REVIEW**
10 **FOR NATURAL RESOURCES**

11

12 **“SECTION 1. The Legislative Assembly finds and declares that:**

13 **“(1) Policy and program decisions made by natural resources agen-**
14 **cies, boards and commissions can benefit from independent scientific**
15 **review that:**

16 **“(a) Reflects a balance of representation from various research**
17 **sectors, academic and nonacademic, public and private;**

18 **“(b) Is performed by distinguished scientists from a range of disci-**
19 **plines; and**

20 **“(c) Is clearly communicated to the public and state and local offi-**
21 **cial.**

22 **“(2) Oregon is home to many highly qualified scientists with re-**

1 **cognized expertise in a variety of disciplines who are willing to con-**
2 **tribute their time and knowledge to scientific reviews to inform the**
3 **decisions made regarding state and local natural resources policies and**
4 **programs.**

5 **“SECTION 2. (1) The Task Force on Independent Scientific Review**
6 **for Natural Resources is established, consisting of up to 15 members.**

7 **“(2) Members of the task force shall be appointed by the Governor**
8 **in consultation with the Vice Presidents of Research, or their**
9 **designees, at Oregon State University, the University of Oregon and**
10 **Portland State University.**

11 **“(3)(a) The task force shall consist of members from the forestry,**
12 **agriculture, manufacturing, conservation, academic and research sec-**
13 **tors, and representatives of Oregon State University, the University**
14 **of Oregon and Portland State University.**

15 **“(b) At least one member of the task force shall have previously**
16 **served on the Independent Multidisciplinary Science Team created**
17 **under ORS 541.914, as in effect prior to the operative date specified in**
18 **section 9 of this 2015 Act, or on another state or federal scientific re-**
19 **view body, such as the National Academy of Sciences.**

20 **“(c) Representatives from state natural resources agencies may**
21 **participate as nonvoting members.**

22 **“(4) The task force shall evaluate and assess the need for inde-**
23 **pendent scientific review in Oregon and make appropriate recommen-**
24 **dations. In developing its recommendations, the task force shall:**

25 **“(a) Proceed with the understanding that:**

26 **“(A) Independent scientific reviews are not intended to replace**
27 **internal agency reviews of natural resources policy and program deci-**
28 **sions; and**

29 **“(B) Agencies are not required to use an independent scientific re-**
30 **view panel as recommended by the task force;**

1 **“(b) Evaluate whether natural resources agencies, legislators and**
2 **the public would benefit from the incorporation of independent scien-**
3 **tific review in the making of policy decisions;**

4 **“(c) Evaluate whether existing state, federal and academic re-**
5 **sources for conducting independent scientific review are meeting the**
6 **needs of natural resources agencies and other policymakers; and**

7 **“(d) Evaluate the mechanisms and structures that are in place in**
8 **other states and at the federal level for independent scientific review**
9 **related to natural resources policy.**

10 **“(5)(a) If the task force determines there is a need for independent**
11 **scientific review in Oregon, the task force shall make recommen-**
12 **dations on one or more entities, which may include existing scientific**
13 **entities in Oregon or a new independent scientific review entity, that**
14 **are best situated to conduct or coordinate independent scientific re-**
15 **view and whether the entities identified would need legislative au-**
16 **thority to act as independent scientific review bodies for Oregon.**

17 **“(b) If the task force recommends use of a particular existing sci-**
18 **entific entity, the task force shall make any recommendations re-**
19 **garding necessary changes to the entity based on the evaluation and**
20 **assessment undertaken pursuant to subsection (4) of this section. If**
21 **the task force recommends the development of a new independent**
22 **scientific review entity, the task force shall make recommendations**
23 **regarding how to structure a new independent scientific entity.**

24 **“(6) In making recommendations under subsection (5) of this sec-**
25 **tion, to ensure that an entity will provide scientific review that is in-**
26 **dependent, the task force shall consider:**

27 **“(a) Whether the entity should provide reports to the Legislative**
28 **Assembly or otherwise be subject to special legislative oversight;**

29 **“(b) Whether organizational safeguards must be established or**
30 **changed within the entity to ensure that the entity is free from bias**

1 and that a wide variety of natural resources disciplines and interests
2 are represented;

3 “(c) How to develop or change the structure or processes of the
4 entity’s advisory board or other governing body in order to support the
5 independence of scientific review panels convened by the entity, which
6 shall include consideration of the entity’s advisory board or other
7 governing body directing or participating in the scientific analysis and
8 review conducted or coordinated by the entity;

9 “(d) How the entity’s funding structure should be created, altered
10 or supplemented to ensure that there is no perception of bias in the
11 funding of independent scientific review panels and to ensure that
12 adequate funds are available to convene such panels;

13 “(e) How to develop processes for conducting or coordinating inde-
14 pendent scientific review in order to encourage balanced, broad and
15 diverse participation among the scientific disciplines that may be
16 called upon in the course of independent scientific review; and

17 “(f) How to develop procedures for the selection and deliberation
18 of scientific experts to participate in independent scientific reviews,
19 taking into consideration lessons learned from the processes used by
20 the former Independent Multidisciplinary Science Team and other
21 processes for independent scientific reviews.

22 “(7) The task force also shall make recommendations regarding the
23 structure and function of the process to be used by the recommended
24 entities in the course of independent scientific reviews. In making
25 recommendations under this subsection, the task force shall consider:

26 “(a) Whether the entity should respond to inquiries from the
27 Governor’s office or the Legislative Assembly, the citizen boards of
28 natural resources agencies or from other appropriate parties;

29 “(b) Whether the entity should independently select science issues
30 to review;

1 “(c) Whether a state agency should be required to respond in writ-
2 ing to a report issued by an independent scientific review panel, ex-
3 plaining how the agency intends to implement the panel’s suggestions
4 or why the agency does not plan to implement the suggestions;

5 “(d) How to enhance involvement of the University of Oregon,
6 Oregon State University, Portland State University and other univer-
7 sities in the independent scientific review process; and

8 “(e) How to provide a scientific review process that is open to the
9 public and that inspires public confidence in, and understanding of,
10 the review process without compromising the independence of the re-
11 view.

12 “(8) A majority of the voting members of the task force constitutes
13 a quorum for the transaction of business.

14 “(9) Official action by the task force requires the approval of a
15 majority of the voting members of the task force.

16 “(10) The task force shall elect one of the voting members to serve
17 as chairperson.

18 “(11) If there is a vacancy for any cause, the Governor shall, in
19 consultation with the Vice Presidents of Research, or their designees,
20 at Oregon State University, the University of Oregon and Portland
21 State University, make an appointment to become immediately effec-
22 tive.

23 “(12) The task force shall meet at times and places specified by a
24 majority of the voting members of the task force.

25 “(13) The task force may adopt rules necessary for the operation
26 of the task force.

27 “(14) The task force shall have its first meeting on or before Janu-
28 ary 1, 2016.

29 “(15) The task force shall submit a report of its findings and rec-
30 ommendations to the Governor and to an appropriate committee of the

1 Legislative Assembly in the manner provided in ORS 192.245 no later
2 than September 15, 2016.

3 “(16) The Institute for Natural Resources shall provide staff support
4 to the task force.

5 “(17) Members of the task force are not entitled to compensation,
6 but may be reimbursed for actual and necessary travel and other ex-
7 penses incurred by them in the performance of their official duties in
8 the manner and amounts provided for in ORS 292.495. Claims for ex-
9 penses shall be paid out of funds appropriated to the Institute for Na-
10 tural Resources for purposes of the task force.

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

16 “SECTION 3. Sections 1 and 2 of this 2015 Act are repealed on Jan-
17 uary 2, 2019.

18

19 “INSTITUTE FOR NATURAL RESOURCES

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21 “SECTION 4. ORS 352.239 is amended to read:

22 “352.239. [(1) *There is created within the Oregon University System the*
23 *Institute for Natural Resources. The Institute for Natural Resources shall be*
24 *administered by Oregon State University and other institutions in the Oregon*
25 *University System.*]

26 “(1) The Institute for Natural Resources is established at Oregon
27 State University. In administering the institute, Oregon State Uni-
28 versity may seek the cooperation of other public universities listed in
29 ORS 352.002.

30 “(2) The Institute for Natural Resources shall serve the following pur-

1 poses:

2 “(a) Serve as a clearinghouse for scientifically based natural resources
3 information.

4 “(b) Provide scientifically based natural resources information to the
5 public in integrated and accessible formats.

6 “(c) Coordinate efforts with other state agencies and bodies to provide
7 natural resources information to the public in a comprehensive manner.

8 “(d) Facilitate and conduct research.

9 “(e) Provide information and technical tools to assist decision-making on
10 natural resources issues.

11 “(f) Assist the State Parks and Recreation Commission in carrying out the
12 Natural Areas Program by maintaining a data bank that contains a classi-
13 fication of natural heritage resources and an inventory of the locations of
14 the resources. At a minimum, the institute shall record in the data bank the
15 location of state natural areas, the natural heritage resources in those areas,
16 sites that are inhabited by rare species, and lists that rank by rarity species,
17 plant communities and ecosystem types. The institute shall make the infor-
18 mation included in the data bank available to private landowners, research-
19 ers and local, state and federal agencies.

20 “(g) Assist the State Parks and Recreation Department in carrying out
21 the Natural Areas Program by reviewing and providing recommendations on
22 proposals for registration and dedication of natural areas.

23 “(3) When making observations on private land, an employee of [*an in-*
24 *stitution in the Oregon University System*] **a public university listed in ORS**
25 **352.002** who is compiling information for the Natural Areas Program pursu-
26 ant to subsection (2)(f) of this section must obtain permission from the
27 landowner before **entering private land, collecting information or enter-**
28 **ing the information into the data bank.**

29 “(4) Using existing resources, state agencies designated by the Governor
30 shall enter into a memorandum of understanding, or other agreement deemed

1 appropriate by the Governor, with the institute that defines and clarifies the
2 roles and responsibilities of the agencies in order to prevent duplication of
3 effort and to ensure that agency resources are used efficiently.

4 “(5) State agencies may contract with the institute to fulfill agency needs
5 regarding the collection, storage, integration, analysis, dissemination and
6 monitoring of natural resources information and natural resources research
7 and training.”.

8 In line 28, delete “6” and insert “5”.

9 In line 29, delete “7” and insert “6”.

10 In line 30, delete “8” and insert “7”.

11 On page 4, line 19, delete “9” and insert “8”.

12 On page 6, line 7, delete “the” and delete “Oregon Academy of”.

13 In line 8, delete the boldfaced material and insert “independent scientific
14 review panels”.

15 On page 7, delete lines 4 through 6 and insert:

16 **“SECTION 9. Section 5 of this 2015 Act, the amendments to ORS
17 541.890 and 541.898 by sections 7 and 8 of this 2015 Act and the repeal
18 of ORS 541.914 by section 6 of this 2015 Act become operative on Jan-
19 uary 1, 2017.”.**

20 In line 10, delete “11” and insert “10”.

21 In line 13, delete “12” and insert “11”.

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