

Enrolled House Bill 2266

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for State Department of Fish and Wildlife)

CHAPTER

AN ACT

Relating to fish hatchery funding; amending sections 1, 2 and 8, chapter 734, Oregon Laws 2015; and declaring an emergency.

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

SECTION 1. Section 1, chapter 734, Oregon Laws 2015, is amended to read:

Sec. 1. (1) The Oregon Hatchery Research Center Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Hatchery Research Center Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the State Department of Fish and Wildlife. The fund shall consist of:

(a) All moneys received from the surcharge on angling licenses imposed by section 3 *[of this 2015 Act]*, **chapter 734, Oregon Laws 2015**; and

(b) All moneys received from the ad valorem fee imposed by section 4 *[of this 2015 Act]*, **chapter 734, Oregon Laws 2015**.

(2) *[Except as provided in subsection (3) of this section,]* Moneys in the fund may be expended only on research projects recommended by the Oregon Hatchery Research Center Board.

(3) *Any unexpended and unobligated balance in the Oregon Hatchery Research Center Fund as calculated on July 1 of each year shall be transferred to the Hatchery Construction Fund.*

SECTION 2. Section 2, chapter 734, Oregon Laws 2015, is amended to read:

Sec. 2. The Hatchery Construction Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Hatchery Construction Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the State Department of Fish and Wildlife. The fund shall consist of *[moneys transferred to the fund under section 1 of this 2015 Act and]* any moneys *[transferred]* **appropriated** to the fund by the Legislative Assembly **and moneys received by the department for the purposes established in this section in the form of gifts, grants, bequests, endowments or donations**. Moneys in the fund may be expended only to improve, upgrade or replace current coastal hatchery facilities in order to incorporate new technologies *[or to make physical improvements to the hatchery facilities]*.

SECTION 3. Section 8, chapter 734, Oregon Laws 2015, as amended by section 53, chapter 779, Oregon Laws 2015, is amended to read:

Sec. 8. (1)(a) Sections *[1, 2,]* 4 and 7, chapter 734, Oregon Laws 2015, are repealed on January 2, 2027.

(b) Section 3, chapter 734, Oregon Laws 2015, as amended by section 52 *[of this 2015 Act]*, **chapter 779, Oregon Laws 2015**, is repealed on January 2, 2027.

(c) **Section 1, chapter 734, Oregon Laws 2015, as amended by section 1 of this 2017 Act, is repealed on January 2, 2027.**

(2) Any balance in the Oregon Hatchery Research Center Fund that is unexpended and unobligated on the date of the repeal of section 1, chapter 734, Oregon Laws 2015, and all moneys that would have been deposited in the Oregon Hatchery Research Center Fund had section 1, chapter 734, Oregon Laws 2015, remained in effect, shall be transferred to and deposited in *[the Fish Endowment Subaccount in the Fish and Wildlife Account, and are appropriated for expenditure as in the case of other moneys in the Fish Endowment Subaccount]* **the Hatchery Construction Fund, and are appropriated for expenditure as in the case of other moneys in the Hatchery Construction Fund.**

[(3) Any balance in the Hatchery Construction Fund that is unexpended and unobligated on the date of the repeal of section 2, chapter 734, Oregon Laws 2015, and all moneys that would have been deposited in the Hatchery Construction Fund had section 2, chapter 734, Oregon Laws 2015, remained in effect, shall be transferred to and deposited in the Fish Endowment Subaccount in the Fish and Wildlife Account, and are appropriated for expenditure as in the case of other moneys in the Fish Endowment Subaccount.]

SECTION 4. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by House March 14, 2017

Received by Governor:

Repassed by House May 11, 2017

.....M.,....., 2017

Approved:

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2017

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Tina Kotek, Speaker of House

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Kate Brown, Governor

Passed by Senate May 9, 2017

Filed in Office of Secretary of State:

.....M.,....., 2017

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Peter Courtney, President of Senate

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Dennis Richardson, Secretary of State