

Senate Bill 198

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Environment and Natural Resources)

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 Independent Science Review Board.

Establishes Independent Scientific Review Secretariat as administrative section within the Institute for Natural Resources at Oregon State University.

Establishes Independent Scientific Review Fund. Continuously appropriates moneys in fund to Higher Education Coordinating Commission for distribution to Oregon State University for purposes of board and secretariat.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to independent scientific review; and declaring an emergency.

3 Whereas Oregon's natural resource agencies, legislators and the public would benefit from in-
4 dependent science reviews; and

5 Whereas for an independent science review program to be beneficial, independent science re-
6 views need to be focused appropriately and carried out in a deliberate, transparent manner; and

7 Whereas most single-agency science review needs can be met with existing state, federal and
8 academic resources, but review practices and capacity for conducting science reviews vary consid-
9 erably among state agencies; and

10 Whereas there is a need for independent science review of natural resource issues that are
11 complex and multidisciplinary, that require the involvement of multiple agencies and that are rele-
12 vant to stakeholders and lawmakers; and

13 Whereas existing state resources are not adequate to address the needs presented by such
14 complex, multidisciplinary natural resource issues; and

15 Whereas independent science review mechanisms and structures that are used for natural re-
16 source policymaking in other states and at the federal level can inform a process for independent
17 science reviews in Oregon; and

18 Whereas there is also a need for Oregon to develop a tailored approach to independent science
19 reviews, drawing upon the lessons learned from other state and federal independent science review
20 processes in order to reduce the potential risks of independent science reviews; now, therefore,

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

22 **SECTION 1. (1) The Oregon Independent Science Review Board is created. The board**
23 **consists of seven members appointed by the Governor.**

24 **(2) Persons appointed members of the board must possess the following attributes:**

25 **(a) Scientific or technical expertise, which may include legal or policy expertise, relevant**
26 **to a broad range of natural resource disciplines;**

27 **(b) A willingness to engage with stakeholders in natural resource issues and maintain**

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 transparency with regard to the work of the board;

2 (c) An ability to communicate complex technical issues in a straightforward manner;

3 (d) An ability to extract meaningful, addressable scientific questions from complex na-
4 tural resource issues;

5 (e) Objectivity and familiarity with independent scientific review processes;

6 (f) An ability to chair an independent science review process that involves receiving input
7 from a large number of experts effectively and efficiently;

8 (g) Familiarity with the state of Oregon's natural resources and the communities and
9 sectors that rely on Oregon's natural resources for their well-being; and

10 (h) An ability to identify and engage the needed expertise for each issue being addressed
11 in the course of independent science review.

12 (3) The term of office of each member of the board is four years, but a member serves
13 at the pleasure of the Governor. Before the expiration of the term of a member, the Gover-
14 nor shall appoint a successor whose term begins on January 1 next following. A member is
15 eligible for reappointment, but may serve as a member for no more than two consecutive
16 terms. If there is a vacancy for any cause, the Governor shall make an appointment to be-
17 come immediately effective for the unexpired term.

18 (4) At the first meeting of each year, the board shall elect one of its members to serve
19 as chairperson. The chairperson shall have a term of one year, with duties and powers that
20 the board determines are necessary for the performance of the functions that the board as-
21 signs to the chairperson.

22 (5) A majority of the members of the board constitutes a quorum for the transaction of
23 business.

24 (6) Official action by the board requires the approval of a majority of the members of the
25 board.

26 (7) The board shall meet at times and places specified by the call of the chairperson or
27 of a majority of the members of the board.

28 (8) The board may adopt rules necessary for operation of the board.

29 (9) A member of the board is entitled to compensation and expenses as provided in ORS
30 292.495.

31 **SECTION 2.** Notwithstanding the term of office specified by section 1 of this 2017 Act,
32 of the members first appointed to the Oregon Independent Science Review Board:

33 (1) Two shall serve for terms ending January 1, 2020.

34 (2) Two shall serve for terms ending January 1, 2021.

35 (3) Two shall serve for terms ending January 1, 2022.

36 (4) One shall serve for a term ending January 1, 2023.

37 **SECTION 3.** The Oregon Independent Science Review Board shall:

38 (1) Receive, evaluate and direct the Independent Scientific Review Secretariat to convene
39 independent scientific review panels to address requests by state agencies, local governments
40 and private persons for independent scientific review of complex, multidisciplinary natural
41 resource issues that require the involvement of multiple agencies.

42 (2) Assist the secretariat in identifying, recruiting and selecting persons to serve on in-
43 dependent scientific review panels.

44 (3) Assist in framing the questions to be addressed by independent scientific review pan-
45 els.

1 (4) Provide for leadership and management of independent scientific review panels by
2 developing a process by which individual members of the board shall be assigned to serve as
3 chairperson for individual independent scientific review panels.

4 (5) Provide other advice and direction as necessary to support the activities of the
5 secretariat.

6 (6) Approve the final membership of each independent scientific review panel as desig-
7 nated by the secretariat.

8 (7) Establish policy and procedures for the secretariat and programs and activities ad-
9 ministered by the secretariat.

10 **SECTION 4.** (1) The Independent Scientific Review Secretariat is established as an ad-
11 ministrative section within the Institute for Natural Resources established at Oregon State
12 University under ORS 352.808, subject to the supervision of the Administrator of the Inde-
13 pendent Scientific Review Secretariat and the policies and procedures established by, and
14 recommendations of, the Oregon Independent Science Review Board.

15 (2) The secretariat consists of the administrator and all personnel employed in the
16 secretariat.

17 (3) Subject to subsection (1) of this section, the secretariat shall develop and administer
18 programs as set forth in this section and section 5 of this 2017 Act and administer funds
19 available in the Independent Scientific Review Fund created in section 7 of this 2017 Act.

20 (4) The secretariat shall provide the board with staff and other assistance as necessary
21 for the board to perform its duties.

22 **SECTION 5.** (1) The Independent Scientific Review Secretariat shall:

23 (a) Assist the Oregon Independent Science Review Board in identifying the type of inde-
24 pendent scientific review necessary to address a particular issue presented to the board.

25 (b) Serve as the primary point of contact for members of the public for matters related
26 to the activities of the board and the secretariat.

27 (c) Supervise and assist in establishing the scope of work and other administrative mat-
28 ters applicable to independent scientific review panels.

29 (d) Maintain a list of experts available to participate as members of independent scientific
30 review panels.

31 (2) The secretariat may:

32 (a) Conduct hearings and conferences to develop facts, to explain programs and activities
33 and to obtain advice.

34 (b) Enter into agreements with other public bodies, as defined in ORS 174.109, or associ-
35 ations or private persons for services to assist the secretariat and the board.

36 (c) Enter into agreements with other public bodies, as defined in ORS 174.109, the federal
37 government, associations or private persons for cooperative endeavors that further pro-
38 grams administered by the secretariat.

39 (d) Obtain assistance or data from any state agency.

40 (e) Perform any other act necessary to carry out the duties of the secretariat.

41 **SECTION 6.** (1) The Governor, upon consultation with the Oregon Independent Science
42 Review Board, shall appoint an Administrator of the Independent Scientific Review
43 Secretariat who shall serve at the pleasure of the Governor.

44 (2) The Governor shall set the compensation of the administrator.

45 (3) The administrator shall be the administrative head of the secretariat.

1 (4) The administrator shall hire the staff necessary to allow the secretariat to carry out
2 its duties. In accordance with the State Personnel Relations Law, the administrator and any
3 manager hired by the administrator shall be in the unclassified service.

4 SECTION 7. (1) The Independent Scientific Review Fund is established in the State
5 Treasury, separate and distinct from the General Fund. Interest earned by the Independent
6 Scientific Review Fund shall be credited to the fund. Moneys in the Independent Scientific
7 Review Fund are continuously appropriated to the Higher Education Coordinating Commis-
8 sion to be distributed to Oregon State University for the purposes of sections 1 to 6 of this
9 2017 Act.

10 (2) The Independent Scientific Review Fund consists of all moneys appropriated or
11 transferred to the fund and moneys received as gifts, grants or contributions from any
12 source, whether public or private.

13 SECTION 8. This 2017 Act being necessary for the immediate preservation of the public
14 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
15 on its passage.
16 _____