

Senate Bill 261

Sponsored by Senator ROBLAN, Representatives GOMBERG, MCKEOWN; Representative SMITH DB (Presession filed.)

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**.

Appropriates moneys for distribution to Oregon Coast Aquarium for purposes for which aquarium's current capital campaign has been undertaken.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to an appropriation for the Oregon Coast Aquarium; and declaring an emergency.

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

4 **SECTION 1. There is appropriated to the Oregon Department of Administrative Services,**
5 **for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$10,000,000,**
6 **to be distributed to the Oregon Coast Aquarium for the purposes set forth in section 2 of this**
7 **2019 Act.**

8 **SECTION 2. (1) The Legislative Assembly finds that the Oregon Coast Aquarium plays a**
9 **significant role in the educational, cultural, economic and social life of Oregon by:**

10 (a) **Expanding ocean literacy education;**

11 (b) **Attracting tourism to the surrounding community and the state; and**

12 (c) **Rehabilitating the growing number of marine animals stranded along the Oregon**
13 **coast due to changing ocean conditions.**

14 (2) **Moneys distributed to the Oregon Coast Aquarium under section 1 of this 2019 Act**
15 **may be used by the aquarium for any of the following projects, which have been identified**
16 **as priorities for the aquarium's current capital campaign:**

17 (a) **Remodeling the entryway and cafe;**

18 (b) **Improving three galleries;**

19 (c) **Creating a nature play area with a forestry theme;**

20 (d) **Enhancing ocean literacy education programming; and**

21 (e) **Constructing and furnishing a marine wildlife rehabilitation and education center for**
22 **assessment, urgent care, surgery, research and veterinary practicums and other marine**
23 **science education.**

24 **SECTION 3. This 2019 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
26 **on its passage.**

27





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.

Oceanscape Network - Oceanscape Aquarium Experience - Home | Oceanscape Aquarium

oceanscape.aquarium.org/experience

Oregon Coast Aquarium
Oceanscape Network
Explore Experience Educate

Experience
Enjoying Nature Landmark Places Youth Activities

Find us:    

Learn new skills or discover new hobbies.

Landmark Place
National Historic OREGON TRAIL Interpretive Center

ROV Building

Beach Combing

goodreads

CRABBING

tumblr.
PHOTOS, VIDEOS, ART, MORE.

Featured Youth Activities

Cycling
There's no better place to get involved in this popular sport than on the Oregon Coast.

Kayaking
Kayaking is not only a popular recreational activity in the Pacific Northwest, but a great way to explore Oregon's numerous waterways.

Skateboarding
By far one of the most popular sports among young adults, skateboarding is a relatively new phenomenon. Learn more about it in this feature.

Photography and Videography
Learn the basics so you can take better photos and videos in nature.

Building ROVs
If you're interested in engineering, try building a remotely operated underwater robot!

Fishing
The Oregon Coast and its numerous lakes and rivers provide plenty of opportunity for anglers.

Surfing
With 300 miles of coast, sandy beaches and pounding waves, Oregon is a surfer's paradise.

Fossil Hunting
Remnants from Oregon's prehistoric past can be found lying on many of our public beaches.

Treasure Hunting
Treasure hunting has many forms, from metal detecting to finding fossils.

Life In Ruins
Looking for an interesting project on observing nature? Look at life in an abandoned place.

Camping
Whether overnight or over a week, camping is an immersive back-to-nature experience.

Picnicking
This simple and fun way to enjoy the outdoors can compliment other activities, too.

Outdoor Etiquette
Manners count, even outdoors. Let's face it, we head outdoors because we want to enjoy nature and have fun.

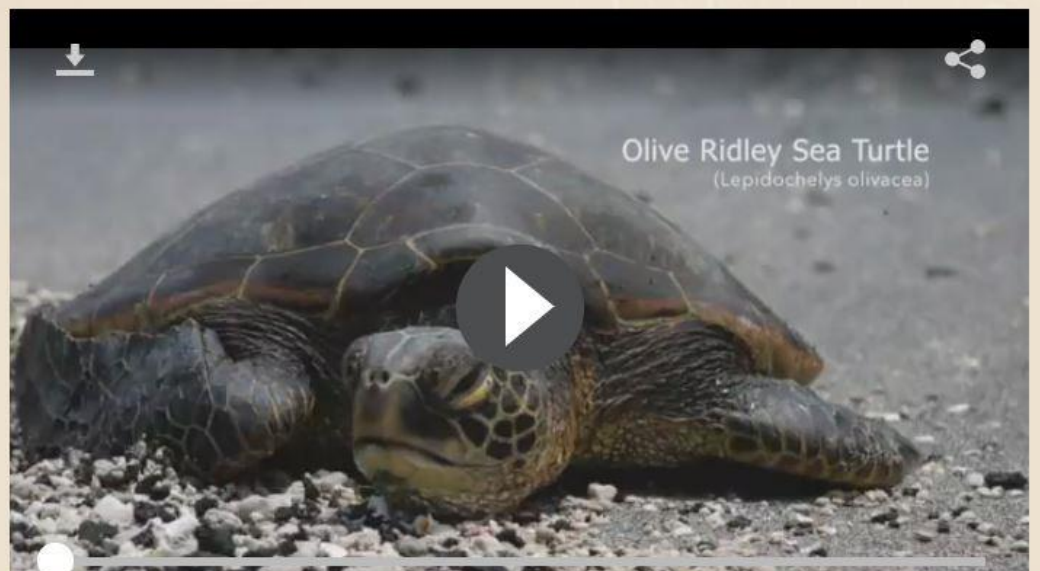


Sea turtles normally live in the tropical waters of Earth's oceans, but every once in a while they lose their way and need some help from people. Starting in Fall 2015, an unusually large number

of endangered **green sea turtles** and **olive ridley sea turtles** have found their way into the colder waters of the **Pacific Northwest**.

"We're not entirely certain why this is happening," said Mark Murray, an aquarist and **sea turtle expert** with the **Oregon Coast Aquarium**.

Mark reports that approximately 10 **sea turtles** have turned up on beaches from northern **California** to southern **Alaska** during the past few months. It is likely that many are being pushed northward by a series of complex weather patterns over the equatorial **Pacific Ocean** known as "**El Nino**." Because these weather patterns generally move from west to east, the **Pacific** coast of North America is often dramatically impacted by the effects of "**El Nino**." The **National Oceanic and Atmospheric Administration** has predicted that the 2015-16 "**El Nino**" may be the strongest in decades. Affected areas will see a warming in **ocean** temperatures, unusually strong currents and heavy rainfall resulting in flooding.



District
Director

Person to Contact:

Barbara S. Cowans
Telephone Number:

FEB 7 1994

(213) 894-2336
Refer Reply to:

OREGON COAST AQUARIUM

EO (1208) 93
Date:

Oregon Coast Aquarium
2820 SE Ferry Slip Rd.
Newport, OR 97365-5259

JAN 21 1994

RE: Oregon Coast Aquarium
EIN: 93-0877807

Gentlemen:

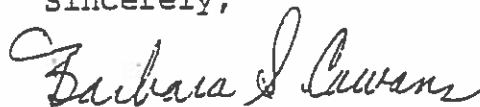
This letter is in response to your request for a copy of the determination letter for the above named organization.

Our records indicate that this organization was recognized to be exempt from Federal Income Tax in May 1985 as described in Internal Revenue Code Section 501(c)(3). It is further classified as an organization that is not a private foundation as defined in Section 509(a) of the code, because it is an organization described in Section 170(b)(1)(A)(vi).

The exempt status for the determination letter issued in May 1985 continues to be in effect.

If you need further assistance, please contact our office at the above address or telephone number.

Sincerely,



BARBARA S. COWANS
Disclosure Assistant

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. OREGON COAST AQUARIUM	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) <u>5</u> Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. 2820 SE FERRY SLIP RD	Requester's name and address (optional)
6 City, state, and ZIP code NEWPORT OREGON 97365	
7 List account number(s) here (optional)	

Print or type. See Specific Instructions on page 3.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
or									
Employer identification number									
9	3	-	0	8	7	7	8	0	7

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶ <u>7-25-18</u>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

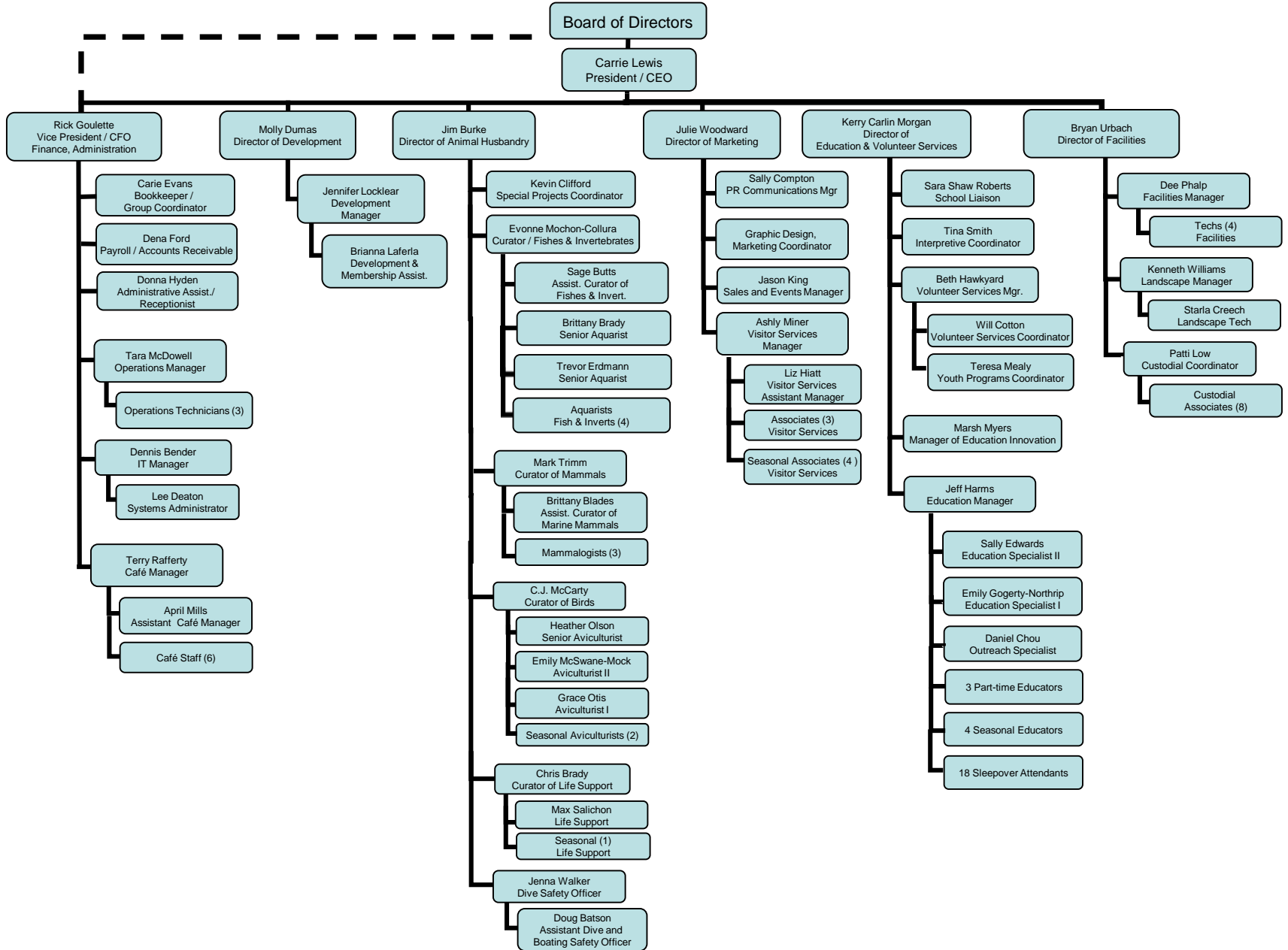
- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Oregon Coast Aquarium Organization Chart January 2019



OREGON COAST AQUARIUM BOARD OF DIRECTORS – 2019

Executive Committee

Joe Postlewait, Chair, SVP Credit Admin & IO, Oregon Coast Bank - Newport, OR
Charlotte Boxer, Secretary, Owner, The Deep End Café - Portland, OR
W. Brent Denham, Second Vice Chair/, Project Manager, PacifiCorp- Vancouver, WA
Jay B. Fineman, At-Large, Veterinarian (Retired) - Newport, OR
Signe Grimstad, First Vice Chair/Treasurer, CPA, Grimstad & Associates - Newport, OR
David Shafer, Retired Principal, Ernst & Young – Gleneden Beach, OR
Carrie E. Lewis, Ex-Officio, President/CEO, Oregon Coast Aquarium
Rick Goulette, Ex-Officio, Chief Financial Officer, Oregon Coast Aquarium

Members

Laura Anderson, Owner, Local Ocean Seafoods - Newport, OR
Dustin Capri, AIA, Capri Architecture – Newport, OR
Dr. Robert K. Cowen, Director, OSU Hatfield Marine Science Center – Newport, OR
Kristen G. Hilton, Attorney, Sussman Shank LLP – Portland, OR
Barry Miller, President, Bales & Lamb’s Marketplace/VP Perishables, Signature NW – Portland, OR
Dr. Birgitte Ryslinge, Ph.D., President, Oregon Coast Community College – Newport, OR
Brand Schlesinger, Schlesinger Companies – Portland, OR
Peter A. Tuana, Retired Superintendent of Schools, Philomath School District

Advisory Council

Mark Collson, Retired, Western States Insurance
Al Gleason, Retired CEO, Pacificorp
Douglas Hunt, Commissioner, Lincoln County
Larkin Kaliher, Barney & Larkin Construction (Retired) - Portland, OR
Spencer R. Nebel, City Manager, City of Newport
Barry Schlesinger, Partner, Schlesinger Companies – Portland, OR
Bob Wienert, Owner, Road & Driveway Company

Board Emeritus

Dave Bosworth, Retired Owner, Euro-Pacific International Corp.
Don Davis, Retired City Manager, City of Newport
Gerry Frank, President, Gerry’s Frankly Speaking
Willoughby Greenwood, The Ferry Cabin
Milo Ormseth, Retired Partner, Stoel Rives LLP
Ken Thrasher, Chairman, Compli
Darlene Hooley, Honorary Board Member



**OREGON COAST
AQUARIUM**
2018/2019 Annual budget

Support and revenue:

Admission Receipts	\$6,777,230
Memberships	766,150
Donations & grants	500,000
County Room Tax	219,100
Interest Income	2,700
Rental Income	1,053,660
Food Service	586,700
All Other Revenue	146,635
Total support and revenue	<u>10,052,175</u>

Expenses:

Cost of sales	149,000
Wages & Salaries	3,476,197
Payroll taxes	321,219
Employee benefits	739,283
Advertising & Promotion	666,110
Interest	498,480
Supplies	702,095
Leasehold expense	12,432
Rent	15,940
Travel	94,165
Communications	25,800
Maintenance and Repairs	253,190
Insurance	139,387
Depreciation	1,044,000
Services Purchased	732,129
Utilities	460,610
Postage and Shipping	24,480
Staff Education and Prof Develop	46,430
Bank Fees	191,400
Taxes	12,800
Other	80
Total Expenses	<u>9,605,227</u>

Net Income (Loss)	<u>446,948</u>
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Oregon Coast Aquarium. Four Year Pro Forma

FYE - Sept. 30	Current Year	2018/2019	2019/2020	2020/2021	2021/2022
Support and revenue:					
Admission Receipts (a)	\$6,463,150	\$6,561,790	\$7,062,000	\$7,062,000	\$7,062,000
Memberships	757,570	763,770	785,000	790,000	800,000
Donations & grants	500,000	500,000	500,000	500,000	500,000
County Room Tax	191,600	219,100	220,000	220,000	220,000
Interest Income	1,410	2,620	2,650	2,620	2,620
Rental Income	941,130	1,051,160	1,070,000	1,080,000	1,090,000
Food Service (b)	611,410	583,200	641,520	705,672	776,239
All Other Revenue	153,870	145,135	150,000	150,000	150,000
Total support and revenue	9,620,140	9,826,775	10,431,170	10,510,292	10,600,859
Expenses:					
Cost of sales (c)	149,000	149,000	147,550	162,305	178,535
Wages & Salaries (d)	3,337,073	3,442,861	3,546,147	3,652,531	3,762,107
Payroll taxes (d)	307,130	318,111	326,246	336,033	346,114
Employee benefits (d)	735,113	736,663	780,152	803,557	827,664
Advertising & Promotion	653,860	666,110	675,000	675,000	675,000
Interest	521,604	498,480	498,480	436,780	393,134
Supplies	654,545	701,205	736,265	773,079	811,732
Leasehold expense	12,432	12,432	12,432	12,432	12,432
Rent	15,940	15,940	15,940	15,940	15,940
Travel	77,135	94,505	95,000	95,000	95,000
Communications	25,800	25,800	26,000	26,000	26,000
Maintenance and Repairs	214,944	253,190	254,000	256,000	260,000
Insurance	128,400	128,400	128,500	128,500	129,000
Depreciation	1,068,000	1,044,000	1,050,000	1,055,000	1,060,000
Services Purchased	601,566	673,236	673,500	674,000	674,000
Utilities	446,535	460,610	461,000	462,000	465,000
Postage and Shipping	19,300	24,480	25,000	25,000	25,000
Staff Education and Prof Develop	32,740	45,430	46,000	46,000	46,000
Bank Fees	175,400	191,400	191,500	191,500	191,500
Taxes	12,800	12,800	13,000	13,200	13,500
Other	80	80	80	80	80
Total Expenses	9,189,397	9,494,733	9,701,791	9,839,936	10,007,738
Net Income (Loss)	430,743	332,042	729,379	670,356	593,121

(a) Increase in attendance revenue due to admission price increases.

(b) Increase in food service income due to café and lobby remodel and ability to hold larger after hour catered events.

(c) Cost of sales increase due to food service sales.

(d) There will be no significant increase in wages, taxes and benefits due to remodeling changes.



Mission: We create unique and engaging experiences that connect you to the Oregon Coast and inspire ocean conservation.

Vision: The Oregon Coast Aquarium is a captivating destination and a trusted resource for ocean education and conservation in the Pacific Northwest.

Values:
 Respect, Teamwork, Passion,
 Guest-Focused, Creativity,
 Quality, Continuous Evolution,
 Integrity, Sustainability

	Deliver Memorable Experiences	Create a Compelling Sense of Place	Be a Recognized Authority
Why?	Providing great guest experiences is a proven way to attract visitors, create repeat visitors, grow membership, and increase stay time--all important ways to add to the bottom line for both mission and revenue.	The Oregon coast is imbued with a strong sense of place and the Aquarium is perfectly situated and designed to capture it.	Becoming a recognized authority and a trusted resource for the health of the oceans is a bold but achievable vision for the Aquarium.
Strategic Areas of Focus	<ul style="list-style-type: none"> Enhance & Increase Guest Interactions Create Personalization of Experiences Refresh and add Exhibits & Interpretation Strengthen Connection to Outdoors Further Develop Programming 	<ul style="list-style-type: none"> Create Connections to Pond & Estuary Reimagine Amenities to Align with Mission Begin the Experience at the Entry Expand and Maintain a Diverse Collection Offer Programming to extend experience beyond the facility 	<ul style="list-style-type: none"> Share Our Stories of Caring & Conservation Develop Authority Brand around core Conservation Focus areas Demonstrate Animal Care Best Practices Nurture Partnerships with Community Serve a Resource Role on regional conservation issues
Early Actions	<p>Enhance the ‘first touch’ in and the ‘last touch’ out of the Aquarium</p> <p>Maximize use of new presentation stage</p>	<p>Develop and implement a strategy and plan to improve physical elements of entry and exit experience, e.g. estuary overlook, signage.</p> <p>Increase animal diversity, including program animals</p>	<p>Identify Key Conservation Focus Areas; define current strengths, e.g. <i>dive-based research; marine debris; marine reserves; ocean acidification</i></p>
Strategies	<ul style="list-style-type: none"> Increase accessibility for animal encounters Enhance behind-the-scene areas/experience Develop matrix for current and desired level and frequency of animal/guest interactions Evaluate and implement encounters Develop exhibit strategy – refresh and changing Improve exhibit signage and lighting Add off campus excursions Develop Concierge ‘experiences’ desk Create ‘<i>Tell Us Your Story</i>’ & ‘<i>Conservation Ask</i>’ 	<ul style="list-style-type: none"> Evaluate and implement green best practices for café and retail amenities to better align with mission <ul style="list-style-type: none"> Water fill stations Explore adding satellite food locations Add Nature Play as part of experience Test and implement technology solutions to enhance the guest experience 	<ul style="list-style-type: none"> Personalize animals in Aquarium’s collection Increase media presence highlighting animal stories Highlight staff stories Increase presentations to peers on conservation focus areas Highlight Aquarium’s work with rehab of birds, turtles, and marine mammals

We've set our sights on a bold vision and have focused on three strategic imperatives to attain this vision. We recognize that in order to take even the first step in this ambitious journey, we need to commit to pursuing excellence in four foundational areas without which we will falter.

	Animal Welfare	Financial Sustainability	Strong and Stable Organization	Brand
Strategic Areas of Focus	<p>We are committed to providing unparalleled excellence in care and the best quality of life for our animal collection.</p> <ul style="list-style-type: none"> • Improve facilities and infrastructure to further enhance animal care • Invest in professional training for animal care staff • Pursue innovative and best-in-class exhibit design, care, and practices 	<p>We will have a sustainable business model, energize our team for growth, and embrace the opportunities our future holds.</p> <ul style="list-style-type: none"> • Strengthen stability of core income streams through strategic attendance growth and pricing adjustments • Further diversify revenue sources through fundraising, partnerships, and added earned revenue 	<p>We commit to strengthen and develop our board and “right-sizing” our staff, always being mindful of the impact of change on our organizational infrastructure.</p> <ul style="list-style-type: none"> • Further develop the Board to achieve our vision • Strategically invest in staff and volunteers • Embrace technology solutions to support our business and our guests 	<p>We will develop our brand as both a destination and a recognized authority on the oceans with a better understanding of our audiences.</p> <ul style="list-style-type: none"> • Refresh our brand to reflect our new mission and vision • Use our stories to better communicate our mission and messages to guests, members, and the community • Develop greater reach and impact across the Pacific Northwest
Early Actions	<p>Create concept Master Plan for Industrial Holding Area Secure vehicle</p>	<p>Assess fundraising campaign and strategy tied to new plan</p>	<p>Create Board Development Plan & Implementation Strategy</p>	<p>Develop and implement new brand strategy and platform</p>
Strategies	<ul style="list-style-type: none"> • Increase enrichment opportunities • Increase diagnostic capabilities • Enhance diet and nutrition analysis • Identify opportunities for additional staff time for training and enrichment • Improve animal holding and quarantine • Improve rehab facility • Secure reliable animal transport 	<ul style="list-style-type: none"> • Conduct research to better understand markets • Explore partnerships to secure outside funding (ODFW) • Continue to grow attendance in shoulder seasons • Evaluate pricing change based on market data • Expand income from add-ons; outdoor experiences, animal encounters, and programs 	<ul style="list-style-type: none"> • Improve volunteer training; Infrastructure; and programs • Evaluate staffing to identify areas of need to support plan • Evaluate Internship opportunities • Identify opportunities to have greater field connections • Increase professional development and training • Upgrade office technology and provide tech training and support 	<ul style="list-style-type: none"> • Conduct market research to better understand market, motivation, and impacts. • Develop mechanisms to gain greater guest and member insights • Increase visibility through PR, partnerships, and signage • Increase member touch points • Confirm scope and reach of outreach efforts

STATE OF OREGON
PROCLAMATION
OFFICE OF THE GOVERNOR

- WHEREAS:** The Oregon Coast Aquarium opened 25 years ago, on May 23, 1992; and
- WHEREAS:** The Oregon Coast Aquarium has attracted 14 million visitors since opening; and
- WHEREAS:** The Oregon Coast Aquarium is consistently ranked nationally among the top ten aquariums; and
- WHEREAS:** The Oregon Coast Aquarium maintains over 250 species and 15,000 animals; and
- WHEREAS:** The Oregon Coast Aquarium is Oregon's only rehabilitation facility authorized by the U.S. Fish and Wildlife Service to provide specialized care to endangered marine life; and
- WHEREAS:** The Oregon Coast Aquarium Education Outreach Programs bring marine science and ocean literacy to more than 35,000 students and 800 teachers in more than 100 schools and 29 Oregon counties annually.

NOW,

THEREFORE: I, Kate Brown, Governor of the State of Oregon, hereby proclaim **May 23, 2017** to be

OREGON COAST AQUARIUM DAY

in Oregon and encourage all Oregonians to join in this observance.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Great Seal of the State of Oregon to be affixed. Done at the Capitol in the City of Salem in the State of Oregon on this day, May 2, 2017.



Kate Brown
Kate Brown, Governor

Dennis Richardson
Dennis Richardson, Secretary of State