

Enrolled
Senate Bill 445

Sponsored by Senator ROBLAN (Pre-session filed.)

CHAPTER

AN ACT

Relating to the Invasive Species Council; creating new provisions; amending ORS 570.770 and 570.775; and prescribing an effective date.

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

SECTION 1. The Invasive Species Council shall report biennially concerning the activities of the council during the previous two years to an interim committee of the Legislative Assembly related to natural resources in the manner provided in ORS 192.245. The report may include other material at the discretion of the council.

SECTION 2. ORS 570.770 is amended to read:

570.770. [(1) *The Invasive Species Council is established within the State Department of Agriculture. The council shall consist of 18 members. The State Invasive Species Coordinator appointed under ORS 570.780 is a nonvoting ex officio member of the council. The following persons are voting ex officio members of the council:*]

[(a) *The Director of Agriculture or a designated representative.*]

[(b) *The president of Portland State University or a designated representative.*]

[(c) *The State Fish and Wildlife Director or a designated representative.*]

[(d) *The administrative head of the Sea Grant College of Oregon State University or a designated representative.*]

[(e) *The State Forester or a designated representative.*]

[(f) *The Director of the Department of Environmental Quality or a designated representative.*]

[(g) *The State Marine Director or a designated representative.*]

[(2) *The voting ex officio members of the council described in subsection (1) of this section shall collectively appoint 10 voting members to the council.*]

[(3) *The term of office of each appointed voting member is two years, but an appointed voting member serves at the pleasure of the voting ex officio members of the council. Before the expiration of a term, the voting ex officio members of the council shall appoint a successor whose term begins on January 1 next following. An appointed voting member may not serve more than two successive terms on the council. If there is a vacancy in an appointed voting member position for any cause, the voting ex officio members of the council shall make an appointment to become immediately effective for the unexpired term.*]

[(4) *In making appointments to the council, the voting ex officio members of the council shall endeavor to appoint persons representative of the geographic, cultural and economic diversity of this state. The voting ex officio members of the council may give consideration to nominations submitted by federal and state agencies, local governments, universities, industry and other groups having an interest in invasive species.*]

(1) The Invasive Species Council is established within the State Department of Agriculture. Except as provided in subsection (2) of this section, the council consists of 22 members, as follows:

(a) Eight members are ex officio voting members with terms that do not expire. The ex officio voting members are:

(A) The Director of Agriculture, or a designated representative.

(B) The Director of the Center for Lakes and Reservoirs, or a designated representative.

(C) The State Fish and Wildlife Director, or a designated representative.

(D) The director of the Sea Grant College program, or a designated representative.

(E) The State Forester, or a designated representative.

(F) The Director of the Department of Environmental Quality, or a designated representative.

(G) The State Marine Director, or a designated representative.

(H) The State Parks and Recreation Director, or a designated representative.

(b) Ten members are voting members. The ex officio voting members identified in paragraph (a) of this subsection shall jointly appoint the voting members for a term of two years, but each appointed voting member serves at the pleasure of the ex officio voting members. Before a voting member's term expires, the ex officio voting members shall appoint a successor with a term that begins on January 1 next following. An appointed voting member may not serve on the council for more than two consecutive terms. If a vacancy in a voting member's position occurs, the ex officio members shall make an appointment that becomes immediately effective and that continues until the end of the term of the vacating voting member. In appointing voting members, the ex officio voting members shall ensure to the extent possible that the appointments represent the geographic, cultural and economic diversity of this state. Each appointment of a voting member must represent a different category of interest, as follows:

(A) A member who represents an organization or association with the purpose of advocating environmental stewardship;

(B) A member who represents an organization or association that advocates on behalf of private industry in this state;

(C) A member who represents a native American or Indian tribe or association of tribes within this state;

(D) A member who represents an entity, regardless of the form of the entity, with a headquarters or principal operations in Coos, Curry, Douglas, Jackson or Josephine Counties and with a purpose of responding to invasive species concerns;

(E) A member who represents an entity, regardless of the form of the entity, with a headquarters or principal operations in Gilliam, Hood River, Jefferson, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco or Wheeler Counties and with a purpose of responding to invasive species concerns;

(F) A member who represents an entity, regardless of the form of the entity, with a headquarters or principal operations in Clatsop, Columbia, Lincoln or Tillamook Counties and with a purpose of responding to invasive species concerns;

(G) A member who represents an entity, regardless of the form of the entity, with a headquarters or principal operations in Baker, Crook, Deschutes, Grant, Harney, Klamath, Lake or Malheur Counties and with a purpose of responding to invasive species concerns;

(H) A member who represents an entity, regardless of the form of the entity, with a headquarters or principal operations in Benton, Lane, Linn, Marion or Polk Counties and with a purpose of responding to invasive species concerns;

(I) A member who represents an entity, regardless of the form of the entity, with a headquarters or principal operations in Clackamas, Multnomah, Washington or Yamhill Counties and with a purpose of responding to invasive species concerns; and

(J) A member who represents the public.

(c) **Four members are ex officio nonvoting members without a specified term of service. The ex officio nonvoting members are:**

(A) **The State Invasive Species Coordinator;**

(B) **A representative of the Governor with expertise in natural resource issues;**

(C) **A member of the Senate appointed by the President of the Senate;**

(D) **A member of the House of Representatives appointed by the Speaker of the House of Representatives.**

(2) **The voting members of the council shall invite the United States Department of the Interior, the United States Department of Agriculture and the United States Department of Homeland Security, and may invite other federal agencies, to designate representatives as ex officio nonvoting members of the council without specified terms of service.**

[5] (3) A *[voting appointed]* member of the council is not entitled to compensation under ORS 292.495. A member of the council **other than the State Invasive Species Coordinator** is not entitled to reimbursement for expenses. At the discretion of the council, council members may be reimbursed from funds available to the council for actual and necessary travel and other expenses *[incurred by]* **that** members of the council **incur** in *[the performance of their]* **performing the members' official duties**, subject to the limits described in ORS 292.495.

SECTION 3. ORS 570.775 is amended to read:

570.775. (1) The Invasive Species Council **each year** shall select a voting *[ex officio]* member of the council as chairperson and another voting *[ex officio]* member as vice chairperson. *[Each voting ex officio member of the council shall serve one year as chairperson and one year as vice chairperson during any five-year period. The chairperson and vice chairperson shall have duties and powers necessary for the performance of the functions of those offices as a majority of the voting ex officio members determines.]* **The council by rule shall specify terms and provide appropriate duties and powers for the chairperson and vice chairperson.**

(2) A majority of the voting members of the council constitutes a quorum for the transaction of business.

(3) The council shall meet at times and places specified by the call of the chairperson or of a majority of the voting members of the council.

SECTION 4. (1) **Section 1 of this 2019 Act and the amendments to ORS 570.770 and 570.775 by sections 2 and 3 of this 2019 Act become operative on January 1, 2020.**

(2) **The Invasive Species Council may adopt rules and take any other action before the operative date specified in subsection (1) of this section that is necessary to enable the council, on and after the operative date specified in subsection (1) of this section, to exercise all of the duties, functions and powers conferred on the council by section 1 of this 2019 Act and the amendments to ORS 570.770 and 570.775 by sections 2 and 3 of this 2019 Act.**

SECTION 5. This 2019 Act takes effect on the 91st day after the date on which the 2019 regular session of the Eightieth Legislative Assembly adjourns sine die.

Passed by Senate June 29, 2019

.....
Lori L. Brocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House June 30, 2019

.....
Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

.....
Bev Clarno, Secretary of State