

Senate Bill 445

Sponsored by Senator ROBLAN (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**.

Requires Invasive Species Council to report every two years to interim committee of Legislative Assembly concerning activities of council.

Revises membership of Invasive Species Council.

Appropriates moneys to council for specified purposes.

Becomes operative January 1, 2020.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the Invasive Species Council; creating new provisions; amending ORS 570.770 and
3 570.775; and prescribing an effective date.

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

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

9 **SECTION 2.** ORS 570.770 is amended to read:

10 570.770. *[(1) The Invasive Species Council is established within the State Department of Agricul-*
11 *ture. The council shall consist of 18 members. The State Invasive Species Coordinator appointed under*
12 *ORS 570.780 is a nonvoting ex officio member of the council. The following persons are voting ex*
13 *officio members of the council:]*

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

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

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

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

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

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

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

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

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

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 *unexpired term.]*

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

7 **(1) The Invasive Species Council is established within the State Department of Agricul-**
 8 **ture. Except as provided in subsection (2) of this section, the council consists of 22 members,**
 9 **as follows:**

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

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

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

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

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

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

17 **(F) The Director of the Department of Environmental Quality, or a designated repre-**
 18 **sentative.**

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

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

21 **(b) Ten members are voting members. The ex officio voting members identified in para-**
 22 **graph (a) of this subsection shall jointly appoint the voting members for a term of two years,**
 23 **but each appointed voting member serves at the pleasure of the ex officio voting members.**
 24 **Before a voting member's term expires, the ex officio voting members shall appoint a suc-**
 25 **cessor with a term that begins on January 1 next following. An appointed voting member**
 26 **may not serve on the council for more than two consecutive terms. If a vacancy in a voting**
 27 **member's position occurs, the ex officio members shall make an appointment that becomes**
 28 **immediately effective and that continues until the end of the term of the vacating voting**
 29 **member. In appointing voting members, the ex officio voting members shall ensure to the**
 30 **extent possible that the appointments represent the geographic, cultural and economic di-**
 31 **versity of this state. Each appointment of a voting member must represent a different cat-**
 32 **egory of interest, as follows:**

33 **(A) A member who represents an organization or association with the purpose of advo-**
 34 **cating environmental stewardship;**

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

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

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

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

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

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

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

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

13 (J) A member who represents the public.

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

16 (A) The State Invasive Species Coordinator;

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

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

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

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

25 [(5)] (3) A [voting appointed] member of the council is not entitled to compensation under ORS
 26 292.495. A member of the council **other than the State Invasive Species Coordinator** is not en-
 27 titled to reimbursement for expenses. At the discretion of the council, council members may be re-
 28 imburged from funds available to the council for actual and necessary travel and other expenses
 29 [incurred by] **that** members of the council **incur** in [the performance of their] **performing the**
 30 **members'** official duties, subject to the limits described in ORS 292.495.

31 **SECTION 3.** ORS 570.775 is amended to read:

32 570.775. (1) The Invasive Species Council **each year** shall select a voting [ex officio] member of
 33 the council as chairperson and another voting [ex officio] member as vice chairperson. [Each voting
 34 ex officio member of the council shall serve one year as chairperson and one year as vice chairperson
 35 during any five-year period. The chairperson and vice chairperson shall have duties and powers nec-
 36 essary for the performance of the functions of those offices as a majority of the voting ex officio mem-
 37 bers determines.] **The council by rule shall specify terms and provide appropriate duties and**
 38 **powers for the chairperson and vice chairperson.**

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

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

43 **SECTION 4.** (1) **There is appropriated to the Invasive Species Council, for the biennium**
 44 **beginning July 1, 2019, out of the General Fund, the amount of \$250,000, for purposes au-**
 45 **thorized by law. The council shall deposit the moneys appropriated under this subsection into**

1 the Invasive Species Council Account as provided in ORS 570.800.

2 (2) There is appropriated to the Invasive Species Council, for the biennium beginning July
3 1, 2019, out of the General Fund, the amount of \$200,000, for purposes set forth in ORS
4 570.755 and 570.810. The council shall deposit the moneys appropriated under this subsection
5 into the Invasive Species Control Account as provided in ORS 570.810.

6 SECTION 5. (1) Section 1 of this 2019 Act and the amendments to ORS 570.770 and 570.775
7 by sections 2 and 3 of this 2019 Act become operative on January 1, 2020.

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

13 SECTION 6. This 2019 Act takes effect on the 91st day after the date on which the 2019
14 regular session of the Eightieth Legislative Assembly adjourns sine die.

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