

Enrolled
Senate Bill 753

Sponsored by Senator ROBLAN; Representatives GOMBERG, MCKEOWN

CHAPTER

AN ACT

Relating to the Oregon Ocean Science Trust; creating new provisions; amending ORS 196.567; and declaring an emergency.

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

SECTION 1. (1) In order to further the strategic priorities of the Oregon Ocean Science Trust, the executive director of the Oregon Ocean Science Trust may enter into an agreement with a private, nonprofit organization under which the organization shall solicit gifts, grants and donations in support of the work of the trust.

(2) At least 30 days before the executive director may enter into an agreement under subsection (1) of this section, the trust shall:

(a) Submit a copy of the proposed agreement to the Legislative Assembly in the manner provided by ORS 192.245; and

(b) Provide public notice of the proposed agreement on the trust's website.

(3) The executive director may advise, and receive advice from, the organization described in subsection (1) of this section. If allowed by the charter and bylaws of the organization, the executive director may serve as a voting or nonvoting member of the board of directors of the organization, except that the executive director may not:

(a) Serve as chairperson of the board of directors of the organization.

(b) Vote for, or appoint, other members of the board of directors of the organization.

(c) Exercise any control of the financial affairs of the organization.

(d) Oversee the daily operations of the organization.

(4) Each organization described in subsection (1) of this section shall maintain records regarding the gifts, grants and donations solicited in support of the work of the trust and, at the request of the trust, shall provide the trust with the information contained in the records.

(5) Funds received by an organization under this section that are transferred to the trust shall be deposited in the Oregon Ocean Science Fund to be used as provided for in ORS 196.567.

(6) The provisions of this section do not affect the authority of any state agency other than the trust to enter into agreements with private organizations under which the organization shall solicit gifts, grants and donations for the benefit of the state agency.

SECTION 2. ORS 196.567 is amended to read:

196.567. (1) The Oregon Ocean Science Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Ocean Science Fund shall be cred-

ited to the fund. Moneys in the fund are continuously appropriated to the Oregon Ocean Science Trust for the purpose of carrying out the provisions of ORS 196.565, 196.566, 196.568 and 196.569.

(2) The trust may accept grants, donations, contributions or gifts from any source for deposit in the fund.

(3) The fund shall consist of:

- (a) Moneys accepted by the trust pursuant to subsection (2) of this section;
- (b) Moneys appropriated by the Legislative Assembly;
- (c) Interest earned on moneys in the fund; [and]
- (d) Any moneys described in subsection (4) of this section[.]; **and**
- (e) Other moneys deposited in the fund from any source.**

(4) Subject to and consistent with federal law, any moneys received by the State of Oregon from the federal government that constitute the state's distributive share of the amounts collected under the Outer Continental Shelf Lands Act, 43 U.S.C. 1331 et seq., shall be deposited in the fund.

(5) Of the moneys in the fund that are derived from the state's distributive share of the amounts collected under the Outer Continental Shelf Lands Act, 43 U.S.C. 1331 et seq., the coastal county adjacent to the lands containing tracts for which the moneys are received by the state shall receive 30 percent of the distributive share received by the state for those lands. Where the lands containing tracts for which moneys are received are located adjacent to more than one county of this state, each county adjacent to the lands shall receive a portion of the 30 percent allocation that is proportionate to the area of the lands that are adjacent to the county.

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

Passed by Senate March 5, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House April 29, 2019

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Tina Kotek, Speaker of House

Received by Governor:

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

Approved:

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

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Kate Brown, Governor

Filed in Office of Secretary of State:

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

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Bev Clarno, Secretary of State