

B-Engrossed Senate Bill 737

Ordered by the Senate June 21
Including Senate Amendments dated April 23 and June 21

Sponsored by Senator ROBLAN; Senators JOHNSON, KRUSE, WHITSETT

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.

Establishes Oregon Ocean Science Trust and specifies duties of trust. Directs State Land Board to appoint members of trust. Directs Department of State Lands to provide [*clerical, technical and management personnel as needed to serve trust*] **facility and administrative support for meetings of trust as requested** and directs other agencies to provide assistance to trust on priority marine science needs of state.

Establishes Oregon Ocean Science Fund and continuously appropriates moneys in fund to trust for specified purposes. Requires state's distributive share of moneys collected under Outer Continental Shelf Lands Act to be deposited in fund. Requires 30 percent of distributive share to be paid to coastal counties adjacent to lands containing tracts for which distributive share is received. Permits not more than five percent of total moneys in fund to be used to reimburse agencies for assistance to trust.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to ocean resources; appropriating money; and declaring an emergency.

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

OREGON OCEAN SCIENCE TRUST

SECTION 1. (1) The Oregon Ocean Science Trust is established, consisting of five members appointed by the State Land Board.

(2) The term of office of each member is four years, but a member serves at the pleasure of the board. Before the expiration of the term of a member, the board shall appoint a successor whose term begins on January 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the board shall make an appointment to become immediately effective for the unexpired term.

(3) The members specified in subsection (1) of this section must:

(a) Be residents of this state who demonstrate a commitment and interest in the stewardship of Oregon's ocean and coastal resources; and

(b) Have not less than five years' experience in competitive granting, marine science, foundations or fiscal assurance.

(4) A majority of the members of the trust constitutes a quorum for the transaction of business.

(5) The trust shall select one of its members to be the executive director of the trust, for such terms and with the duties and powers that the trust determines are necessary for

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 the performance of the office.

2 (6) The trust shall meet at least twice each year at a place, day and hour determined by
3 the trust. The trust may also meet at other times and places specified by the call of the
4 executive director or of a majority of the members of the trust.

5 (7) The trust may adopt any rules necessary to carry out the duties of the trust.

6 (8) Members of the trust are not entitled to compensation or reimbursement for expenses
7 and serve as volunteers for the trust.

8 (9) The Department of State Lands shall provide a facility and administrative support for
9 the meetings of the trust as requested. Other agencies shall provide support as requested
10 by the trust in order to provide the trust with assistance on the priority marine science
11 needs of the state.

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13 **DUTIES OF THE TRUST**

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15 **SECTION 2.** The Oregon Ocean Science Trust shall:

16 (1) Promote peer-reviewed, competitive research and monitoring that leads to increased
17 knowledge and understanding of Oregon's ocean and coastal resources;

18 (2) Promote innovative, collaborative, community-oriented, multi-institutional ap-
19 proaches to research and monitoring related to Oregon's ocean and coastal resources;

20 (3) Enhance this state's capacity for peer-reviewed scientific ocean and coastal research;
21 and

22 (4) Subject to available funding, establish and execute a competitive grant program to
23 conduct research and monitoring related to Oregon's ocean and coastal resources.

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25 **OREGON OCEAN SCIENCE FUND**

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27 **SECTION 3.** (1) The Oregon Ocean Science Fund is established in the State Treasury,
28 separate and distinct from the General Fund. Interest earned by the Oregon Ocean Science
29 Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the
30 Oregon Ocean Science Trust for the purpose of carrying out the provisions of sections 1, 2,
31 4 and 5 of this 2013 Act.

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

34 (3) The fund shall consist of:

35 (a) Moneys accepted by the trust pursuant to subsection (2) of this section;

36 (b) Moneys appropriated by the Legislative Assembly;

37 (c) Interest earned on moneys in the fund; and

38 (d) Any moneys described in subsection (4) of this section.

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

43 (5) Of the moneys in the fund that are derived from the state's distributive share of the
44 amounts collected under the Outer Continental Shelf Lands Act, 43 U.S.C. 1331 et seq., the
45 coastal county adjacent to the lands containing tracts for which the moneys are received by

1 the state shall receive 30 percent of the distributive share received by the state for those
2 lands. Where the lands containing tracts for which moneys are received are located adjacent
3 to more than one county of this state, each county adjacent to the lands shall receive a
4 portion of the 30 percent allocation that is proportionate to the area of the lands that are
5 adjacent to the county.

6 **SECTION 4.** (1) Moneys deposited in the Oregon Ocean Science Fund may be used to re-
7 imburse:

8 (a) The State Treasurer for the costs of administering the fund as provided in section 3
9 of this 2013 Act.

10 (b) The Department of State Lands for the costs of administering the Oregon Ocean
11 Science Trust as provided in section 1 (9) of this 2013 Act.

12 (c) Other agencies for the costs of providing support to the trust as requested under
13 section 1 (9) of this 2013 Act.

14 (2) The total amount of costs paid under this section may not exceed five percent of the
15 total amount of moneys deposited in the fund during the biennium.

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17 **REPORT TO LEGISLATIVE ASSEMBLY**

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19 **SECTION 5.** The Oregon Ocean Science Trust shall submit a report to the Legislative
20 Assembly, in the manner provided by ORS 192.245, by March 31 of each even-numbered year,
21 describing the progress of the trust in carrying out its duties specified in section 2 of this
22 2013 Act. The report may include relevant issues and trends of significance, including
23 emerging scientific research and public policy.

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25 **MISCELLANEOUS**

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27 **SECTION 6.** Notwithstanding the term of office specified by section 1 of this 2013 Act,
28 of the members first appointed to the Oregon Ocean Science Trust:

29 (1) Two shall serve for a term ending December 31, 2014.

30 (2) Three shall serve for a term ending December 31, 2015.

31 **SECTION 7.** The unit captions used in this 2013 Act are provided only for the convenience
32 of the reader and do not become part of the statutory law of this state or express any leg-
33 islative intent in the enactment of this 2013 Act.

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35 **EMERGENCY CLAUSE**

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37 **SECTION 8.** This 2013 Act being necessary for the immediate preservation of the public
38 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
39 on its passage.