

A-Engrossed
Senate Bill 91

Ordered by the Senate April 7
Including Senate Amendments dated April 7

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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.

Authorizes South Slough National Estuarine Research Reserve Management Commission to adopt rules for certain purposes, including implementing fees to recover costs of management of reserve. Establishes South Slough National Estuarine Research Reserve Management Account in Common School Fund instead of General Fund. Transfers moneys.

A BILL FOR AN ACT

1
2 Relating to the South Slough National Estuarine Research Reserve; creating new provisions; and
3 amending ORS 273.554 and 273.556.

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

5 **SECTION 1.** ORS 273.554 is amended to read:

6 273.554. (1) For the purpose of providing for the administration of the South Slough National
7 Estuarine Research Reserve in a manner consistent with the provisions of ORS 273.553, there is
8 created the South Slough National Estuarine Research Reserve Management Commission. The com-
9 mission shall have the authority, in accordance with the policies formulated by the State Land
10 Board, to:

11 (a) Conduct the day-to-day operation and management of the South Slough National Estuarine
12 Research Reserve with the administrative support of the Department of State Lands;

13 (b) Appoint a manager and other staff necessary to carry out this section; and

14 (c) Apply for, receive and expend moneys from the federal government and from this state or
15 any agency thereof for the purpose of carrying out this section.

16 **(2) In accordance with applicable provisions of ORS chapter 183, the commission may**
17 **adopt rules necessary to:**

18 **(a) Carry out the commission's responsibilities pursuant to ORS 273.553; and**

19 **(b) Implement a system of fees to recover the costs of carrying out the management**
20 **established in ORS 273.553, including fees for use of facilities at the reserve, fees for research**
21 **activities conducted at the reserve, visitor activities fees and parking fees.**

22 [(2)] **(3)** The commission shall consist of eight members appointed by the Governor as follows:

23 (a) A representative of common schools in the area of the reserve;

24 (b) One authorized representative of the Coos County Board of Commissioners;

25 (c) One authorized representative of the governing body of the Port of Coos Bay;

26 (d) The Director of the Department of State Lands or a designee thereof;

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 (e) One authorized representative of the federal Office of Ocean and Coastal Resource Manage-
2 ment;

3 (f) Two representatives with an interest in marine science, one from the University of Oregon
4 Institute of Marine Biology at Charleston and one from Oregon State University; and

5 (g) One member selected from the general public at large.

6 [(3)] (4) The members appointed by the Governor under subsection [(2)(a)] (3)(a), (f) and (g) of
7 this section shall serve for terms of four years and members appointed under subsection [(2)(b)]
8 (3)(b) and (c) of this section shall serve for terms of two years. The Director of the Department of
9 State Lands or the designee of the director, if appointed in place of the director, shall serve as the
10 permanent chairperson of the commission. The commission shall select one of its members as vice
11 chairperson. The chairperson and vice chairperson shall have duties and powers necessary for the
12 performance of the functions of such offices as the commission determines. The vice chairperson
13 shall act as the chairperson of the commission in the absence of the chairperson. The vice chair-
14 person shall serve for a term of one year, subject to reelection by the commission.

15 [(4)] (5) Each member of the commission shall have one vote, except that the member who is the
16 authorized representative of the federal Office of Ocean and Coastal Resource Management shall
17 be a nonvoting member. A majority of the commission constitutes a quorum for the transaction of
18 business.

19 [(5)] (6) Members of the commission are not entitled to compensation, but in the discretion of
20 the State Land Board may be reimbursed for actual and necessary travel and other expenses in-
21 curred by them in the performance of their official duties, subject to laws regulating travel and
22 other expenses of state officers and employees.

23 **SECTION 2.** ORS 273.556 is amended to read:

24 273.556. (1) The South Slough National Estuarine Research Reserve Management Account is
25 established [*in the General*] **within the Common School Fund** [*of the State Treasury*]. Except for
26 moneys otherwise designated by statute, all moneys received by the South Slough National
27 Estuarine Research Reserve Management Commission shall be paid into the State Treasury and
28 credited to the account. All moneys in the account are appropriated continuously and shall be used
29 by the commission for the purpose of carrying out ORS 273.554. **Interest on moneys in the ac-**
30 **count shall be credited to the Common School Fund.**

31 (2) The commission shall keep a record of all moneys deposited in the account. The record shall
32 indicate by separate cumulative accounts the source from which the moneys are derived and the
33 individual activity or program against which each withdrawal is charged.

34 **SECTION 3. On the effective date of this 2005 Act, the South Slough National Estuarine**
35 **Research Reserve Management Commission shall transfer all moneys contained in the South**
36 **Slough National Estuarine Research Reserve Management Account established within the**
37 **General Fund to the South Slough National Estuarine Research Reserve Management Ac-**
38 **count established within the Common School Fund.**

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