

Enrolled Senate Bill 91

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Department of State Lands)

CHAPTER

AN ACT

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

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

SECTION 1. ORS 273.554 is amended to read:

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

- (a) Conduct the day-to-day operation and management of the South Slough National Estuarine Research Reserve with the administrative support of the Department of State Lands;
- (b) Appoint a manager and other staff necessary to carry out this section; and
- (c) Apply for, receive and expend moneys from the federal government and from this state or any agency thereof for the purpose of carrying out this section.

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

- (a) Carry out the commission’s responsibilities pursuant to ORS 273.553; and**
- (b) Implement a system of fees to recover the costs of carrying out the management established in ORS 273.553, including fees for use of facilities at the reserve, fees for research activities conducted at the reserve, visitor activities fees and parking fees.**

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

- (a) A representative of common schools in the area of the reserve;
- (b) One authorized representative of the Coos County Board of Commissioners;
- (c) One authorized representative of the governing body of the Port of Coos Bay;
- (d) The Director of the Department of State Lands or a designee thereof;
- (e) One authorized representative of the federal Office of Ocean and Coastal Resource Management;
- (f) Two representatives with an interest in marine science, one from the University of Oregon Institute of Marine Biology at Charleston and one from Oregon State University; and
- (g) One member selected from the general public at large.

[(3)] **(4)** The members appointed by the Governor under subsection [(2)(a)] **(3)(a)**, (f) and (g) of this section shall serve for terms of four years and members appointed under subsection [(2)(b)]

(3)(b) and (c) of this section shall serve for terms of two years. The Director of the Department of State Lands or the designee of the director, if appointed in place of the director, shall serve as the permanent chairperson of the commission. The commission shall select one of its members as vice chairperson. The chairperson and vice chairperson shall have duties and powers necessary for the performance of the functions of such offices as the commission determines. The vice chairperson shall act as the chairperson of the commission in the absence of the chairperson. The vice chairperson shall serve for a term of one year, subject to reelection by the commission.

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

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

SECTION 2. ORS 273.556 is amended to read:

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

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

SECTION 3. On the effective date of this 2005 Act, the South Slough National Estuarine Research Reserve Management Commission shall transfer all moneys contained in the South Slough National Estuarine Research Reserve Management Account established within the General Fund to the South Slough National Estuarine Research Reserve Management Account established within the Common School Fund.

Passed by Senate April 12, 2005

.....
Secretary of Senate

.....
President of Senate

Passed by House July 1, 2005

.....
Speaker of House

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2005

.....
Secretary of State