

House Bill 2975

Sponsored by COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES (at the request of Tim Josi)

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**.

Defines "to secure the greatest permanent value" for purposes of management of state forests.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to management of state forests; creating new provisions; amending ORS 530.050; and de-
3 claring an emergency.

4 Whereas lands have been acquired by the State of Oregon since the 1930s under a series of laws
5 and amendments embodied in ORS chapter 530; and

6 Whereas the historical records for these lands show that the State Board of Forestry, the State
7 Forestry Department and counties that made these lands available to the state have construed ORS
8 chapter 530 to require management of these lands primarily for timber production; and

9 Whereas the past policies, practices and administrative proceedings of the State Board of
10 Forestry and the State Forestry Department confirm that priority be given to timber production on
11 these lands in order to produce revenue for the counties, schools and local taxing districts; and

12 Whereas recent questions have arisen as to the proper construction of ORS chapter 530 con-
13 cerning the priority to be given to timber production on these lands; and

14 Whereas these questions require that ORS chapter 530 be clarified to conform to the historical
15 intent of the state and counties; now, therefore,

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

17 **SECTION 1.** ORS 530.050 is amended to read:

18 530.050. (1) Under the authority and direction of the State Board of Forestry except as other-
19 wise provided for the sale of forest products, the State Forester shall manage the lands acquired
20 pursuant to ORS 530.010 to 530.040 so as to secure the greatest permanent value of those lands to
21 the state, and to that end may:

22 [(1)] (a) Protect the lands from fire, disease and insect pests, cooperate with the counties and
23 with persons owning lands within the state in the protection of the lands and enter into all agree-
24 ments necessary or convenient for the protection of the lands.

25 [(2)] (b) Sell forest products from the lands, and execute mining leases and contracts as provided
26 for in ORS 273.551.

27 [(3)] (c) Enter into and administer contracts for the sale of timber from lands owned or managed
28 by the State Board of Forestry and the State Forestry Department.

29 [(4)] (d) Permit the use of the lands for other purposes, including but not limited to forage and
30 browse for domestic livestock, fish and wildlife environment, landscape effect, protection against
31 floods and erosion, recreation, and protection of water supplies when, in the opinion of the board,

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 use is not detrimental to the best interest of the state.

2 [(5)] (e) Grant easements, permits and licenses over, through and across the lands. The State
 3 Forester may require and collect reasonable fees or charges relating to the location and establish-
 4 ment of easements, permits and licenses granted by the state over the lands. The fees and charges
 5 collected shall be used exclusively for the expenses of locating and establishing the easements,
 6 permits and licenses under this [subsection] **paragraph** and shall be placed in the State Forestry
 7 Department Account.

8 [(6)] (f) Require and collect fees or charges for the use of state forest roads. The fees or charges
 9 collected shall be used exclusively for purposes of maintenance and improvements of the roads and
 10 shall be placed in the State Forestry Department Account.

11 [(7)] (g) Reforest the lands and cooperate with the counties, and with persons owning
 12 timberlands within the state, in the reforestation, and make all agreements necessary or convenient
 13 for the reforestation.

14 [(8)] (h) Require such undertakings as in the opinion of the board are necessary or convenient
 15 to secure performance of any contract entered into under the terms of this section or ORS 273.551.

16 [(9)] (i) Sell rock, sand, gravel, pumice and other such materials from the lands. The sale may
 17 be negotiated without bidding, provided the appraised value of the materials does not exceed \$2,500.

18 [(10)] (j) Enter into agreements, each for not more than 10 years duration, for the production
 19 of minor forest products.

20 [(11)] (k) Establish a forestry carbon offset program to market, register, transfer or sell forestry
 21 carbon offsets. In establishing the program, the forester may:

22 [(a)] (A) Execute any contracts or agreements necessary to create opportunities for the creation
 23 of forestry carbon offsets; and

24 [(b)] (B) Negotiate prices that are at, or greater than, fair market value for the transfer or sale
 25 of forestry carbon offsets.

26 [(12)] (L) Do all things and make all rules, not inconsistent with law, necessary or convenient
 27 for the management, protection, utilization and conservation of the lands.

28 **(2) As used in this section, “to secure the greatest permanent value” means to ensure**
 29 **that lands acquired by the state pursuant to ORS 530.010 to 530.040 are forests that are**
 30 **managed primarily for timber production to produce revenue for the counties, schools and**
 31 **local taxing districts that receive revenue from these lands.**

32 **SECTION 2. No later than July 1, 2008, the State Board of Forestry shall modify all forest**
 33 **management plans developed by the State Forester to the extent necessary to achieve the**
 34 **policy goals and direction established pursuant to the amendments to ORS 530.050 by section**
 35 **1 of this 2007 Act.**

36 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**
 37 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
 38 **on its passage.**