

House Bill 3628

Sponsored by COMMITTEE ON ELECTIONS, ETHICS AND RULES (at the request of House Interim Committee on Agriculture and Natural Resources)

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**.

Allows State Board of Forestry to modify or waive certain limitations and requirements of Oregon Forest Practices Act in certain cases.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Oregon Forest Practices Act; amending ORS 527.736; and declaring an emergency.

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

4 **SECTION 1.** ORS 527.736 is amended to read:

5 527.736. (1) The standards established in ORS 527.740 to 527.750 shall be administered by the
6 State Forester as standards applying to all operations in the state, including those on forestland
7 owned by the state or any political subdivision thereof. Pursuant to ORS 527.710 the State Board
8 of Forestry shall adopt, repeal or amend forest practice rules as necessary to be consistent with and
9 to implement the standards established in ORS 527.740 to 527.750. Except as provided in ORS
10 527.714, nothing in ORS 468B.100 to 468B.110, 477.562, 527.620, 527.670, 527.690, 527.710, 527.715,
11 527.722, 527.724 and 527.736 to 527.770 shall affect the powers and duties of the board to adopt, or
12 the State Forester to administer, all other regulations pertaining to forest practices under applicable
13 state law.

14 (2) Nothing in ORS 527.740 to 527.750 is intended to apply to cutting of trees that is for growth
15 enhancement treatments, as defined by the State Forester, such as thinning or precommercial
16 thinning.

17 (3) **The State Board of Forestry may modify or waive the limitations and requirements**
18 **of ORS 527.676, 527.740, 527.750 and 527.755 for the purposes of a bona fide research project**
19 **conducted by:**

20 (a) **A federal agency;**

21 (b) **Agencies of the executive department, as defined in ORS 174.112;**

22 (c) **An educational institution; or**

23 (d) **A private landowner.**

24 (4) **The State Board of Forestry may agree as a term of a stewardship agreement entered**
25 **into under ORS 541.423 to modify or waive the limitations and requirements of ORS 527.676,**
26 **527.740, 527.750 and 527.755.**

27 (5) **The State Board of Forestry may modify or waive the limitations and requirements**
28 **of ORS 527.676, 527.740, 527.750 and 527.755 for the purpose of an operation for the planting,**
29 **growing, managing or harvesting of hardwood timber, including but not limited to hybrid**
30 **cottonwood, if:**

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 **(a) The timber is grown on land that has been prepared by intensive cultivation methods**
2 **and is cleared of competing vegetation for at least three years after planting;**

3 **(b) The timber is harvested on a rotation cycle of more than 12 years and less than 20**
4 **years after planting; and**

5 **(c) The timber is subject to intensive agricultural practices, including but not limited to**
6 **fertilization, cultivation, irrigation, insect control and disease control.**

7 **SECTION 2. This 2008 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect**
9 **on its passage.**

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