

House Bill 2861

Sponsored by Representative CLEM (at the request of Oregon Small Woodlands Association)

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**.

Makes State Forestry Department technical assistance to governmental units, organizations and groups interested in planting trees optional. Provides that recipient of department technical assistance and resources must pay cost of designing, developing and implementing local program, plan or activity. Requires State Forester to annually calculate cost of technical assistance and resources provided by department and charge recipient of assistance and resources.

Requires department to charge for services provided by department under urban and community forestry program and for program workshops and conferences. Requires department to charge for program publications and materials prepared by department. Creates exception.

A BILL FOR AN ACT

1
2 Relating to charges imposed by the State Forestry Department; creating new provisions; and
3 amending ORS 526.510 and 526.515.

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

5 **SECTION 1.** ORS 526.510 is amended to read:

6 526.510. (1) The State Forestry Department [*shall*] **may** provide technical assistance to cities,
7 counties, other governmental units, nonprofit and civic organizations and other groups interested in
8 planting and caring for trees in communities. Technical assistance may include, but [*is not*] **need**
9 **not be** limited to, the following areas:

10 (a) Establishing and maintaining local urban and community forestry programs;

11 (b) Developing local tree management ordinances;

12 (c) Developing public information programs to promote awareness of the values and benefits of
13 the urban forest as a resource of the urban community;

14 (d) Implementing appropriate tree management and care practices;

15 (e) Performing street tree inventories; and

16 (f) Planning and coordinating local tree planting projects.

17 (2) The department [*shall make the fullest use of*] **may use** cooperative agreements, projects and
18 resource sharing with local grassroots organizations, community action groups, businesses, local and
19 state agencies, federal agencies, public and private schools, colleges and universities in designing,
20 developing and implementing local programs, plans and activities. **However, the organizations,**
21 **groups, businesses, agencies, schools, colleges and universities must pay any costs of de-**
22 **signing, developing and implementing the programs, plans and activities.**

23 (3) **The State Forester shall annually determine the cost of technical assistance and re-**
24 **sources provided by the department under this section and charge each governmental unit,**
25 **organization or group for the technical assistance and resources that the department pro-**
26 **vided to that governmental unit, organization or group.**

27 **SECTION 2.** ORS 526.515 is amended to read:

28 526.515. (1) The State Forestry Department may receive and disburse such gifts, grants, be-

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 quests, federal moneys and endowments and donations of labor, material, seedlings, trees and
2 equipment from public and private sources for the purpose of conducting an urban and community
3 forestry program. *[In addition, the department is authorized to]* **The department shall** charge fees
4 for *[services]* **the actual cost of services provided by the department** and for attendance at
5 workshops and conferences *[and to sell]*. **The department shall charge for the** various publications
6 and other materials that the department prepares. **This subsection does not allow the department**
7 **to impose any charge that violates a restriction on the receipt or use of federal moneys.**

8 (2) All revenues received under subsection (1) of this section and any interest earned on all cash
9 balances except federal moneys shall be credited to the State Forestry Department Account and may
10 be expended only for urban and community forestry purposes.

11 **SECTION 3. The amendments to ORS 526.510 and 526.515 by sections 1 and 2 of this 2009**
12 **Act apply for technical assistance, resources, services, workshops, conferences, publications**
13 **and materials that the State Forestry Department provides on or after the effective date of**
14 **this 2009 Act.**