

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	9 - 0 - 0
<b>Yeas:</b>	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	3/5, 4/16

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**WHAT THE MEASURE DOES:** Creates a cause of action for a private entity that contracts with the State Forestry Department to perform forest practices, as defined in ORS 527.620 for actual damages plus attorney fees against a person while on state forestlands or an access road on state forest lands, intentionally obstructs or impair the private entity in the performance of forest practices.

**ISSUES DISCUSSED:**

- Costs associated with delays caused by protestors who illegally interfere with work of state forest lands

**EFFECT OF COMMITTEE AMENDMENT:** Applies only to state forestland and access roads on state forestland. Removes the liquidated damages provision.

**BACKGROUND:** “Forest practice” means any operation pertaining to forestland and includes: (1) Reforestation of forestland; (2) Road construction and maintenance; (3) Harvesting of trees; (4) Application of chemicals; (5) Disposal of slash; (6) Removal of woody biomass. Forestlands means land that is used for the growing and harvesting of forest tree species, regardless of how the land is zoned or taxed, or how any state or local statutes, ordinances, rules or regulations are applied.

Certain groups and individuals are interfering with private entities with contracts with the State Forestry Department to perform forest practices by chaining themselves to road gates and trees, damaging equipment and roadways. Although many of these acts are crimes, many of the counties where these acts take place lack the resources to prosecute these crimes and to adequately punish those who commit the crimes. Although many of these acts give rise to a civil cause of action, the cost of litigation, particularly attorney fees, may exceed the cost of the damages.