

House Bill 2615

Sponsored by Representative CLEM (at the request of Oregon Small Woodlands Association) (Pre-session filed.)

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**.

Eliminates requirement to mark or brand floated or transported forest products and booming equipment.

A BILL FOR AN ACT

1
2 Relating to the forest products industry; creating new provisions; amending ORS 532.130; and re-
3 pealing ORS 532.020 and 532.030.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 532.010 to**
6 **532.140.**

7 **SECTION 2. (1) A person may select a mark or brand, register the mark or brand with**
8 **the office of the State Forester as provided under ORS 532.050 or 532.060 and use the mark**
9 **or brand for the purpose of marking or branding forest products and booming equipment.**

10 **(2) If a person uses a mark or brand on a forest product that the person puts into any**
11 **of the waters of this state or ships on any motor vehicle or railroad, the mark or brand must**
12 **be registered with the office of the State Forester and be plainly impressed or cut in a con-**
13 **spicuous place on the forest products in the manner required by rules adopted by the State**
14 **Forester.**

15 **(3) If a person places a mark or brand on booming equipment used in an operation se-**
16 **curing, rafting or floating forest products, the mark or brand must be registered with the**
17 **office of the State Forester and be placed in a conspicuous place on the booming equipment**
18 **in the manner required by rules adopted by the State Forester.**

19 **(4) The State Forester may adopt rules for carrying out ORS 532.010 to 532.140.**

20 **SECTION 3. ORS 532.130 is amended to read:**

21 **532.130. [(1) No person, unless permitted to do so under ORS 532.030, shall:]**

22 **[(a) Put into any of the waters of this state or ship on any railroad or motor vehicle any forest**
23 **products, or use any booming equipment as a part of the operation of the person in securing, rafting**
24 **or floating forest products, without having plainly impressed or cut in a conspicuous place on each such**
25 **stick or piece of forest products, and on any piece of booming equipment so used, a mark or brand**
26 **previously registered as required by the terms of ORS 532.010 to 532.140.]**

27 **[(b) Have or take in tow or into custody or possession or under control of the person, without the**
28 **authorization of the owner of a registered mark or brand thereon, any forest products or booming**
29 **equipment having thereupon a mark or brand registered as required by the terms of ORS 532.010 to**
30 **532.140 or, with or without such authorization, any forest products or booming equipment required to**
31 **be branded under the terms of ORS 532.010 to 532.140 with a registered mark or brand and having**

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 *no registered mark or brand impressed thereupon or cut therein.]*

2 **(1) A person may not:**

3 **(a) Exercise custody or control over, or have possession of, any forest product or boom-**
4 **ing equipment bearing a mark or brand registered as provided under ORS 532.010 to 532.140**
5 **without the permission of the registered user of the mark or brand.**

6 [(c)] **(b)** Impress upon or cut in any forest products or booming equipment a mark or brand that
7 is false, forged or counterfeit.

8 [(d)] **(c)** Impress or cut a catch brand that has not been registered under the terms of ORS
9 532.010 to 532.140 upon or into any forest products or booming equipment [*upon which there is or*
10 *should be a registered mark or brand as required by the terms of ORS 532.010 to 532.140 or a catch*
11 *brand, whether registered or not, upon any forest products or booming equipment*] that has not been
12 purchased or lawfully acquired by the person from the owner.

13 **(2) Subsection [(1)(b)] (1)(a) of this section [shall] does not apply to:**

14 **(a) Railroads.**

15 **(b) Log patrol or salvage companies organized as corporations for the purpose of catching or**
16 **reclaiming and holding or disposing of forest products for the benefit of the owners and authorized**
17 **to do business under the laws of this state.**

18 [(3) *In the case of a motor vehicle carrying more than three logs, branding of not less than three*
19 *logs shall be considered compliance with the provisions of subsection (1)(a) of this section.*]

20 **SECTION 4. ORS 532.020 and 532.030 are repealed.**

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