

Senate Joint Memorial 5

Sponsored by Senator FERRIOLI (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**.

Urges President and Congress to transfer federal lands within Oregon to State of Oregon.

JOINT MEMORIAL

1
2 To the President of the United States and the Senate and the House of Representatives of the United
3 States of America, in Congress assembled:

4 We, your memorialists, the Seventy-eighth Legislative Assembly of the State of Oregon, in leg-
5 islative session assembled, respectfully represent as follows:

6 Whereas in 1976, the United States Congress ended its nearly 200-year public policy of
7 beneficially transferring ownership of public lands by passing the Federal Land Policy and Man-
8 agement Act of 1976, P.L. 94-579 (FLPMA); and

9 Whereas public lands previously held in trust for the individual states were managed for their
10 natural resource and economic value prior to the passage of FLPMA; and

11 Whereas since the passage of FLPMA, the public lands of western states are instead being
12 perpetually managed for multiple uses and in order to preserve the natural resources of public lands;
13 and

14 Whereas when these lands are managed only for their conservation value, local, state and na-
15 tional economies are adversely impacted by the loss of use of the natural resources connected to
16 these lands; and

17 Whereas the federal Payment in Lieu of Taxes (PILT) program, the Secure Rural Schools and
18 Community Self-Determination Act of 2000, P.L. 106-393 (SRS) and other public offsets have been
19 unreliably funded or implemented and do not adequately compensate the states for the breach of
20 their enabling acts; and

21 Whereas under the guise of sequestration and to cut federal expenses, the federal government
22 is reducing federal revenues distributed to western states in the form of cutbacks to payments from
23 PILT, SRS and the Mineral Leasing Act of 1920, 30 U.S.C. 181; and

24 Whereas western states already manage millions of acres of state lands and generate more re-
25 venue with less expense and less environmental damage, in general, than federally managed public
26 lands; and

27 Whereas catastrophic wildfires may be caused by mismanaged public lands, resulting in the
28 deaths of millions of animals and the destruction of habitat and watersheds; and

29 Whereas western states are incurring inordinate expenses to suppress forest fires related to
30 failed federal forest policies; and

31 Whereas the federal government discourages capital investment and job creation by taking sig-
32 nificantly longer to approve energy development permits than do states; and

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 Whereas national organizations, including the National Association of Counties, the American
2 Farm Bureau Federation and the Republican National Committee have passed resolutions supporting
3 the transfer of public lands to willing western states; and

4 Whereas 53 percent of the total acreage of the State of Oregon is held in federal ownership; and

5 Whereas the State of Oregon has significant need for stable and predictable revenue streams
6 from its working forestlands and other public resource lands; and

7 Whereas as a result of the failed promises of the Oregon and California Revested Lands Sus-
8 tained Yield Management Act of 1937, 43 U.S.C. 1181f, and the 1994 Northwest Forest Plan to pro-
9 vide certain and sustainable timber volume levels, the State of Oregon lacks stable and predictable
10 revenue streams from its working forestlands; and

11 Whereas many of Oregon's 36 counties are experiencing significant losses of family wage jobs,
12 closure of schools and mills and rapidly deteriorating road and bridge infrastructure as a result of
13 failed federal timber policy and loss of certain and predictable timber harvest revenue from federally
14 owned forestlands; and

15 Whereas the State of Oregon is already successful at carrying out its Forest Management Plan
16 for sustainable and healthy forests through the State Forestry Department and the Oregon Forest
17 Practices Act; and

18 Whereas five of Oregon's 36 counties currently own and manage more than 100,000 acres of
19 their own forestlands that provide certainty of harvest and predictable revenue streams; and

20 Whereas upon transfer of title by the federal government of federal public lands within Oregon
21 directly to the State of Oregon, the members of the Seventy-eighth Legislative Assembly will strive
22 to enact legislation to cede national park lands in Oregon back to the federal government, on con-
23 dition that those lands permanently remain national park lands and not be sold, transferred, left in
24 disrepair or conveyed to any party other than the State of Oregon; and

25 Whereas, upon transfer of title by the federal government of federal public lands within Oregon
26 directly to the State of Oregon, the members of the Seventy-eighth Legislative Assembly will strive
27 to enact legislation to cede all lands within Oregon back to the federal government, on condition
28 that those lands permanently remain lands so designated or used and may not be sold, transferred,
29 left in disrepair or conveyed to any party other than the State of Oregon, that are currently:

30 (i) Designated as part of the National Wilderness Preservation System pursuant to the
31 Wilderness Act of 1964, P.L. 88-577;

32 (ii) Held by or for the use of the United States Department of Defense;

33 (iii) Designated as national monument lands;

34 (iv) Held by or for the use of the United States Department of Energy;

35 (v) Held by or for the use of the Federal Bureau of Prisons; or

36 (vi) The site of other federal buildings, structures or improvements; and

37 Whereas Indian lands within Oregon should remain under the jurisdiction and control of Indian
38 tribal governments and the federal government as prescribed by federal law and treaty; now, there-
39 fore,

40 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

41 That we, the members of the Seventy-eighth Legislative Assembly, urge the President and the
42 Congress of the United States of America to transfer title to all of federal public lands within
43 Oregon's borders directly to the State of Oregon; and be it further

44 Resolved, That we strongly urge the members of Oregon's congressional delegation to do all in
45 their power to secure the passage of legislation that transfers all public lands directly to the State

1 of Oregon; and be it further

2 Resolved, That a copy of this resolution shall be sent to the President of the United States, to
3 the Senate Majority Leader, to the Speaker of the House of Representatives, to the United States
4 Secretary of the Interior, to the United States Secretary of Agriculture, to each member of the
5 Oregon Congressional Delegation and to the Governors and the presiding officers of the legislatures
6 of the 49 other states.

7
