

**PROPOSED AMENDMENTS TO
SENATE BILL 204**

1 On page 1 of the printed bill, line 2, after “land” insert “; and declaring
2 an emergency”.

3 After line 2, insert:

4 “Whereas Oregon residents recognize that the productive working farms,
5 ranches and forests in this state provide economic, social and ecological
6 values; and

7 “Whereas Oregon residents seek more information about the obstacles to
8 the successful operation of working farms, ranches and forests; and”.

9 In line 3, delete “organize” and insert “protect”.

10 Delete lines 7 through 25 and delete pages 2 through 8 and insert:

11 **“SECTION 1. As used in section 2 of this 2015 Act:**

12 **“(1) ‘Conservation benefits’ means the maintenance, restoration,
13 protection or enhancement of:**

14 **“(a) Water quality or quantity;**

15 **“(b) Native fish and native wildlife habitat;**

16 **“(c) Biological diversity; or**

17 **“(d) Other specific attributes that contribute to ecological health.**

18 **“(2) ‘Working farm or forest’ means land used for an operation in
19 which the owner, the owner’s designee or an operator actively engages
20 in farming, ranching or timber production.**

21 **“SECTION 2. (1) The Task Force on Working Farms and Forests is
22 established, consisting of 11 members appointed as follows:**

1 **“(a) The President of the Senate shall appoint two members from**
2 **among members of the Senate.**

3 **“(b) The Speaker of the House of Representatives shall appoint two**
4 **members from among members of the House of Representatives.**

5 **“(c) The Governor shall appoint seven members, composed of one**
6 **representative each from:**

7 **“(A) Tribal government;**

8 **“(B) County government;**

9 **“(C) Farming interests;**

10 **“(D) Ranching interests;**

11 **“(E) Soil and water conservation districts;**

12 **“(F) Forestry and timber interests; and**

13 **“(G) Conservation organizations.**

14 **“(2) Members of the Legislative Assembly appointed to the task**
15 **force are nonvoting members of the task force and may act in an ad-**
16 **visory capacity only.**

17 **“(3) The task force shall:**

18 **“(a) Study the rates of conversion of working farms or forests to**
19 **other uses, changes in the rates of conversion over time, the other**
20 **uses made of lands following conversion and the amount of land con-**
21 **verted to each of those other uses.**

22 **“(b) Study conflicts between working farms or forests and other**
23 **uses of land, trends regarding those conflicts and changes in the**
24 **number and location of other land uses.**

25 **“(c) Study and evaluate potential tools for state government to help**
26 **private landowners maintain land as active working farms or forests**
27 **while accomplishing conservation benefits on those lands, including**
28 **but not limited to easements, tax incentives, grants and loans.**

29 **“(d) Study issues regarding the compatibility of conservation action**
30 **carried out on or adjacent to a working farm or forest with the farm-**

1 ing, ranching or timber production operations on the working farm
2 or forest and evaluate tools for addressing compatibility problems in
3 a manner that preserves both the ability to carry out conservation
4 actions and the farming, ranching or timber production operations.

5 “(e) Identify challenges regarding future plans for, and succession
6 of, working farms or forests, including but not limited to regulatory
7 constraints, market conditions, changing demographics, local eco-
8 nomic conditions and access to community services.

9 “(4) The task force may study information for the entire state or,
10 if specific areas of the state are representative of the state as a whole,
11 may focus on studying information for those specific areas.

12 “(5) A majority of the voting members of the task force constitutes
13 a quorum for the transaction of business.

14 “(6) Official action by the task force requires the approval of a
15 majority of the voting members of the task force.

16 “(7) The task force shall elect one of its members to serve as
17 chairperson.

18 “(8) If there is a vacancy for any cause, the appointing authority
19 shall make an appointment to become immediately effective.

20 “(9) The task force shall meet at times and places specified by the
21 call of the chairperson or of a majority of the voting members of the
22 task force.

23 “(10) The task force may adopt rules necessary for the operation
24 of the task force.

25 “(11) The task force shall submit a report in the manner provided
26 by ORS 192.245, and may include recommendations for legislation, to
27 an interim committee of the Legislative Assembly related to natural
28 resources no later than December 31, 2016.

29 “(12) The State Forestry Department shall provide staff support to
30 the task force.

1 **“(13) Members of the task force who are not members of the Leg-**
2 **islative Assembly are not entitled to compensation, but may be reim-**
3 **bursed for actual and necessary travel and other expenses incurred by**
4 **them in the performance of their official duties in the manner and**
5 **amounts provided for in ORS 292.495. Claims for expenses incurred in**
6 **performing functions of the task force shall be paid out of funds ap-**
7 **propriated to the department for purposes of the task force.**

8 **“(14) All agencies of state government, as defined in ORS 174.111,**
9 **are directed to assist the task force in the performance of its duties**
10 **and, to the extent permitted by laws relating to confidentiality, to**
11 **furnish such information and advice as the members of the task force**
12 **consider necessary to perform their duties.**

13 **“SECTION 3. (1) The Clean Water Fund is established in the State**
14 **Treasury, separate and distinct from the General Fund. Interest**
15 **earned by the Clean Water Fund shall be credited to the fund. Moneys**
16 **in the fund are continuously appropriated to the Oregon Watershed**
17 **Enhancement Board for the purpose of carrying out section 4 of this**
18 **2015 Act.**

19 **“(2) The board may accept contributions to the fund from any**
20 **public or private source and may agree to any conditions for the ex-**
21 **penditure of contributed moneys that are consistent with the purposes**
22 **of the fund.**

23 **“(3) The board may not expend more than seven percent of the**
24 **moneys credited to the fund for paying board administrative expenses**
25 **in carrying out section 4 of this 2015 Act.**

26 **“SECTION 4. (1) As used in this section:**

27 **“(a) ‘Proper functioning condition’ means vegetation and soil con-**
28 **ditions in a riparian area that are consistent with the optimum long-**
29 **term potential conditions of the area based on stream size, gradient,**
30 **elevation, climate and other related variables.**

1 “(b) ‘Working farm’ means land used for an operation in which the
2 owner, the owner’s designee or an operator actively engages in farm-
3 ing or ranching.

4 “(2) The Oregon Watershed Enhancement Board may expend mon-
5 eys from the Clean Water Fund for:

6 “(a) Purchasing in whole or in part, from willing sellers, long-term
7 agreements to manage riparian areas on working farms to pursue
8 water quality improvement through the achievement of proper func-
9 tioning condition of the area in a manner that is compatible with
10 preserving the ability to carry out farming and ranching operations
11 on the working farms; and

12 “(b) Funding in whole or in part capital improvements to working
13 farms in association with agreements described in paragraph (a) of
14 this subsection.

15 “(3) Agreements described in subsection (2) of this section may be
16 combined with agreements or incentives from other programs to im-
17 prove the outcome of conservation efforts on the working farm land,
18 to increase or preserve the number of working farms managed to carry
19 out conservation efforts or to focus on those working farms where the
20 achievement of proper functioning condition would produce greater
21 water quality improvement benefits.

22 “SECTION 5. Sections 1 and 2 of this 2015 Act are repealed on Jan-
23 uary 2, 2017.

24 “SECTION 6. This 2015 Act being necessary for the immediate
25 preservation of the public peace, health and safety, an emergency is
26 declared to exist, and this 2015 Act takes effect on its passage.”.