

**PROPOSED AMENDMENTS TO
HOUSE BILL 3474**

1 On page 1 of the printed bill, delete lines 4 through 27 and delete pages
2 2 through 4 and insert:

3 **“SECTION 1. As used in sections 1 to 4 of this 2015 Act:**

4 **“(1) ‘State agency’ means an agency of the executive department,**
5 **as defined in ORS 174.112, or a public university listed in ORS 352.002.**

6 **“(2) ‘Tribe’ means a federally recognized Indian tribe in Oregon.**

7 **“(3) ‘Trust lands’ means all real property:**

8 **“(a) Granted to the state for the use of schools under the Act of**
9 **February 14, 1859 (11 Stat. 383);**

10 **“(b) Obtained by the state as the result of an exchange of land**
11 **granted to the state for the use of schools;**

12 **“(c) Obtained in lieu of originally granted land for the use of**
13 **schools; or**

14 **“(d) Purchased with Common School Fund revolving account mon-**
15 **neys pursuant to ORS 273.413.**

16 **“SECTION 2. It shall be the policy of the State of Oregon to:**

17 **“(1) Identify, as appropriate, trust lands under the jurisdiction of**
18 **the State Land Board that, due to management or regulatory imped-**
19 **iments, have limited performance potential as assets of the Common**
20 **School Fund; and**

21 **“(2) Transfer the identified trust lands to state agencies, federal**
22 **agencies or tribes that are better positioned than the State Land Board**

1 to manage the lands in a manner that provides for public benefits as-
2 sociated with public ownership of the identified trust lands.

3 **“SECTION 3. (1) The State Land Board may identify tracts of trust**
4 **lands under the board’s jurisdiction that have limited performance**
5 **potential as assets of the Common School Fund and submit to the**
6 **Legislative Assembly proposals to transfer the identified tracts of trust**
7 **lands to another state agency, a federal agency or a tribe.**

8 **“(2) The state agency, federal agency or tribe to which identified**
9 **tracts of trust lands are to be transferred may be identified by the**
10 **board in the proposal authorized under subsection (1) of this section,**
11 **or may be designated by the Legislative Assembly.**

12 **“(3) A proposal submitted to the Legislative Assembly under this**
13 **section shall include a preliminary valuation of the property to be**
14 **transferred.**

15 **“(4) If the Legislative Assembly approves a transfer proposal sub-**
16 **mitted under subsection (1) of this section and appropriates funds for**
17 **that purpose, or otherwise approves a funding mechanism sufficient**
18 **to accomplish the transfer, the board, by and through the Department**
19 **of State Lands, shall transfer lands in a manner consistent with the**
20 **board’s trust responsibilities. The board may use moneys in the Trust**
21 **Lands Transfer Fund established under section 4 of this 2015 Act as a**
22 **source of financing for a transfer under this subsection.**

23 **“(5) The provisions of ORS 270.100, 270.110, 270.130 and 273.275 do not**
24 **apply to the transfer of trust lands under this section.**

25 **“(6) The board may adopt rules to carry out the provisions of this**
26 **section.**

27 **“(7) Nothing in this section shall be construed to affect the ability**
28 **of the board or the department to dispose of trust lands in any manner**
29 **otherwise provided for by law.**

30 **“SECTION 4. (1) The Trust Lands Transfer Fund is established in**

1 the State Treasury, separate and distinct from the General Fund. In-
2 terest earned by the Trust Lands Transfer Fund shall be credited to
3 the fund. Moneys in the fund are continuously appropriated to the
4 Department of State Lands.

5 “(2) Moneys in the fund shall consist of:

6 “(a) All moneys appropriated or transferred to the fund and moneys
7 contributed to the fund from any other source, public or private; and

8 “(b) Unless otherwise specifically provided for by law, any gifts,
9 donations or bequests of money or property donated to this state for
10 the use or benefit of public land transfers or conservation if use of the
11 money or property as provided in subsection (3) of this section would
12 be consistent with the purpose for which the money or property was
13 donated.

14 “(3) Moneys in the fund may be used by the department as a source
15 of financing for the transfer of trust lands identified in proposals de-
16 veloped in accordance with section 3 of this 2015 Act.”.

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