

House Bill 2366

Sponsored by Representative WILSON; Representative WHISNANT (Presession 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**.

Requires State Forestry Department to remove forestlands owned by county from Forest Resource Trust programs if forestlands owned by county comprise less than 10 percent of lands in trust. Requires management of removed forestlands to be transferred to county forester.

A BILL FOR AN ACT

1
2 Relating to lands enrolled in Forest Resource Trust programs.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 526.695 to**
5 **526.775.**

6 **SECTION 2. (1) If forestland that is owned by a county and covered by a contract be-**
7 **tween the county and the Forest Resource Trust comprises at any time less than 10 percent**
8 **of all lands being held in the trust, the State Forestry Department shall remove the**
9 **forestlands of the county from further participation in trust programs. Except as provided**
10 **in subsection (2) of this section, the department shall release the trust interest in the**
11 **forestland described in ORS 526.705 (8) and transfer management of the forestland to the**
12 **county forester.**

13 **(2) The removal of forestland owned by a county from trust programs under this section**
14 **does not:**

15 **(a) Release the department from any obligation to the county under ORS 526.695 to**
16 **526.775, including but not limited to an obligation under the contract described in ORS**
17 **526.705, incurred prior to removal of the forestland from the trust programs or from any**
18 **benefit of the contract to the county incurred prior to removal of the forestland from the**
19 **programs.**

20 **(b) Release the county from any payment or repayment obligation, or any contribution**
21 **obligation, incurred under a trust program prior to the date the forestland is removed from**
22 **the program.**

23 **(c) Terminate any covenant running with the forestland formed under ORS 526.705 (6)**
24 **or (8) until all county obligations described in paragraph (b) of this subsection have been met.**

25 **(d) Terminate any security agreement formed under a trust program until all county**
26 **obligations described in paragraph (b) of this subsection have been met.**

27 **(e) Invalidate any carbon offsets attributable to the forestland that are transferred or**
28 **sold under ORS 526.725 prior to the date the forestland is removed from the trust programs.**

29 **(f) Cancel any lien on the removed forestland filed under ORS 526.745 prior to the date**
30 **the land is removed from the trust programs.**

31 **(g) Relieve a county from giving written notice in the manner described for trust lands**

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 **in ORS 526.770 prior to harvest or removal of forest products from the forestland.**
2 **(h) Prevent execution of judgment under ORS 526.775 for a breach of contract occurring**
3 **prior to the date the forestland is removed from the trust programs.**
4 _____