

SB 256-6  
(LC 1061)  
6/27/17 (EMM/ps)

Requested by Senator DEVLIN

**PROPOSED AMENDMENTS TO  
SENATE BILL 256**

1 On page 1 of the printed corrected bill, after line 2, insert:

2 “Whereas the Willamette Falls Navigation Canal and Locks were opened  
3 in 1873; and

4 “Whereas the navigation canal and locks are a primary historic asset in  
5 the Willamette Falls State Heritage Area; and

6 “Whereas the United States Army Corps of Engineers purchased the  
7 navigation canal and locks in 1915 to ensure free public passage through the  
8 navigation canal and locks; and

9 “Whereas in 2011 the United States Army Corps of Engineers placed the  
10 navigation canal and locks into nonoperational status; and

11 “Whereas in May 2017 the United States Army Corps of Engineers issued  
12 a draft disposition study stating an intent to divest federal ownership of the  
13 navigation canal and locks; and

14 “Whereas the navigation canal and locks offer opportunities for economic  
15 development, recreation, transportation and cultural enrichment for the  
16 people of this state; and

17 “Whereas the navigation canal and locks provide a transportation route  
18 in the event of a natural disaster; and

19 “Whereas Columbia River tribes have usual and accustomed claims to use  
20 the Willamette Falls area; and

21 “Whereas the Confederated Tribes of the Grand Ronde Community of

1 Oregon have historical claims through treaty to the Willamette Falls area;  
2 and

3 “Whereas the Confederated Tribes of the Grand Ronde Community of  
4 Oregon, Metro, Clackamas County, Marion County, Multnomah County,  
5 Linn County, Polk County and the cities of Eugene, Milwaukie, Portland,  
6 Oregon City, Salem, West Linn and Wilsonville have each adopted resolu-  
7 tions in support of the repair and reopening of the navigation canal and  
8 locks; now, therefore,”.

9 Delete lines 4 through 24 and delete pages 2 through 4 and insert:

10 **“SECTION 1. (1) There is established the Willamette Falls Locks**  
11 **Commission for the purposes described in section 2 of this 2017 Act,**  
12 **consisting of 23 members appointed as follows:**

13 **“(a) The Governor shall appoint:**

14 **“(A) One member who is the chair or a member of the Clackamas**  
15 **County Board of County Commissioners, pursuant to a recommen-**  
16 **dation of the board;**

17 **“(B) One member who is the chair or a member of the Marion**  
18 **County Board of County Commissioners, pursuant to a recommen-**  
19 **dation of the board;**

20 **“(C) One member who is the chair or a member of the Yamhill**  
21 **County Board of County Commissioners, pursuant to a recommen-**  
22 **dation of the board;**

23 **“(D) One member who is the president or a member of the govern-**  
24 **ing body of the metropolitan service district for the Portland metro-**  
25 **politan area, pursuant to a recommendation from the governing body;**

26 **“(E) One member who is a representative of the Confederated**  
27 **Tribes of the Grand Ronde Community of Oregon, pursuant to a rec-**  
28 **ommendation of the tribal council;**

29 **“(F) One member who is a representative of a Columbia River tribe**  
30 **that is a party to the terms of a treaty of 1855 between the tribe and**

1 **the United States of America;**

2 **“(G) One member who is a representative of the State Parks and**  
3 **Recreation Department;**

4 **“(H) One member who is a representative of the Port of Portland;**

5 **“(I) One member who is a representative of the Department of**  
6 **Transportation;**

7 **“(J) One member who is a representative of the Oregon Business**  
8 **Development Department;**

9 **“(K) Pursuant to a recommendation by that city’s governing body,**  
10 **one member who is the mayor or a member of the governing body of**  
11 **each of the following cities, to represent the cities’ interests in the**  
12 **Willamette Falls navigation canal and locks:**

13 **“(i) The City of Oregon City;**

14 **“(ii) The City of West Linn; and**

15 **“(iii) The City of Wilsonville;**

16 **“(L) One member to represent the collective interests of local**  
17 **businesses and economic development in Clackamas County, pursuant**  
18 **to a recommendation of the Clackamas County Board of County**  
19 **Commissioners;**

20 **“(M) One member to represent the collective interests of the**  
21 **tourism and recreation industries in Clackamas County, pursuant to**  
22 **a recommendation by the Clackamas County Board of County Com-**  
23 **missioners;**

24 **“(N) One member to represent the residents of Clackamas County,**  
25 **pursuant to a recommendation by the Clackamas County Board of**  
26 **County Commissions; and**

27 **“(O) One member to represent an environmental or ecological**  
28 **nonprofit organization.**

29 **“(b) The President of the Senate shall appoint one member from**  
30 **among the members of the Senate.**

1       “(c) The Senate Minority Leader shall appoint one member from  
2 among the members of the Senate.

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

5       “(e) The House Minority Leader shall appoint two members from  
6 among the members of the House of Representatives.

7       “(2) The term of office of each member of the commission appointed  
8 by the Governor is four years, but a member serves at the pleasure  
9 of the Governor. Before the expiration of the term of a member, the  
10 Governor shall appoint a successor whose term begins on January 1  
11 of the following year. A member is eligible for reappointment.

12       “(3) If there is a vacancy for any cause, the appointing authority  
13 shall make an appointment to become immediately effective for the  
14 unexpired term.

15       “(4) Members of the commission are not entitled to compensation  
16 and may not be reimbursed for travel or other expenses incurred by  
17 them in the performance of their official duties.

18       “(5) Members of the Legislative Assembly appointed to the com-  
19 mission are nonvoting members of the commission and act in an ad-  
20 visory capacity only.

21       “(6) The commission shall select one of its members as chairperson  
22 and another as vice chairperson, for terms and with duties and powers  
23 necessary for the performance of the functions of the offices as the  
24 commission determines.

25       “(7) The commission may elect an executive committee to consist  
26 of three or more members. The executive committee has and may ex-  
27 ercise all authority of the commission.

28       “(8) Official action by the commission requires the approval of a  
29 majority of the voting members of the commission.

30       “(9)(a) The commission shall meet no less than six times per year

1 at times and places specified by the call of the chairperson or of a  
2 majority of the voting members of the commission. The commission  
3 shall include an opportunity for public comment as an item on the  
4 agenda of at least two meetings per year.

5 “(b) The commission shall notify federally recognized Indian tribes  
6 and known interested parties of the dates and times of commission  
7 meetings.

8 “(10) ORS 192.410 to 192.505 and 192.610 to 192.690 apply to the records  
9 and meetings of the commission.

10 **“SECTION 2. (1) The Willamette Falls Locks Commission shall:**

11 “(a) Serve as a body to advise state, local and regional government  
12 agencies on the development and implementation of state policies re-  
13 lating to the repair, reopening, operation and maintenance of the  
14 Willamette Falls navigation canal and locks;

15 “(b) Address issues relating to the transfer of ownership, operation  
16 and financing of the navigation canal and locks from a state, local and  
17 regional perspective;

18 “(c) Make recommendations for, and assist in coordination of,  
19 funding responsibilities, including possible recommendations for the  
20 formation of an intergovernmental agreement between state, local,  
21 regional and federal agencies for the repair, reopening, operation and  
22 maintenance of the navigation canal and locks;

23 “(d) Investigate a framework for the ownership, operations and  
24 management of the navigation canal and locks;

25 “(e) Negotiate ownership, operation and management of the navi-  
26 gation canal and locks with the United States Army Corps of Engi-  
27 neers;

28 “(f) Communicate state policies relating to the repair, reopening,  
29 operation and maintenance of the navigation canal and locks to the  
30 Oregon Congressional Delegation; and

1       “(g) Consider any other matters the commission considers neces-  
2 sary with respect to the ownership and operation of the navigation  
3 canal and locks.

4       “(2) The commission may establish advisory or technical commit-  
5 tees as the commission considers necessary to aid and advise the  
6 commission in the performance of its functions. The committees may  
7 be continuing or temporary committees. The commission shall deter-  
8 mine the representation, membership, terms and organization of the  
9 committees and shall appoint the members of the committees.

10       “(3) Oregon Solutions at Portland State University shall provide  
11 staffing and other resources as required by the commission to carry  
12 out the duties of the commission.

13       “SECTION 3. In addition to and not in lieu of any other appropri-  
14 ation, there is appropriated to the Higher Education Coordinating  
15 Commission, for the biennium beginning July 1, 2017, out of the Gen-  
16 eral Fund, the amount of \$190,000, for distribution to Portland State  
17 University for the purposes of sections 1 and 2 of this 2017 Act.

18       “SECTION 4. Sections 1 and 2 of this 2017 Act are repealed on De-  
19 cember 31, 2023.

20       “SECTION 5. This 2017 Act being necessary for the immediate  
21 preservation of the public peace, health and safety, an emergency is  
22 declared to exist, and this 2017 Act takes effect on its passage.”.

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