

House Bill 2564

Sponsored by Representatives MEEK, LEWIS, REARDON; Representatives POWER, SALINAS, Senator WAGNER
(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**.

Establishes Willamette Falls Locks Authority as public corporation. Prescribes duties of authority.

Modifies duties of Willamette Falls Locks Commission. Sunsets commission on June 30, 2022.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Willamette Falls Locks Authority; creating new provisions; amending sections 1, 2 and
3 4, chapter 734, Oregon Laws 2017; and declaring an emergency.

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

5 **SECTION 1. Definition. As used in sections 1 to 11 of this 2021 Act, "Willamette Falls**
6 **Locks project" means:**

7 (1) **The project for navigation, Willamette Falls Locks, Willamette River, Oregon, au-**
8 **thorized by the Act of June 25, 1910 (61 P.L. 264, 36 Stat. 630, 664, chapter 382);**

9 (2) **Any land in which the federal government had a property interest for the project de-**
10 **scribed in subsection (1) of this section as of the effective date of this 2021 Act; and**

11 (3) **Any improvements on the land described in subsection (2) of this section.**

12 **SECTION 2. Establishment. (1) The Willamette Falls Locks Authority is established as a**
13 **public corporation and shall exercise and carry out all powers, rights and privileges that are**
14 **expressly conferred upon the authority, are implied by law or are incident to such powers,**
15 **rights and privileges. The authority is an independent public corporation with a statewide**
16 **mission and purposes and without territorial boundaries. The authority is a governmental**
17 **entity performing governmental functions and exercising governmental powers but, except**
18 **as otherwise provided by law, is not a unit of local or municipal government or a state**
19 **agency for purposes of state statutes or constitutional provisions.**

20 (2) **Unless otherwise provided by law, the authority is not subject to ORS chapters 182,**
21 **183, 238, 238A, 240, 270, 273, 276, 279A, 279B, 279C, 282, 283, 291, 292, 293 and 297 and ORS**
22 **35.550 to 35.575, 180.060, 180.210 to 180.235, 183.710 to 183.730, 183.745, 183.750, 190.430, 190.480**
23 **to 190.490, 192.105, 200.035, 236.605 to 236.640, 243.105 to 243.585, 243.696, 278.011 to 278.120,**
24 **279.835 to 279.855, 283.085 to 283.092, 291.050 to 291.060, 357.805 to 357.895 and 656.017 (2).**

25 (3) **The mission of the authority is to establish ownership, oversight and management of**
26 **the Willamette Falls Locks project, for the purposes of:**

27 (a) **Enhancing the economic vitality of Oregon through facilitating the resiliency and**
28 **navigability of the Willamette River; and**

29 (b) **Repairing, maintaining, upgrading and operating the Willamette Falls Locks project**
30 **and associated properties and facilities for commercial, transportation, recreational, cul-**

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 tural, historic, heritage and tourism purposes.

2 (4) The authority shall carry out the purposes described in this section and the duties
 3 of the authority under sections 1 to 11 of this 2021 Act in the manner that, in the determi-
 4 nation of the authority, best promotes and implements the mission of the authority. Subject
 5 to any limitations established under sections 1 to 11 of this 2021 Act, the authority may take
 6 any necessary or expedient actions to:

7 (a) Enter into any agreements as necessary or expedient to perform any authorized
 8 function of the authority, including but not limited to any agreements with the Assistant
 9 Secretary of the Army (Civil Works) for the United States Army Corps of Engineers or other
 10 public or private entities to:

11 (A) Establish ownership by the authority of the Willamette Falls Locks project;

12 (B) Repair, maintain, upgrade and operate the Willamette Falls Locks project and asso-
 13 ciated property and facilities; and

14 (C) Provide for the training of personnel in operation of the navigation channel and locks;

15 (b) Ensure the financial viability of the authority;

16 (c) Promote the Willamette Falls Locks project to industries related to or interested in
 17 the authority's business operations, properties or facilities; and

18 (d) Undertake improvements and maintenance activities, including dredging and
 19 channelization activities as the authority determines are necessary or expedient to ensure
 20 the continued operation and utility of the Willamette Falls Locks project as a navigation fa-
 21 cility.

22 **SECTION 3. Authority members.** (1) The Willamette Falls Locks Authority shall consist
 23 of no fewer than seven and no more than 11 individuals appointed by the Governor. An au-
 24 thority member holds office for a term of four years but may be removed at any time at the
 25 pleasure of the Governor. Members are eligible for reappointment. Prior to the expiration
 26 of the term of a member, the Governor shall appoint a successor. If a member position be-
 27 comes vacant for any reason, the Governor shall appoint a successor to fill the unexpired
 28 term.

29 (2) A member of the authority must be a citizen of the United States and may not be an
 30 employee of the authority. In appointing members to the authority, the Governor shall con-
 31 sult with the employees of the authority, if any, and shall endeavor to appoint members with
 32 experience or expertise in a variety of subjects related to the mission and purposes of the
 33 authority or with other experience or expertise that the Governor determines are important
 34 to the success of the authority. The Governor shall consider for appointment, but need not
 35 be limited to appointing, representatives of:

36 (a) Federally recognized Oregon Indian Tribes with treaty interests in the Willamette
 37 Falls area;

38 (b) Regional or municipal governments;

39 (c) The maritime industry;

40 (d) The tourism industry;

41 (e) Persons with experience in finance, marketing or economic development; or

42 (f) Adjacent property owners.

43 (3) The authority shall elect one member as chairperson and one member as vice chair-
 44 person, with terms, duties and powers as determined by the authority. The authority shall
 45 adopt bylaws establishing the required frequency of meetings and quorum requirements.

1 (4) A member of the authority is not entitled to compensation, but may be reimbursed
 2 as provided by the policies and procedures of the authority for any actual and necessary
 3 travel and other expenses incurred by the member in the performance of the member's of-
 4 ficial duties.

5 (5) Four members of the Legislative Assembly shall act as a nonvoting observers and
 6 advisors to the authority and shall be appointed as follows:

7 (a) One shall be appointed by the President of the Senate from among members of the
 8 Senate;

9 (b) One shall be appointed by the Senate Minority Leader from among members of the
 10 Senate;

11 (c) One shall be appointed by the Speaker of the House of Representatives from among
 12 members of the House of Representatives; and

13 (d) One shall be appointed by the House Minority Leader from among members of the
 14 House of Representatives.

15 (6) The members of the Legislative Assembly selected under subsection (5) of this section
 16 may not exercise any power, right or privilege of a member of the authority.

17 **SECTION 4. Initial membership.** (1) The Governor shall appoint the initial members of
 18 the Willamette Falls Locks Authority no later than 180 days after the effective date of this
 19 2021 Act.

20 (2) Notwithstanding the term of office specified in section 3 of this 2021 Act, of the
 21 members first appointed by the Governor to the authority:

22 (a) Two shall serve for a term ending one year after the date of appointment;

23 (b) Two shall serve for a term ending two years after the date of appointment; and

24 (c) Two shall serve for a term ending three years after the date of appointment.

25 **SECTION 5. Authority director; status of authority director and employees.** (1) The
 26 Willamette Falls Locks Authority shall appoint an executive director. The executive director
 27 is the executive officer of the authority responsible for day-to-day operations. Subject to the
 28 supervision of the authority, the executive director is authorized to direct the affairs of the
 29 authority. The executive director serves at the discretion of the authority and shall perform
 30 such duties as the authority prescribes.

31 (2) The executive director may employ subordinate employees as the executive director
 32 deems reasonable for carrying out business operations and the operation of the properties
 33 and facilities of the authority, including but not limited to the operation and maintenance
 34 of the Willamette Falls Locks project. The executive director may delegate any duty, func-
 35 tion or power of the executive director to a subordinate employee except as otherwise pre-
 36 scribed by the authority.

37 (3) The members of the authority, the executive director and the employees of the au-
 38 thority are not state employees and are not eligible for participation in state employee health
 39 benefit plans, state employee deferred compensation plans or the Public Employees Retire-
 40 ment System. The authority shall determine the compensation and benefit package for the
 41 executive director and other employees of the authority. For purposes of any laws applicable
 42 to the authority as a public corporation, including but not limited to ORS 30.260 to 30.300,
 43 the members of the authority, the executive director and the employees of the authority are
 44 officers and employees of a public body.

45 (4) The authority and a state agency may enter into agreements for the state agency to

1 provide support services to the authority. If a state agency provides support services to the
 2 authority, the state agency must provide the support services at the rate that the state
 3 agency would charge to other state agencies for the services.

4 (5) The authority may invest in the investment pool described in ORS 294.805. For pur-
 5 poses of ORS 294.805 to 294.895, the executive director is a local government official.

6 (6) The authority may retain private legal counsel or, notwithstanding ORS 180.060, may
 7 contract for representation by the Attorney General. If the authority contracts for repre-
 8 sentation by the Attorney General, the Attorney General shall charge the authority for ser-
 9 vices at the rate charged to state agencies for similar services.

10 **SECTION 6. Powers and duties of authority.** (1) Except as may otherwise be provided by
 11 law, the Willamette Falls Locks Authority may, within or outside the state:

12 (a) Adopt, alter, amend or repeal policies, procedures or bylaws for the organization,
 13 administration, development and management of the authority.

14 (b) Enter into contracts and agreements involving property, goods or services with any
 15 public or private entity as the authority deems reasonable to carry out the mission and
 16 purposes of the authority or to execute any duties, functions or powers of the authority,
 17 including but not limited to:

18 (A) Contracts and agreements related to the operation of the Willamette Falls Locks
 19 project and associated properties and facilities;

20 (B) The carrying out of the business operations of the authority;

21 (C) The construction, repair, maintenance, seismic stabilization, rehabilitation, upgrade
 22 or insurance of authority properties and facilities; and

23 (D) The coordination of activities as needed with a dam and power plant owner licensed
 24 by the Federal Energy Regulatory Commission.

25 (c) Establish advisory or technical committees and otherwise consult, cooperate or co-
 26 ordinate with any public or private entity as the authority deems necessary or expedient to
 27 broaden opportunities for public input on or to carry out the mission and purposes or duties
 28 of the authority.

29 (d) Acquire, purchase, receive, hold, control, convey, sell, manage, operate, lease, license,
 30 lend, invest, improve, develop, use, dispose of and hold title in the name of the authority to
 31 property constituting the Willamette Falls Locks project and associated lands, buildings,
 32 easements and museum facilities, and any other real or personal property of any nature.

33 (e) Obtain any permits, approvals or permissions needed in connection with the activities
 34 of the authority.

35 (f) Exercise the power of eminent domain under ORS chapter 35 to acquire any right or
 36 interest in real property as necessary or expedient to ensure the repair, upgrade, operation,
 37 maintenance or access to the Willamette Falls Locks project and any associated properties
 38 and facilities.

39 (g) Sue and be sued in its own name.

40 (h) Encourage and accept grants, gifts and donations for the benefit of the authority, and
 41 subject to the terms of the gift, retain, invest and use such gifts as deemed appropriate by
 42 the authority.

43 (i) Acquire, receive, hold, keep, pledge, control, convey, manage, use, lend, expend and
 44 invest funds, appropriations, grants, gifts, bequests, stock and revenue from any source.

45 (j) Borrow money for the needs of the authority, in such amounts and for such time and

1 upon such terms as may be determined by the authority.

2 (k) Purchase any and all insurance, operate a self-insurance program or otherwise ar-
 3 range for the equivalent of insurance coverage of any nature and for the indemnity and de-
 4 fense of the members of the authority or any officers, agents, employees or other persons
 5 designated by the authority to carry out or to further the mission and purposes of the au-
 6 thority.

7 (L) Establish charges and fees, including but not limited to charges and fees for services
 8 by the authority and for the use, lease or rental of authority properties and facilities.

9 (m) Contract for law enforcement or security services for authority properties and fa-
 10 cilities.

11 (n) Establish and exercise broad operational authority over the Willamette Falls Locks
 12 project and associated properties and facilities, including but not limited to establishing days
 13 and times of service and a certification program to enable self-operation of the navigation
 14 canal and locks by certified users.

15 (o) Establish an operations training program that provides education for all operators
 16 of the locks, including but not limited to employees and volunteers of the authority, con-
 17 tractors or commercial operators, to operate the locks in conformance with all safety and
 18 operational requirements.

19 (p) Perform any other acts that in the judgment of the authority are necessary or expe-
 20 dient in accomplishing the public mission and purposes described in section 2 of this 2021
 21 Act or carrying out the powers granted by sections 1 to 11 of this 2021 Act.

22 (2) The Willamette Falls Locks Authority shall at all times cooperate with owners of real
 23 property that adjoins the locks, particularly the owner of the dam and power plant licensed
 24 by the Federal Energy Regulatory Commission. The authority shall make all reasonable ef-
 25 forts to operate the locks in a manner that does not unreasonably interfere or disturb the
 26 rights of owners of real property that adjoins the locks.

27 SECTION 7. Creation of tax-exempt entity by authority. (1) Pursuant to section 6 of this
 28 2021 Act, the Willamette Falls Locks Authority may create and maintain an entity that is
 29 exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, as
 30 amended, for the purpose of advancing the mission of the authority.

31 (2) Any entity created by the authority under subsection (1) of this section shall be con-
 32 sidered:

- 33 (a) A unit of local government for purposes of ORS 190.003 to 190.130;
- 34 (b) A public body for purposes of ORS 30.260 to 30.300 and 307.112;
- 35 (c) A contracting agency for purposes of ORS 200.090; and
- 36 (d) A public corporation for purposes of ORS 307.090.

37 SECTION 8. Revenue bonds. (1) The Willamette Falls Locks Authority may from time to
 38 time issue and sell revenue bonds in accordance with ORS chapter 287A, except that ORS
 39 287A.150 (2) to (6) do not apply to revenue bonds issued by the authority. Revenue bonds is-
 40 sued by the authority are not to any extent a general obligation of the authority nor a charge
 41 upon any revenues or property of the authority not specifically pledged as security for the
 42 revenue bonds. An obligation described in this section is not an indebtedness of the State of
 43 Oregon.

44 (2) Revenue bonds issued by the authority pursuant to ORS chapter 287A shall be con-
 45 sidered to be bonds of a political subdivision of the State of Oregon for the purposes of all

1 laws of the state.

2 (3) The authority may, pursuant to ORS 287A.360 to 287A.380, issue refunding bonds of
 3 the same character and tenor as the revenue bonds replaced by the refunding bonds.

4 **SECTION 9. Financing agreements.** (1) As used in this section:

5 (a) “Credit enhancement agreement” means any agreement or contractual relationship
 6 between the Willamette Falls Locks Authority and any bank, trust company, insurance
 7 company, surety bonding company, pension fund or other financial institution providing ad-
 8 ditional credit on or security for a financing agreement or certificates of participation.

9 (b) “Financing agreement” means a lease-purchase agreement, an installment sale
 10 agreement, a loan agreement, note agreement, short-term promissory notes, commercial
 11 papers, lines of credit or similar obligations or any other agreement to finance real or per-
 12 sonal property that is or will be owned and operated by the authority, or to refinance previ-
 13 ously executed financing agreements.

14 (c) “Personal property” means tangible personal property, software and fixtures.

15 (d) “Property rights” means, with respect to personal property, the rights of a secured
 16 party under ORS chapter 79 and, with respect to real property, the rights of a trustee or
 17 lender.

18 (e) “Software” means software and training and maintenance contracts related to the
 19 operation of computing equipment.

20 (2) The Willamette Falls Locks Authority may enter into financing agreements in ac-
 21 cordance with this section, upon such terms as the authority determines to be necessary or
 22 desirable. Amounts payable by the authority under a financing agreement are limited to
 23 funds specifically pledged, budgeted for or otherwise made available by the authority. If there
 24 are insufficient available funds to pay amounts due under a financing agreement, the lender
 25 may exercise any property rights that the authority has granted to the lender in the fi-
 26 nancing agreement against the property that was purchased with the proceeds of the fi-
 27 nancing agreement, and may apply the amounts so received toward payments scheduled to
 28 be made by the authority under the financing agreement.

29 (3) The authority may:

30 (a) Enter into agreements with third parties to hold financing agreement proceeds, pay-
 31 ments and reserves as security for lenders, and to issue certificates of participation in the
 32 right to receive payments due from the authority under a financing agreement. Amounts
 33 held pursuant to this paragraph shall be invested at the direction of the authority. Interest
 34 earned on any investments held as security for a financing agreement may, at the option of
 35 the authority, be credited to the accounts held by the third party and applied in payment of
 36 sums due under a financing agreement.

37 (b) Enter into credit enhancement agreements for financing agreements or certificates
 38 of participation, provided that the credit enhancement agreements must be payable solely
 39 from funds specifically pledged, budgeted for or otherwise made available by the authority
 40 and amounts received from the exercise of property rights granted under the financing
 41 agreements.

42 (c) Use financing agreements to finance the costs of acquiring or refinancing real or
 43 personal property, plus the costs of reserves, credit enhancements and costs associated with
 44 obtaining the financing.

45 (d) Grant leases of real property with a trustee or lender.

1 (e) Grant security interests in personal property to trustees or lenders.

2 (f) Make pledges for the benefit of trustees and lenders.

3 (g) Purchase fire, liability, flood and extended insurance coverage or other casualty in-
 4 surance for property that is acquired, transferred or refinanced with proceeds of a financing
 5 agreement, assign the proceeds thereof to a lender or trustee to the extent of their interest,
 6 and covenant to maintain the insurance while the financing agreement is unpaid, so long as
 7 available funds are sufficient to purchase such insurance.

8 (4) A lease or financing agreement under this section does not cause otherwise exempt
 9 property to be subject to property taxation. A lease or financing agreement is disregarded
 10 in determining whether property is exempt from taxation under ORS chapter 307.

11 **SECTION 10. Audits; report to Legislative Assembly.** (1) The Willamette Falls Locks
 12 Authority shall submit to periodic audits by the Secretary of State. The authority shall, no
 13 less than annually, retain a public accounting firm to examine and attest to the financial
 14 operations of the authority. The authority shall include the results of any public accounting
 15 in the annual report submitted to the Legislative Assembly under subsection (2) of this sec-
 16 tion.

17 (2) The authority shall, not later than April 15 of each year, file an annual report with
 18 the Governor and a committee or interim committee of the Legislative Assembly related to
 19 economic development. The report shall describe the activities and operations of the au-
 20 thority during the preceding calendar year.

21 **SECTION 11. Unauthorized use of facilities; penalty.** A person who gains or attempts to
 22 gain unauthorized access to or use of the properties or facilities of the Willamette Falls
 23 Locks Authority in violation of any use restriction or condition imposed by the authority,
 24 including assessment of any fees, commits a Class D violation. In addition to any enforce-
 25 ment officers specifically identified in ORS 153.005, the executive director of the Willamette
 26 Falls Locks Authority and other employees of the Willamette Falls Locks Authority may is-
 27 sue citations for violations of this section.

28 **SECTION 12.** Section 1, chapter 734, Oregon Laws 2017, is amended to read:

29 **Sec. 1.** (1) There is established the Willamette Falls Locks Commission for the purposes de-
 30 scribed in section 2, **chapter 734, Oregon Laws 2017**, [of this 2017 Act,] consisting of 23 members
 31 appointed as follows:

32 (a) The Governor shall appoint:

33 (A) One member who is the chair or a member of the Clackamas County Board of County
 34 Commissioners, pursuant to a recommendation of the board;

35 (B) One member who is the chair or a member of the Marion County Board of County Com-
 36 missioners, pursuant to a recommendation of the board;

37 (C) One member who is the chair or a member of the Yamhill County Board of County Com-
 38 missioners, pursuant to a recommendation of the board;

39 (D) One member who is the president or a member of the governing body of the metropolitan
 40 service district for the Portland metropolitan area, pursuant to a recommendation from the govern-
 41 ing body;

42 (E) One member who is a representative of the Confederated Tribes of the Grand Ronde Com-
 43 munity of Oregon, pursuant to a recommendation of the tribal council;

44 (F) One member who is a representative of a Columbia River tribe that is a party to the terms
 45 of a treaty of 1855 between the tribe and the United States of America;

- 1 (G) One member who is a representative of the State Parks and Recreation Department;
- 2 (H) One member who is a representative of the Port of Portland;
- 3 (I) One member who is a representative of the Department of Transportation;
- 4 (J) One member who is a representative of the Oregon Business Development Department;
- 5 (K) Pursuant to a recommendation by that city's governing body, one member who is the mayor
- 6 or a member of the governing body of each of the following cities, to represent the cities' interests
- 7 in the Willamette Falls navigation canal and locks:
- 8 (i) The City of Oregon City;
- 9 (ii) The City of West Linn; and
- 10 (iii) The City of Wilsonville;
- 11 (L) One member to represent the collective interests of local businesses and economic develop-
- 12 ment in Clackamas County, pursuant to a recommendation of the Clackamas County Board of
- 13 County Commissioners;
- 14 (M) One member to represent the collective interests of the tourism and recreation industries
- 15 in Clackamas County, pursuant to a recommendation by the Clackamas County Board of County
- 16 Commissioners;
- 17 (N) One member to represent the residents of Clackamas County, pursuant to a recommendation
- 18 by the Clackamas County Board of County Commissions; and
- 19 (O) One member to represent an environmental or ecological nonprofit organization.
- 20 (b) The President of the Senate shall appoint one member from among the members of the Sen-
- 21 ate.
- 22 (c) The Senate Minority Leader shall appoint one member from among the members of the Sen-
- 23 ate.
- 24 (d) The Speaker of the House of Representatives shall appoint two members from among the
- 25 members of the House of Representatives.
- 26 (e) The House Minority Leader shall appoint two members from among the members of the
- 27 House of Representatives.
- 28 (2) The term of office of each member of the commission appointed by the Governor is four
- 29 years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a
- 30 member, the Governor shall appoint a successor whose term begins on January 1 of the following
- 31 year. A member is eligible for reappointment.
- 32 (3) If there is a vacancy for any cause, the appointing authority shall make an appointment to
- 33 become immediately effective for the unexpired term.
- 34 (4) Members of the commission are not entitled to compensation and may not be reimbursed for
- 35 travel or other expenses incurred by them in the performance of their official duties.
- 36 (5) Members of the Legislative Assembly appointed to the commission are nonvoting members
- 37 of the commission and act in an advisory capacity only.
- 38 (6) The commission shall select one of its members as chairperson and another as vice chair-
- 39 person, for terms and with duties and powers necessary for the performance of the functions of the
- 40 offices as the commission determines.
- 41 (7) The commission may elect an executive committee to consist of three or more members. The
- 42 executive committee has and may exercise all authority of the commission.
- 43 (8) Official action by the commission requires the approval of a majority of the voting members
- 44 of the commission.
- 45 (9)(a) The commission shall meet [*no less than six times per year*] at times and places specified

1 by the call of the chairperson or of a majority of the voting members of the commission. [*The com-*
 2 *mission shall include an opportunity for public comment as an item on the agenda of at least two*
 3 *meetings per year.*]

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

6 (10) ORS 192.311 to 192.478 and 192.610 to 192.690 apply to the records and meetings of the
 7 commission.

8 **SECTION 13.** Section 2, chapter 734, Oregon Laws 2017, is amended to read:

9 **Sec. 2. (1) As used in this section, “Willamette Falls Locks project” has the meaning**
 10 **given that term in section 1 of this 2021 Act.**

11 [(1)] (2) The Willamette Falls Locks Commission shall:

12 [(a) *Serve as a body to advise state, local and regional government agencies on the development*
 13 *and implementation of state policies relating 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 and financing of the navigation*
 16 *canal and locks from a state, local and regional perspective;*]

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

21 [(d) *Investigate a framework for the ownership, operations and management of the navigation canal*
 22 *and locks;*]

23 [(e) *Negotiate ownership, operation and management of the navigation canal and locks with the*
 24 *United States Army Corps of Engineers;*]

25 [(f) *Communicate state policies relating to the repair, reopening, operation and maintenance of the*
 26 *navigation canal and locks to the Oregon Congressional Delegation; and*]

27 **(a) Serve as a body to advise the Governor in appointment of the initial members of the**
 28 **Willamette Falls Locks Authority pursuant to section 3 of this 2021 Act;**

29 **(b) Provide advice and assistance to the Governor or the Willamette Falls Locks Au-**
 30 **thority established under section 2 of this 2021 Act, as requested by the Governor or the**
 31 **authority, on any matters relating to the Willamette Falls Locks project and as necessary**
 32 **to facilitate an orderly transition from the commission to the authority of responsibilities**
 33 **for the development and implementation of state policies relating to the Willamette Falls**
 34 **Locks project; and**

35 [(g)] **(c) Consider any other matters the commission considers necessary with respect to advis-**
 36 **ing the Willamette Falls Locks Authority on the ownership and operation of the [navigation ca-**
 37 **nal and locks] Willamette Falls Locks project.**

38 (2) The commission may establish advisory or technical committees as the commission considers
 39 necessary to aid and advise the commission in the performance of its functions. The committees may
 40 be continuing or temporary committees. The commission shall determine the representation, mem-
 41 bership, terms and organization of the committees and shall appoint the members of the committees.

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

44 **SECTION 14.** Section 4, chapter 734, Oregon Laws 2017, is amended to read:

45 **Sec. 4.** Sections 1 and 2, **chapter 734, Oregon Laws 2017**, [*of this 2017 Act*] are repealed on

1 [December 31, 2023] **June 30, 2022.**

2 **SECTION 15. The section captions used in this 2021 Act are provided only for the con-**
3 **venience of the reader and do not become part of the statutory law of this state or express**
4 **any legislative intent in the enactment of this 2021 Act.**

5 **SECTION 16. This 2021 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
7 **on its passage.**

8
