

# House Bill 2706

Sponsored by Representative ZIKA; Representatives BREESE-IVERSON, LEIF, SMITH DB (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 certain requirements for contracts related to timber harvesting on state lands.

Establishes certain requirements for contracts related to timber harvesting on Common School Forest Lands and Elliott State Forest Lands.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to the management of state lands; amending ORS 530.050 and 530.500; and prescribing an  
3 effective date.

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

5 **SECTION 1.** ORS 530.050 is amended to read:

6 530.050. Under the authority and direction of the State Board of Forestry except as otherwise  
7 provided for the sale of forest products, the State Forester shall manage the lands acquired pursuant  
8 to ORS 530.010 to 530.040 so as to secure the greatest permanent value of those lands to the state,  
9 and to that end may:

10 (1) Protect the lands from fire, disease and insect pests, cooperate with the counties and with  
11 persons owning lands within the state in the protection of the lands and enter into all agreements  
12 necessary or convenient for the protection of the lands.

13 (2) Sell forest products from the lands, and execute mining leases and contracts as provided for  
14 in ORS 273.551.

15 (3) Enter into and administer contracts for the sale of timber from lands owned or managed by  
16 the State Board of Forestry and the State Forestry Department.

17 (4) Enter into and administer contracts for activities necessary or convenient for the sale of  
18 timber under subsection (3) of this section, either separately from or in conjunction with contracts  
19 for the sale of timber, including but not limited to activities such as timber harvesting and sorting,  
20 transporting, gravel pit development or operation, and road construction, maintenance or improve-  
21 ment. **Contracts related to timber harvesting:**

22 (a) **May authorize the thinning of trees on the lands.**

23 (b) **May authorize the collection of wood material or wood debris from the lands for the**  
24 **purpose of using the wood material or wood debris as biomass for energy production.**

25 (c) **May not authorize the clear-cutting of trees on the lands.**

26 (d) **Must require a person that harvests timber from the lands to reforest the harvested**  
27 **areas.**

28 (5) Permit the use of the lands for other purposes, including but not limited to forage and browse  
29 for domestic livestock, fish and wildlife environment, landscape effect, protection against floods and  
30 erosion, recreation, and protection of water supplies when, in the opinion of the board, the use is

**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 not detrimental to the best interest of the state.

2 (6) Grant easements, permits and licenses over, through and across the lands. The State Forester  
 3 may require and collect reasonable fees or charges relating to the location and establishment of  
 4 easements, permits and licenses granted by the state over the lands. The fees and charges collected  
 5 shall be used exclusively for the expenses of locating and establishing the easements, permits and  
 6 licenses under this subsection and shall be placed in the State Forestry Department Account.

7 (7) Require and collect fees or charges for the use of state forest roads. The fees or charges  
 8 collected shall be used exclusively for purposes of maintenance and improvements of the roads and  
 9 shall be placed in the State Forestry Department Account.

10 (8) Reforest the lands and cooperate with the counties, and with persons owning timberlands  
 11 within the state, in the reforestation, and make all agreements necessary or convenient for the  
 12 reforestation.

13 (9) Require such undertakings as in the opinion of the board are necessary or convenient to  
 14 secure performance of any contract entered into under the terms of this section or ORS 273.551.

15 (10) Sell rock, sand, gravel, pumice and other such materials from the lands. The sale may be  
 16 negotiated without bidding, provided the appraised value of the materials does not exceed \$2,500.

17 (11) Enter into agreements, each for not more than 10 years duration, for the production of mi-  
 18 nor forest products.

19 (12) Establish a forestry carbon offset program to market, register, transfer or sell forestry  
 20 carbon offsets. In establishing the program, the forester may:

21 (a) Execute any contracts or agreements necessary to create opportunities for the creation of  
 22 forestry carbon offsets; and

23 (b) Negotiate prices that are at, or greater than, fair market value for the transfer or sale of  
 24 forestry carbon offsets.

25 (13) Do all things and make all rules, not inconsistent with law, necessary or convenient for the  
 26 management, protection, utilization and conservation of the lands.

27 **SECTION 2.** ORS 530.500 is amended to read:

28 530.500. In order to accomplish the purposes of ORS 530.490, the State Forester may:

29 (1) Protect the lands from fire, disease and insect pests, cooperate with the counties and with  
 30 persons owning lands within the state in the protection of the lands and enter into all agreements  
 31 necessary or convenient for the protection of the lands.

32 (2) Enter into and administer contracts for the sale of timber from lands owned or managed by  
 33 the State Board of Forestry and the State Forestry Department.

34 (3) Enter into and administer contracts for activities necessary or convenient for the sale of  
 35 timber under subsection (2) of this section, either separately from or in conjunction with contracts  
 36 for the sale of timber, including but not limited to activities such as timber harvesting and sorting,  
 37 transporting, gravel pit development or operation, and road construction, maintenance or improve-  
 38 ment. **Contracts related to timber harvesting:**

39 (a) **May authorize the thinning of trees on the lands.**

40 (b) **May authorize the collection of wood material or wood debris from the lands for the**  
 41 **purpose of using the wood material or wood debris as biomass for energy production.**

42 (c) **May not authorize the clear-cutting of trees on the lands.**

43 (d) **Must require a person that harvests timber from the lands to reforest the harvested**  
 44 **areas.**

45 (4) Permit the use of the lands for other purposes, including but not limited to fish and wildlife

1 environment, landscape effect, protection against flood and erosion, recreation and production and  
2 protection of water supplies when the use is not detrimental to the purpose for which the lands are  
3 dedicated.

4 (5) Contract with other governmental bodies for the protection of water supplies to facilitate the  
5 multiple use of publicly owned water supplies for recreational purposes as well as a source of water  
6 for domestic and industrial use.

7 (6) Grant permits and licenses on, over and across the lands.

8 (7) Reforest the lands and cooperate with persons owning timberlands within the state in the  
9 reforestation, and make all agreements necessary or convenient for the reforestation.

10 (8) Establish a forestry carbon offset program to market, register, transfer or sell forestry car-  
11 bon offsets. In establishing the program, the forester may:

12 (a) Execute any contracts or agreements necessary to create opportunities for the creation of  
13 forestry carbon offsets; and

14 (b) Negotiate prices that are at, or greater than, fair market value for the transfer or sale of  
15 forestry carbon offsets.

16 (9) Do all things and make all rules and regulations, not inconsistent with law, necessary or  
17 convenient for the management, protection, utilization and conservation of the lands.

18 (10) Require such undertakings as in the opinion of the State Forester are necessary or con-  
19 venient to secure performance of any agreement authorized in ORS 530.450 to 530.520.

20 **SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021**  
21 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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