

SENATE AMENDMENTS TO SENATE BILL 19

By COMMITTEE ON FINANCE AND REVENUE

April 19

1 In line 2 of the printed bill, delete “; and prescribing an effective date”.

2 Delete lines 4 through 30 and insert:

3 **“SECTION 1. (1) Notwithstanding ORS 270.100 to 270.190, the Department of Corrections**
4 **shall offer to convey fee simple title to the real property and improvements generally known**
5 **as the Warner Creek Correctional Facility to Lake County, no later than 180 days after the**
6 **department:**

7 **“(a) Transfers all adults in custody from the facility to another Department of Cor-**
8 **rections institution or facility; and**

9 **“(b) Provides the county with a written notice of closure applicable to the facility.**

10 **“(2) The department shall offer to convey the state’s interest ‘AS IS, WHERE IS’ and**
11 **without any representation or warranty of any kind or nature by the department and without**
12 **cost to the county except as provided in subsection (4) of this section.**

13 **“(3) If the county does not accept the offer within 30 days, the department may withdraw**
14 **the offer.**

15 **“(4) If the county accepts the offer, the department shall convey the interest pursuant**
16 **to a statutory bargain and sale deed under ORS 93.860 and the Department of State Lands**
17 **shall release and transfer to the county all of the state’s interest in the mineral or**
18 **geothermal resources notwithstanding ORS 273.775 to 273.790. The Department of**
19 **Corrections’ conveyance must include all fixtures installed in the facility, except for fixtures**
20 **that the department determines are appropriate for transfer to another department institu-**
21 **tion or facility. The county shall bear its transaction and closing costs related to the**
22 **conveyance, including any applicable recording fees, escrow fees and title insurance.**

23 **“(5) As a condition of the conveyance described in this section and for the duration of**
24 **the period during which any state-issued bonds related to the real property or improvements**
25 **remain outstanding, Lake County must agree to provide written notice to the Director of the**
26 **Oregon Department of Administrative Services at least 30 days before any subsequent sale,**
27 **transfer, lease or nongovernmental use of the real property or improvements.**

28 **“(6) Notwithstanding ORS 215.431, if Lake County receives title to an institution under**
29 **this section, the county, with respect to the land on which the institution is sited, may**
30 **amend its comprehensive plan or enact or amend any land use regulation without respect to**
31 **statewide planning goals to allow the use of the land for any other purpose, provided that:**

32 **“(a) The enactment or amendment is passed by an ordinance of the governing body of the**
33 **county after a public hearing;**

34 **“(b) The county has not converted the institution to a regional correctional facility;**

35 **“(c) The ordinance is passed within one year of the transfer; and**

