Senate Bill 538
Sponsored by Senator GIROD; Senators FINDLEY, THATCHER (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 Forester to propose two-year extension to executory contracts on lands that were subject to alteration or damage from wildfires.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to contracts for forest products in lands subject to wildfires; amending ORS 530.065; and declaring an emergency.

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

SECTION 1. ORS 530.065 is amended to read:

530.065. (1) During the period of a timber sale contract made under ORS 530.059, either party may propose to change or modify the terms of the contract if unforeseen circumstances develop. As used in this subsection, “unforeseen circumstances” means acts of nature or other unforeseen circumstances or conditions that:

(a) Affect the nature or scope of the work to be performed or volume to be harvested under the terms of the sale contract made by the State Forester; or

(b) Require additional work or harvest in an area adjacent to a timber sale made by the State Forester.

(2) The State Forester is hereby authorized to change or modify the terms or conditions of a contract in the event of unforeseen circumstances requiring a change or modification under subsection (1) of this section only when occur and both of the following conditions are true:

(a) [Such] The change or modification is in the best interest of the State of Oregon; and

(b) The purchaser of the timber sale agrees that the proposed change or modification will maintain an equitable contractual relationship between the parties.

(3) Subject to subsection (2) of this section, the State Forester shall propose a two-year extension of the term of an executory contract into which the State Forester entered under ORS 530.059 if before the contract term expires a wildfire has significantly altered or damaged the lands that are the subject matter of the contract.

SECTION 2. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

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.

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