

SENATE AMENDMENTS TO SENATE BILL 161

By COMMITTEE ON NATURAL RESOURCES

April 3

1 In line 2 of the printed bill, after “Forest” insert “; amending sections 31 and 32, chapter 89,
2 Oregon Laws 2022; and declaring an emergency”.

3 Delete lines 4 through 8 and insert:

4 “**SECTION 1.** Section 31, chapter 89, Oregon Laws 2022, is amended to read:

5 “**Sec. 31.** (1)(a) Sections 1, 2, 4, 5, 7 to 21 and 24 [*of this 2022 Act*], **chapter 89, Oregon Laws**
6 **2022**, and the amendments to ORS 30.949, 283.085, 530.450, 530.480, 530.490, 530.510 and 530.520 by
7 sections 23 and 25 to 30 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**, become operative on
8 January 1, 2024.

9 “(b) Sections 3 and 6 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**, become operative upon
10 completion of all of the events described in subsection (2) of this section.

11 “(2) Notwithstanding subsection (1) of this section, sections 1 to 21 and 24 [*of this 2022 Act*],
12 **chapter 89, Oregon Laws 2022**, and the amendments to ORS 30.949, 283.085, 530.450, 530.480,
13 530.490, 530.510 and 530.520 by sections 23 and 25 to 30 [*of this 2022 Act*], **chapter 89, Oregon Laws**
14 **2022**, do not become operative unless, on or before [*July 1, 2023*] **November 1, 2023**:

15 “(a) The State Land Board ensures that financial obligations to the Common School Fund re-
16 lated to the Elliott State Forest are satisfied;

17 “(b) The State Land Board votes to decouple the Elliott State Forest from the Common School
18 Fund and authorizes actions necessary to transfer the forest to management described in sections
19 1 to 21 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**;

20 “(c) The **Department of State Lands submits a habitat conservation plan for the Elliott**
21 **State Forest to the** National Marine Fisheries Service and the United States Fish and Wildlife
22 Service [*jointly publish a notice of the availability of a final habitat conservation plan for the Elliott*
23 *State Forest*] pursuant to the Endangered Species Act of 1973 (P.L. 93-205, 16 U.S.C. 1531 to 1544)
24 and **the United States Fish and Wildlife Service initiates preparation of** a final environmental
25 impact statement [*for the forest*] pursuant to the National Environmental Policy Act (42 U.S.C. 4321
26 et seq.);

27 “(d) The Department of State Lands:

28 “(A) Contracts for third-party expertise to provide input informing the department’s review of
29 a plan submitted by Oregon State University addressing the financial viability of forest operations
30 and management that are consistent with the mission and management policies described in section
31 2 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**; and

32 “(B) After considering the input described in subparagraph (A) of this paragraph, concludes that
33 the plan demonstrates financial viability;

34 “(e) The State Land Board approves a forest management plan, as described in section 1 [*of this*
35 *2022 Act*], **chapter 89, Oregon Laws 2022**, for the Elliott State Research Forest; and

1 “(f) The Board of Trustees of Oregon State University authorizes the university to participate
2 in management of the Elliott State Research Forest.

3 “(3) The State Forester may take any action upon completion of all of the events described in
4 subsection (2) of this section and before the operative date specified in subsection (1)(a) of this sec-
5 tion that the State Land Board, the State Board of Forestry, the State Forestry Department or the
6 State Forester deems necessary to prepare for the establishment of the Elliott State Research Forest
7 as described in sections 1 to 21 and 24 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**, and the
8 amendments to ORS 30.949, 283.085, 530.450, 530.480, 530.490, 530.510 and 530.520 by sections 23 and
9 25 to 30 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**.

10 “**SECTION 2.** Section 32, chapter 89, Oregon Laws 2022, is amended to read:

11 “**Sec. 32.** The State Land Board shall report by [*September 15, 2023*] **February 15, 2024**, to an
12 interim or regular committee of the Legislative Assembly related to forests, in the manner described
13 in ORS 192.245, on whether all of the events described in section 31 (2) [*of this 2022 Act*], **chapter**
14 **89, Oregon Laws 2022**, occurred on or before [*July 1, 2023*] **November 1, 2023**.

15 “**SECTION 3. This 2023 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
17 **on its passage.”**