

House Bill 3071

Sponsored by Representative KOMP

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**.

Adds fossils to provisions relating to removal of resources from certain lands. Specifies that person removing semiprecious stones, petrified wood or fossils for commercial or noncommercial purposes may not dig hole more than four feet deep and must dispose of displaced soil as specified in rules adopted by Department of State Lands.

A BILL FOR AN ACT

1
2 Relating to removal of resources; creating new provisions; and amending ORS 273.715.

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

4 **SECTION 1.** ORS 273.715 is amended to read:

5 273.715. (1) The Department of State Lands shall [*prescribe*] **adopt** rules governing the explora-
6 tion for and removal of semiprecious stones [*and*], petrified wood **and fossils** from lands owned by
7 the State of Oregon and under the jurisdiction of the department. Such rules shall be designed to
8 maximize the public benefit of these resources[, *and shall permit the free use of lands under juris-*
9 *isdiction of the department for collection for noncommercial purposes of reasonable quantities of petrified*
10 *wood and semiprecious stones*].

11 (2) The department, by rule, shall require payment of a reasonable fee for a permit for the ex-
12 ploration for and removal of semiprecious stones [*and*], petrified wood **and fossils** sufficient to cover
13 the expenses of the department incurred under this section with respect to the permit.

14 (3)(a) [*No*] A person [*shall*] **may not** remove [*petrified wood or*] semiprecious stones, **petrified**
15 **wood or fossils** for commercial purposes or **noncommercial purposes** [*in a quantity having a value*
16 *of \$500 or more*] without a permit issued by the department under this section.

17 **(b) A person who removes semiprecious stones, petrified wood or fossils pursuant to this**
18 **section may not dig a hole that:**

19 **(A) Is more than four feet deep.**

20 **(B) Does not have a 45-degree slope from top to bottom.**

21 **(c) A person who removes semiprecious stones, petrified wood or fossils pursuant to this**
22 **section must dispose of the soil that is displaced in the process of removing the semiprecious**
23 **stones, petrified wood or fossils in the manner specified in rules adopted by the department.**

24 (4) If any person removes semiprecious stones [*or*], petrified wood **or fossils** from lands owned
25 by the State of Oregon without a permit as required under this section or in a manner contrary to
26 rules [*prescribed*] **adopted** under this section, all the materials or objects so removed or the value
27 of such materials or objects shall be subject to disposal by the department as property of the State
28 of Oregon.

29 **(5) The department may renew a permit issued under this section. Each permit or re-**
30 **newal of a permit is valid for one year.**

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 **SECTION 2.** (1) The amendments to ORS 273.715 by section 1 of this 2011 Act apply to the
2 removal of semiprecious stones, petrified wood and fossils taking place on or after the ef-
3 fective date of this 2011 Act.

4 (2)(a) The amendments to ORS 273.715 by section 1 of this 2011 Act apply to permits is-
5 sued by the Department of State Lands pursuant to ORS 273.715 before, on or after the ef-
6 fective date of this 2011 Act.

7 (b) Any permit issued by the Department of State Lands pursuant to the provisions of
8 ORS 273.715 before the effective date of this 2011 Act expires on the date specified in the
9 permit or on January 1, 2013, whichever is first, and is subject to renewal in the manner
10 provided in ORS 273.715 (5).

11