

# House Bill 4118

Sponsored by Representatives BONHAM, SMITH DB; Representative WILSON (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 Governor to review terms of Good Neighbor Authority Agreement. Requires Governor to work with United States Forest Service to give priority to projects that increase certain services to produce increased timber harvest volumes, are self-sustaining and maximize financial return to Oregon.

Requires Governor and Federal Forest Working Group to jointly develop recommendations for goals of Good Neighbor Authority Agreement. Establishes deadline for Governor to report recommendations for goals to Legislative Assembly.

Requires Secretary of State to conduct audit of State Forestry Department expenditures or obligations of certain lottery money allocations for purposes related to federal forestland projects. Requires that audit include certain information concerning projects or parts of projects for which department expended or obligated moneys. Establishes deadline for reporting audit results and information to Legislative Assembly.

Allocates lottery funds to department for supporting development, planning or implementation of priority projects on federal forestland under Good Neighbor Authority Agreement.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to projects on federal lands; and declaring an emergency.

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

### **SECTION 1. (1) As used in this section:**

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5 (a) **“Additive” means an increase in the pace, scale and quality of forest, rangeland and**  
6 **water restoration services on federal lands within Oregon to produce timber harvest volumes**  
7 **that in each fiscal year exceed congressionally funded United States Forest Service outputs.**

8 (b) **“Forest, rangeland and water restoration services” means activities that:**

9 (A) **Treat insect-infested or disease-infested trees;**

10 (B) **Reduce hazardous fuels; or**

11 (C) **Restore or improve forest, rangeland or watershed health, including but not limited**  
12 **to, fish or wildlife habitat health.**

13 (c) **“Good Neighbor Authority Agreement” means the Good Neighbor Authority Agree-**  
14 **ment that the Governor, the State Forester and the State Fish and Wildlife Director entered**  
15 **into with the United States Forest Service on March 29, 2016.**

16 (2) **The Governor shall review the terms of the Good Neighbor Authority Agreement and**  
17 **attempt to identify agreement terms that establish project parameters, including but not**  
18 **limited to parameters that affect timber harvest volume, job creation, fire prevention and**  
19 **response on forestland and economic stimulation. To the extent allowed by the agreement,**  
20 **the Governor shall work with the United States Forest Service to give priority to projects**  
21 **that:**

22 (a) **Consist of additive activities;**

23 (b) **Are self-sustaining; and**

24 (c) **Maximize financial return for Oregon.**

**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.** The Governor and the Federal Forest Working Group of Oregon Solutions  
 2 at Portland State University shall jointly develop specific recommendations regarding goals  
 3 for the Good Neighbor Authority Agreement as defined in section 1 of this 2018 Act. The  
 4 Governor shall report the recommendations to the Legislative Assembly in the manner pro-  
 5 vided by ORS 192.245 no later than March 1, 2019.

6       **SECTION 3.** (1) The Secretary of State shall conduct an audit of expenditures made or  
 7 obligations incurred by the State Forestry Department funded with:

8       (a) The \$2.885 million of lottery moneys allocated to the department for the 2013-2015  
 9 biennium under section 12, chapter 785, Oregon Laws 2013, for the Eastern Oregon Forest  
 10 Collaboration; and

11       (b) The \$5,072,136 of lottery moneys allocated to the department for the 2015-2017  
 12 biennium under section 13, chapter 811, Oregon Laws 2015, as amended by section 7, chapter  
 13 65, Oregon Laws 2016, for federal forest restoration.

14       (2) The Secretary of State shall attempt to obtain, either directly or through the de-  
 15 partment, in addition to any records of the department, any information available from the  
 16 United States Forest Service or the United States Bureau of Land Management pertaining  
 17 to department expenditures or obligations of moneys described in subsection (1) of this sec-  
 18 tion.

19       (3) In conducting an audit under this section, in addition to requiring an accounting of  
 20 moneys as described in subsection (1) of this section, the Secretary of State shall attempt  
 21 to:

22       (a) List and describe the projects that were developed, planned or implemented with the  
 23 moneys;

24       (b) Describe with specificity the expenditures made for each project or parts of a project  
 25 fully or partially funded with the moneys;

26       (c) Calculate for each project fully or partially funded with the moneys, the merchantable  
 27 timber volume sold; and

28       (d) Calculate the number of acres treated or restored by each project fully or partially  
 29 funded with the moneys.

30       (4) The Secretary of State shall include with the audit results a description of any factor  
 31 that the Secretary of State identifies as an obstacle to ensuring that any future funding of  
 32 projects under the Good Neighbor Authority Agreement is for projects consisting of additive  
 33 activities for previously established programs. As used in this subsection, “Good Neighbor  
 34 Authority Agreement” and “additive” have the meanings given those terms in section 1 of  
 35 this 2018 Act.

36       (5) The Secretary of State shall report the results of the audit required by this section,  
 37 and any information obtained under subsections (2) to (4) of this section, to the Legislative  
 38 Assembly no later than March 1, 2019.

39       **SECTION 4.** There is allocated for the biennium ending June 30, 2019, from the Admin-  
 40 istrative Services Economic Development Fund, to the State Forestry Department, the  
 41 amount of \$500,000 for the purpose of supporting the development, planning or implementa-  
 42 tion of projects on federal lands to which the Governor, after consultation with the United  
 43 States Forest Service, gives priority under section 1 of this 2018 Act.

44       **SECTION 5.** This 2018 Act being necessary for the immediate preservation of the public  
 45 peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect

1 **on its passage.**

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