

Senate Bill 538

Sponsored by Senator GIROD; Senators FINDLEY, THATCHER (Pre-session 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

1
2 Relating to contracts for forest products in lands subject to wildfires; amending ORS 530.065; and
3 declaring an emergency.

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

5 **SECTION 1.** ORS 530.065 is amended to read:

6 530.065. (1) During the period of a timber sale contract made under ORS 530.059, either party
7 may propose to change or modify the terms of the contract if unforeseen circumstances develop. As
8 used in this subsection, "unforeseen circumstances" means acts of nature or other unforeseen cir-
9 cumstances or conditions that:

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

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

14 (2) The State Forester is hereby authorized to change or modify the terms or conditions of
15 *[the]* a contract *[in the event of]* **described in subsection (1) of this section if** unforeseen circum-
16 stances requiring *[such]* a change or modification under subsection (1) of this section *[only when]*
17 **occur and both of the following conditions are true:**

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

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

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

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

28

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.