

SB 335-3  
(LC 2119)  
2/8/21 (AG/ps)

Requested by Senator GOLDEN

**PROPOSED AMENDMENTS TO  
SENATE BILL 335**

1 In line 2 of the printed bill, after “Forestry;” delete the rest of the line  
2 and insert “creating new provisions; amending ORS 197.277, 526.009, 526.031,  
3 527.650 and 527.715; and repealing ORS 527.660.”.

4 Delete lines 4 through 11 and insert:

5 **“SECTION 1.** ORS 526.009 is amended to read:

6 “526.009. (1) There is created a State Board of Forestry consisting of seven  
7 members appointed by the Governor. The members appointed to the board  
8 shall be subject to confirmation by the Senate as provided in ORS 171.562  
9 and 171.565. The Governor shall designate one member of the board as  
10 chairperson to hold that position until that member’s term expires or until  
11 relieved by the Governor as provided in subsection [(6)] (5) of this section.  
12 The chairperson shall have such powers and duties as are provided by the  
13 rules of the board.

14 “(2) The term of office of a member of the board is four years. A member  
15 shall be eligible for reappointment, but no member shall serve more than two  
16 consecutive full terms. In case of a vacancy for any cause, the Governor shall  
17 make an appointment as provided in subsection (1) of this section.

18 “(3) Appointments made by the Governor under subsection (1) of this  
19 section shall include appointment of at least one member from each of the  
20 forest regions established under ORS 527.640 and the rules adopted there-  
21 under by January 1, 1987.

1       “(4) [No more than three members of the board may derive any significant  
2       portion of their income directly from persons or organizations that are subject  
3       to regulation under ORS 527.610 to 527.770, 527.990 (1) and 527.992.] **Not**  
4       **more than two members of the board may have derived an average of**  
5       **\$1,000 or more, in the preceding five years, directly or indirectly from**  
6       **forestry or timber product-related enterprises. If the board includes**  
7       **two members described in this subsection, at least one of the two**  
8       **members must have derived the forestry or timber product-related**  
9       **moneys exclusively from enterprises on woodlands of not more than**  
10       **5,000 acres.**

11       “[(5) Except as provided in subsection (4) of this section, no member of the  
12       board shall have any relationship or pecuniary interest that would interfere  
13       with the member representing the public interest.]

14       “[(6)] (5) The Governor may at any time remove any member of the board  
15       for inefficiency, incompetence, neglect of duty, malfeasance in office, unfit-  
16       ness to render effective service or failure to continue to meet the criteria  
17       of appointment pursuant to this section.

18       “**SECTION 2. All members of the State Board of Forestry who are**  
19       **serving on the board on the effective date of this 2021 Act may con-**  
20       **tinue to serve on the board until the end of their terms. On or after**  
21       **the effective date of this 2021 Act, the Governor may not make an**  
22       **appointment or reappointment that is inconsistent with ORS 526.009,**  
23       **as amended by section 1 of this 2021 Act.**

24       “**SECTION 3. ORS 526.031 is amended to read:**

25       “526.031. (1) The [*State Board of Forestry*] **Governor** shall appoint a State  
26       Forester, who must be a practical forester familiar with western conditions  
27       and experienced in organization for the prevention of forest fires. The  
28       forester shall be the chief executive officer of the State Forestry Department.  
29       The forester shall hold office at the pleasure of the [*board*] **Governor**, and  
30       shall act as [*its*] **the secretary of the State Board of Forestry.**

1 “(2) With the approval of the [board] **Governor** and subject to applicable  
2 provisions of the State Personnel Relations Law, the State Forester may  
3 appoint a Deputy State Forester, assistant state foresters and other employ-  
4 ees of the department. During the State Forester’s absence or disability, all  
5 authority shall be exercised by the Deputy State Forester or by the assistant  
6 whom the State Forester or the [board] **Governor**, by written order filed  
7 with the Secretary of State, has designated as Acting State Forester.

8 “(3) The [board] **Governor** shall fix the compensation of the State  
9 Forester. In addition to their salaries, the forester, the deputy and assistants  
10 shall be reimbursed, subject to the limitations otherwise provided by law, for  
11 their actual and necessary travel and other expenses incurred in the per-  
12 formance of their duties.

13 **“SECTION 4.** ORS 527.650 is amended to read:

14 “527.650. (1) The State Board of Forestry *[shall establish a forest practice*  
15 *committee for each forest region established pursuant to ORS 527.640. Each*  
16 *such committee shall consist of nine members, a majority of whom must reside*  
17 *in the region. Members of each committee shall be qualified by education or*  
18 *experience in natural resource management and not less than two-thirds of the*  
19 *members of each committee shall be private landowners, private timber owners*  
20 *or authorized representatives of such landowners or timber owners who regu-*  
21 *larly engage in operations.]*

22 “[*(2) Members of forest practice committees shall be appointed by the board*  
23 *for three-year terms. If there is a vacancy for any cause, the board shall make*  
24 *an appointment to become immediately effective for the unexpired term. Each*  
25 *such committee shall select a chairperson from among its members. A staff*  
26 *member of the State Forestry Department shall be designated by the State*  
27 *Forester to serve as the secretary, without voting power, for each such com-*  
28 *mittee.] **may establish a work group to research, assess or provide rec-***  
29 **ommendations on any issue or question, as necessary to achieve the**  
30 **purposes described in ORS 527.630.**

1       **SECTION 5. On the effective date of this 2021 Act, the forest**  
2 **practice committees described in ORS 527.650 are disbanded.**

3       **SECTION 6.** ORS 197.277 is amended to read:

4       “197.277. (1) The goals and rules established in ORS chapters 195, 196 and  
5 197 do not apply to programs, rules, procedures, decisions, determinations  
6 or activities carried out under the Oregon Forest Practices Act administered  
7 under ORS 527.610 to 527.770, 527.990 (1) and 527.992.

8       “(2) No goal or rule shall be adopted, construed or administered in a  
9 manner to require or allow local governments to take any action prohibited  
10 by ORS 527.722.

11       “(3) The Land Conservation and Development Commission shall amend  
12 goals and rules as necessary to implement ORS 197.180, 197.277, 197.825,  
13 215.050, 477.440, 477.455, 477.460, 526.009, 526.016, 526.156, 527.620, 527.630,  
14 [527.660,] 527.670, 527.683 to 527.687, 527.715, 527.990 and 527.992.

15       **SECTION 7.** ORS 527.715 is amended to read:

16       “527.715. The State Board of Forestry shall establish, by rule, the stan-  
17 dards and procedures to implement the provisions of ORS 197.180, 197.270,  
18 197.825, 215.050, 477.440, 477.455, 477.460, 526.009, 526.016, 526.156, 527.620,  
19 527.630, [527.660,] 527.670, 527.683 to 527.724, 527.736 to 527.760 and 527.992.

20       **SECTION 8. ORS 527.660 is repealed.**

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