

SB 161-2
(LC 253)
3/16/23 (AG/ps)

Requested by SENATE COMMITTEE ON NATURAL RESOURCES

**PROPOSED AMENDMENTS TO
SENATE BILL 161**

1 In line 2 of the printed bill, after “Forest” insert “; amending sections 31
2 and 32, chapter 89, 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
5 read:

6 **“Sec. 31.** (1)(a) Sections 1, 2, 4, 5, 7 to 21 and 24 [*of this 2022 Act*],
7 **chapter 89, Oregon Laws 2022**, and the amendments to ORS 30.949, 283.085,
8 530.450, 530.480, 530.490, 530.510 and 530.520 by sections 23 and 25 to 30 [*of*
9 *this 2022 Act*], **chapter 89, Oregon Laws 2022**, become operative on January
10 1, 2024.

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

14 **“(2)** Notwithstanding subsection (1) of this section, sections 1 to 21 and
15 24 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**, and the amendments
16 to ORS 30.949, 283.085, 530.450, 530.480, 530.490, 530.510 and 530.520 by
17 sections 23 and 25 to 30 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**,
18 do not become operative unless, on or before [*July 1, 2023*] **November 1,**
19 **2023:**

20 **“(a)** The State Land Board ensures that financial obligations to the
21 Common School Fund related to the Elliott State Forest are satisfied;

1 “(b) The State Land Board votes to decouple the Elliott State Forest from
2 the Common School Fund and authorizes actions necessary to transfer the
3 forest to management described in sections 1 to 21 [*of this 2022 Act*], **chapter**
4 **89, Oregon Laws 2022**;

5 “(c) The **Department of State Lands submits a habitat conservation**
6 **plan for the Elliott State Forest to the** National Marine Fisheries Service
7 and the United States Fish and Wildlife Service [*jointly publish a notice of*
8 *the availability of a final habitat conservation plan for the Elliott State*
9 *Forest*] pursuant to the Endangered Species Act of 1973 (P.L. 93-205, 16
10 U.S.C. 1531 to 1544) and **the United States Fish and Wildlife Service in-**
11 **itiates preparation of** a final environmental impact statement [*for the*
12 *forest*] pursuant to the National Environmental Policy Act (42 U.S.C. 4321
13 et seq.);

14 “(d) The Department of State Lands:

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

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

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

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

27 “(3) The State Forester may take any action upon completion of all of the
28 events described in subsection (2) of this section and before the operative
29 date specified in subsection (1)(a) of this section that the State Land Board,
30 the State Board of Forestry, the State Forestry Department or the State

1 Forester deems necessary to prepare for the establishment of the Elliott
2 State Research Forest as described in sections 1 to 21 and 24 [*of this 2022*
3 *Act*], **chapter 89, Oregon Laws 2022**, and the amendments to ORS 30.949,
4 283.085, 530.450, 530.480, 530.490, 530.510 and 530.520 by sections 23 and 25 to
5 30 [*of this 2022 Act*], **chapter 89, Oregon Laws 2022**.

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

8 **“Sec. 32.** The State Land Board shall report by [*September 15, 2023*]
9 **February 15, 2024**, to an interim or regular committee of the Legislative
10 Assembly related to forests, in the manner described in ORS 192.245, on
11 whether all of the events described in section 31 (2) [*of this 2022 Act*],
12 **chapter 89, Oregon Laws 2022**, occurred on or before [*July 1, 2023*] **No-**
13 **vember 1, 2023.**

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

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