

House Bill 3894

Sponsored by Representative GAMBIA; Senators GOLDEN, PHAM K

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that the State Forester can lease forest lands for wind energy facilities. (Flesch Readability Score: 61.8).

Allows the State Forester to lease forestlands for the purpose of siting energy facilities that use wind energy.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to wind energy; creating new provisions; amending ORS 530.050; and prescribing an effective date.

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

5 **SECTION 1.** ORS 530.050 is amended to read:

6 530.050. Under the authority and direction of the State Board of Forestry except as otherwise
7 provided for the sale of forest products, the State Forester shall manage the lands acquired pursuant
8 to ORS 530.010 to 530.040 so as to secure the greatest permanent value of those lands to the state,
9 and to that end may:

10 (1) Protect the lands from fire, disease and insect pests, cooperate with the counties and with
11 persons owning lands within the state in the protection of the lands and enter into all agreements
12 necessary or convenient for the protection of the lands.

13 (2) Sell forest products from the lands, and execute mining leases and contracts as provided for
14 in ORS 273.551.

15 (3) Enter into and administer contracts for the sale of timber from lands owned or managed by
16 the State Board of Forestry and the State Forestry Department.

17 (4) Enter into and administer contracts for activities necessary or convenient for the sale of
18 timber under subsection (3) of this section, either separately from or in conjunction with contracts
19 for the sale of timber, including but not limited to activities such as timber harvesting and sorting,
20 transporting, gravel pit development or operation, and road construction, maintenance or improve-
21 ment.

22 (5) Permit the use of the lands for other purposes, including but not limited to forage and browse
23 for domestic livestock, fish and wildlife environment, landscape effect, protection against floods and
24 erosion, recreation, and protection of water supplies when, in the opinion of the board, the use is
25 not detrimental to the best interest of the state.

26 (6) Grant easements, permits and licenses over, through and across the lands. The State Forester
27 may require and collect reasonable fees or charges relating to the location and establishment of
28 easements, permits and licenses granted by the state over the lands. The fees and charges collected
29 shall be used exclusively for the expenses of locating and establishing the easements, permits and

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 licenses under this subsection and shall be placed in the State Forestry Department Account.

2 (7) Require and collect fees or charges for the use of state forest roads. The fees or charges
3 collected shall be used exclusively for purposes of maintenance and improvements of the roads and
4 shall be placed in the State Forestry Department Account.

5 (8) Reforest the lands and cooperate with the counties, and with persons owning timberlands
6 within the state, in the reforestation, and make all agreements necessary or convenient for the
7 reforestation.

8 (9) Require such undertakings as in the opinion of the board are necessary or convenient to
9 secure performance of any contract entered into under the terms of this section or ORS 273.551.

10 (10) Sell rock, sand, gravel, pumice and other such materials from the lands. The sale may be
11 negotiated without bidding, provided the appraised value of the materials does not exceed \$2,500.

12 (11) Enter into agreements, each for not more than 10 years duration, for the production of mi-
13 nor forest products.

14 (12) Establish a forestry carbon offset program to market, register, transfer or sell forestry
15 carbon offsets. In establishing the program, the forester may:

16 (a) Execute any contracts or agreements necessary to create opportunities for the creation of
17 forestry carbon offsets; and

18 (b) Negotiate prices that are at, or greater than, fair market value for the transfer or sale of
19 forestry carbon offsets.

20 (13) Establish a forestry renewable woody biomass conversion program to market, register,
21 transfer or sell forestry woody biomass conversion offtakes. In establishing the program, the forester
22 may:

23 (a) Execute any contracts or agreements necessary to create opportunities for the creation of
24 forestry woody biomass conversion offtakes; and

25 (b) Negotiate prices that are at, or greater than, fair market value for the transfer or sale of
26 forestry woody biomass conversion offtakes.

27 **(14) Lease the lands for the purpose of siting energy facilities, as defined in ORS 469.300,
28 that use wind energy.**

29 ~~[(14)]~~ **(15)** Do all things and make all rules, not inconsistent with law, necessary or convenient
30 for the management, protection, utilization and conservation of the lands.

31 **SECTION 2. (1) The amendments to ORS 530.050 by section 1 of this 2025 Act become
32 operative on January 1, 2026.**

33 **(2) The State Forestry Department may take any action before the operative date speci-
34 fied in subsection (1) of this section that is necessary to enable the department to exercise,
35 on and after the operative date specified in subsection (1) of this section, all of the duties,
36 functions and powers conferred on the department by the amendments to ORS 530.050 by
37 section 1 of this 2025 Act.**

38 **SECTION 3. This 2025 Act takes effect on the 91st day after the date on which the 2025
39 regular session of the Eighty-third Legislative Assembly adjourns sine die.**