

HB 3103-5
(LC 773)
3/28/25 (MNJ/AG/ps)

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
HOUSE BILL 3103**

1 On page 1 of the printed bill, line 2, after “outcomes;” delete the rest of
2 the line and line 3 and insert “and declaring an emergency.”.

3 Delete lines 4 through 22.

4 On page 2, delete lines 1 through 7.

5 Delete lines 9 through 45 and delete pages 3 through 10 and insert:

6 **“SECTION 1. (1) As used in this section and section 3 of this 2025**
7 **Act:**

8 **“(a) ‘Available state forestland’ means forestland acquired under**
9 **ORS 530.010 to 530.040, and Common School Forest Lands managed**
10 **under ORS 530.490, that are available for timber harvest, as determined**
11 **by the State Forester.**

12 **“(b) ‘Material change in management’ means a change in the**
13 **management of state forestland that materially changes the volume**
14 **of timber to be harvested from the state forestland.**

15 **“(c) ‘Sustainable timber harvest level’ means a planned volume of**
16 **timber to be harvested over a 10-year period, in annual increments,**
17 **from available state forestland.**

18 **“(2) The State Forester shall determine, and may periodically adjust**
19 **the determination of, the available state forestland.**

20 **“(3) Under the authority and direction of the State Board of**
21 **Forestry, the State Forester shall adopt by rule a sustainable timber**

1 harvest level:

2 “(a) Before making a material change in management;

3 “(b) If the condition of available state forestland has changed
4 materially; or

5 “(c) At least once every 10 years.

6 “(4) When determining a sustainable timber harvest level to adopt,
7 the State Forester must take into account:

8 “(a) The condition of the available state forestland;

9 “(b) Policies and directives lawfully issued by the State Forester
10 including, to the extent lawful, a policy to implement, prior to federal
11 approval, the material terms of a habitat conservation plan formally
12 submitted by application to the National Marine Fisheries Service or
13 the United States Fish and Wildlife Service; and

14 “(c) All applicable federal and state legal requirements, including
15 any applicable requirements under:

16 “(A) A habitat conservation plan approved by the National Marine
17 Fisheries Service or the United States Fish and Wildlife Service;

18 “(B) The Oregon Forest Practices Act set out in ORS 527.610 to
19 527.770 and rules adopted thereunder; and

20 “(C) Rules adopted by the board that relate to the management of
21 state forestland.

22 “(5) A sustainable timber harvest level must include any amount
23 of timber that was expected to be harvested under any previous
24 sustainable timber harvest level and that was not harvested, unless
25 exigent circumstances such as disease, wildfire or storm damage pre-
26 vented the harvest of the timber.

27 “(6) The State Forester shall, to the degree consistent with other
28 applicable legal requirements, manage available state forestland to
29 produce the applicable sustainable timber harvest level adopted under
30 this section.

1 **“(7) This section does not:**

2 **“(a) Alter the obligation of the State Forester to manage lands in**
3 **accordance with ORS 530.050; or**

4 **“(b) Restrict the authority of the State Forester and the board to**
5 **adopt rules for the management of state forestland, except to the ex-**
6 **tent that rules may not conflict with the provisions of this section.**

7 **“SECTION 2. Notwithstanding section 1 (3) of this 2025 Act, the**
8 **State Forester shall adopt an initial sustainable timber harvest level**
9 **under section 1 of this 2025 Act on or before July 1, 2026.**

10 **“SECTION 3. (1) If the State Forester does not determine a**
11 **sustainable timber harvest level under section 1 of this 2025 Act by the**
12 **time such a determination is required to be made, any person may**
13 **apply to the Circuit Court for Marion County for a temporary or per-**
14 **manent injunction directing the State Forester to promptly comply**
15 **with the requirements of section 1 of this 2025 Act.**

16 **“(2) If the State Forester does not manage available state forestland**
17 **in compliance with section 1 of this 2025 Act, any person who had**
18 **commented on rulemaking establishing or adjusting a sustainable**
19 **timber harvest level under section 1 of this 2025 Act may apply to the**
20 **Circuit Court for Marion County for a temporary or permanent in-**
21 **junction directing the State Forester to promptly manage available**
22 **state forestland in compliance with section 1 of this 2025 Act.**

23 **“(3) In any action under this section that involves the interpreta-**
24 **tion of a federal legal requirement, the court shall consider the inter-**
25 **pretation of the State Forester.**

26 **“SECTION 4. There is appropriated to the State Forester, for the**
27 **biennium beginning July 1, 2025, out of the General Fund, the amount**
28 **of \$_____ for the purpose of adopting an initial sustainable timber**
29 **harvest level under section 1 of this 2025 Act by the time required in**
30 **section 2 of this 2025 Act.**

1 **“SECTION 5. This 2025 Act being necessary for the immediate**
2 **preservation of the public peace, health and safety, an emergency is**
3 **declared to exist, and this 2025 Act takes effect on its passage.”.**

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