

## SENATE AMENDMENTS TO SENATE BILL 204

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

April 15

- 1 On page 1 of the printed bill, line 2, after “land” insert “; and declaring an emergency”.
- 2 After line 2, insert:
- 3 “Whereas Oregon residents recognize that the productive working farms, ranches and forests in
- 4 this state provide economic, social and ecological values; and
- 5 “Whereas Oregon residents seek more information about the obstacles to the successful opera-
- 6 tion of working farms, ranches and forests; and”.
- 7 In line 3, delete “organize” and insert “protect”.
- 8 Delete lines 7 through 25 and delete pages 2 through 8 and insert:
- 9 **“SECTION 1. As used in section 2 of this 2015 Act:**
- 10 **“(1) ‘Conservation benefits’ means the maintenance, restoration, protection or enhance-**
- 11 **ment of:**
- 12 **“(a) Water quality or quantity;**
- 13 **“(b) Native fish and native wildlife habitat;**
- 14 **“(c) Biological diversity; or**
- 15 **“(d) Other specific attributes that contribute to ecological health.**
- 16 **“(2) ‘Working farm or forest’ means land used for an operation in which the owner, the**
- 17 **owner’s designee or an operator actively engages in farming, ranching or timber production.**
- 18 **“SECTION 2. (1) The Task Force on Working Farms and Forests is established, consist-**
- 19 **ing of 11 members appointed as follows:**
- 20 **“(a) The President of the Senate shall appoint two members from among members of the**
- 21 **Senate.**
- 22 **“(b) The Speaker of the House of Representatives shall appoint two members from among**
- 23 **members of the House of Representatives.**
- 24 **“(c) The Governor shall appoint seven members, composed of one representative each**
- 25 **from:**
- 26 **“(A) Tribal government;**
- 27 **“(B) County government;**
- 28 **“(C) Farming interests;**
- 29 **“(D) Ranching interests;**
- 30 **“(E) Soil and water conservation districts;**
- 31 **“(F) Forestry and timber interests; and**
- 32 **“(G) Conservation organizations.**
- 33 **“(2) Members of the Legislative Assembly appointed to the task force are nonvoting**
- 34 **members of the task force and may act in an advisory capacity only.**
- 35 **“(3) The task force shall:**

1       “(a) Study the rates of conversion of working farms or forests to other uses, changes in  
2 the rates of conversion over time, the other uses made of lands following conversion and the  
3 amount of land converted to each of those other uses.

4       “(b) Study conflicts between working farms or forests and other uses of land, trends re-  
5 garding those conflicts and changes in the number and location of other land uses.

6       “(c) Study and evaluate potential tools for state government to help private landowners  
7 maintain land as active working farms or forests while accomplishing conservation benefits  
8 on those lands, including but not limited to easements, tax incentives, grants and loans.

9       “(d) Study issues regarding the compatibility of conservation action carried out on or  
10 adjacent to a working farm or forest with the farming, ranching or timber production oper-  
11 ations on the working farm or forest and evaluate tools for addressing compatibility prob-  
12 lems in a manner that preserves both the ability to carry out conservation actions and the  
13 farming, ranching or timber production operations.

14       “(e) Identify challenges regarding future plans for, and succession of, working farms or  
15 forests, including but not limited to regulatory constraints, market conditions, changing de-  
16 mographics, local economic conditions and access to community services.

17       “(4) The task force may study information for the entire state or, if specific areas of the  
18 state are representative of the state as a whole, may focus on studying information for those  
19 specific areas.

20       “(5) A majority of the voting members of the task force constitutes a quorum for the  
21 transaction of business.

22       “(6) Official action by the task force requires the approval of a majority of the voting  
23 members of the task force.

24       “(7) The task force shall elect one of its members to serve as chairperson.

25       “(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
26 ment to become immediately effective.

27       “(9) The task force shall meet at times and places specified by the call of the chairperson  
28 or of a majority of the voting members of the task force.

29       “(10) The task force may adopt rules necessary for the operation of the task force.

30       “(11) The task force shall submit a report in the manner provided by ORS 192.245, and  
31 may include recommendations for legislation, to an interim committee of the Legislative  
32 Assembly related to natural resources no later than December 31, 2016.

33       “(12) The State Forestry Department shall provide staff support to the task force.

34       “(13) Members of the task force who are not members of the Legislative Assembly are  
35 not entitled to compensation, but may be reimbursed for actual and necessary travel and  
36 other expenses incurred by them in the performance of their official duties in the manner  
37 and amounts provided for in ORS 292.495. Claims for expenses incurred in performing func-  
38 tions of the task force shall be paid out of funds appropriated to the department for purposes  
39 of the task force.

40       “(14) All agencies of state government, as defined in ORS 174.111, are directed to assist  
41 the task force in the performance of its duties and, to the extent permitted by laws relating  
42 to confidentiality, to furnish such information and advice as the members of the task force  
43 consider necessary to perform their duties.

44       “SECTION 3. (1) The Clean Water Fund is established in the State Treasury, separate  
45 and distinct from the General Fund. Interest earned by the Clean Water Fund shall be

1 credited to the fund. Moneys in the fund are continuously appropriated to the Oregon  
2 Watershed Enhancement Board for the purpose of carrying out section 4 of this 2015 Act.

3 “(2) The board may accept contributions to the fund from any public or private source  
4 and may agree to any conditions for the expenditure of contributed moneys that are con-  
5 sistent with the purposes of the fund.

6 “(3) The board may not expend more than seven percent of the moneys credited to the  
7 fund for paying board administrative expenses in carrying out section 4 of this 2015 Act.

8 “SECTION 4. (1) As used in this section:

9 “(a) ‘Proper functioning condition’ means vegetation and soil conditions in a riparian  
10 area that are consistent with the optimum long-term potential conditions of the area based  
11 on stream size, gradient, elevation, climate and other related variables.

12 “(b) ‘Working farm’ means land used for an operation in which the owner, the owner’s  
13 designee or an operator actively engages in farming or ranching.

14 “(2) The Oregon Watershed Enhancement Board may expend moneys from the Clean  
15 Water Fund for:

16 “(a) Purchasing in whole or in part, from willing sellers, long-term agreements to man-  
17 age riparian areas on working farms to pursue water quality improvement through the  
18 achievement of proper functioning condition of the area in a manner that is compatible with  
19 preserving the ability to carry out farming and ranching operations on the working farms;  
20 and

21 “(b) Funding in whole or in part capital improvements to working farms in association  
22 with agreements described in paragraph (a) of this subsection.

23 “(3) Agreements described in subsection (2) of this section may be combined with agree-  
24 ments or incentives from other programs to improve the outcome of conservation efforts  
25 on the working farm land, to increase or preserve the number of working farms managed  
26 to carry out conservation efforts or to focus on those working farms where the achievement  
27 of proper functioning condition would produce greater water quality improvement benefits.

28 “SECTION 5. Sections 1 and 2 of this 2015 Act are repealed on January 2, 2017.

29 “SECTION 6. This 2015 Act being necessary for the immediate preservation of the public  
30 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
31 on its passage.”.

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