

Legislative Action

Legislative Action Summary

2023 Regular Legislative Session – 2023-25 Biennium – Oregon Chapter Law and Budget Reports

Bill	Chapter Law	Purpose
HB 5020	453	ODF Main budget bill
HB 3409	442	Community Green Spaces
HB 5006	597	Klamath Facility Replacement; Salem Airport Hanger Construction
HB 2087	491	Harvest Tax Rates
SB 80	611	Wildfire Hazard Mapping
SB 5506	605	Removal of Fire Insurance; Aircraft Purchase; Deferred Maintenance; Debt Service for multiple projects; SGSC
SB 5543	22	Bond Authority

2023 Regular Legislative Session – 2021-23 Biennium – Oregon Chapter Law and Budget Reports

Bill	Chapter Law	Purpose
HB 5045	21	Debt Service adjustments

2023—2025 Budget Note Summary

Budget Note Number	Program	Purpose
N/A	N/A	ODF has no Budget Notes this biennium

Bills and Budget Reports

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

Enrolled

House Bill 5020

Introduced and printed pursuant to House Concurrent Resolution 23 (2023) (at the request of Oregon Department of Administrative Services)

000453

CHAPTER

AN ACT

Relating to the financial administration of the State Forestry Department; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. There are appropriated to the State Forestry Department, for the biennium beginning July 1, 2023, out of the General Fund, the following amounts, for the following purposes:

- (1) Fire protection..... \$ 74,474,033
- (2) Forest resources..... \$ 76,379,574
- (3) Planning branch..... \$ 811,590
- (4) Debt service..... \$ 15,853,084
- (5) Equipment pool..... \$ 534,276

SECTION 2. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2023, as the maximum limits for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in this section, collected or received by the State Forestry Department, for the following purposes:

- (1) Agency administration..... \$ 49,976,284
- (2) Fire protection..... \$109,776,875
- (3) State forests..... \$190,722,562
- (4) Forest resources..... \$ 25,189,283
- (5) Planning branch..... \$ 4,944,252
- (6) Capital improvement..... \$ 5,401,519
- (7) Debt service..... \$ 1,238,524
- (8) Equipment pool..... \$ 20,958,087
- (9) Facilities maintenance and management..... \$ 6,146,321

SECTION 3. Notwithstanding any other law limiting expenditures, the amount of \$2,557,080 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the State Forestry Department for debt service relating to the purchase of land in the Gilchrist State Forest.

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SECTION 4. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2023, as the maximum limits for payment of expenses from federal funds other than those described in section 2 of this 2023 Act, collected or received by the State Forestry Department, for the following purposes:

- (1) Agency administration..... \$ 364,769
- (2) Fire protection..... \$ 19,622,845
- (3) State forests \$ 987,406
- (4) Forest resources..... \$ 24,007,911
- (5) Planning branch..... \$ 325,947

SECTION 5. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$14,000,000, to be allocated to the State Forestry Department for fire protection expenses.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2024, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 6. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect July 1, 2023.

Passed by House June 13, 2023


 Timothy G. Sakerak, Chief Clerk of House


 Dan Rayfield, Speaker of House

Passed by Senate June 23, 2023


 Rob Wagner, President of Senate

Received by Governor

11:30 AM JUNE 28, 2023

Approved:

1:25 P.M. JULY 27, 2023


 Tina Kotek, Governor

Filed in Office of Secretary of State:

M, 2023


 Galina Ojifin-Obale, Secretary of State

82nd OREGON LEGISLATIVE ASSEMBLY-2023 Regular Session

Enrolled House Bill 3409

Sponsored by Representatives RAYFIELD, MARSH, PHAM K, Senators DEMBROW, LIBBER, Representatives ANDERSEN, BOWMAN, CHAIKIT, DEXTER, GAMBA, GRAYBER, HARTMAN, HOLVEY, HUDSON, KROPF, LEVY E, MOLAIN, NELSON, NERON, NGUYEN H, NOESSE, REYNOLDS, SOSA, TRAN, WALTERS, Senators CAMPOS, MANNING JR, PATTERSON, SOLLMAN

CHAPTER
000442

AN ACT

Relating to climate; creating new provisions; amending ORS 352.822, 468A.210, 468A.215, 468A.220, 468A.225, 468A.230, 468A.235, 468A.240, 468A.245, 468A.250, 468A.255, 468A.260, 469.754, 469.756 and 530.050 and sections 1 and 5, chapter 635, Oregon Laws 2019, and sections 2, 10, 14, 17, 21, 23, 24 and 29, chapter 86, Oregon Laws 2022; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

DESIGNATED STATE AGENCY PROGRAMS FOR ENERGY EFFICIENCY IN BUILDINGS

SECTION 1. (1) The Legislative Assembly finds that:

- (a) Energy consumption in residential and commercial buildings accounted for 34 percent of annual greenhouse gas emissions in this state in 2021, according to the Department of Environmental Quality;
- (b) Space and water heating account for 64 percent of an average residential building's energy use;
- (c) Heat pumps provide both heating and cooling benefits that keep people safe during extreme weather events that are becoming more frequent and more intense as a consequence of climate change;
- (d) Electric heat pumps can provide up to three times more heat energy than the electrical energy the heat pumps consume, which makes heat pumps the most energy efficient space heating option available in the market;
- (e) Upgrading space and water heating appliances with contemporary heat pump technologies can help people to save money on household energy bills;
- (f) Existing and forthcoming state and federal incentive programs will assist in energy efficiency improvements in homes and buildings, including adoption of energy efficient heating and cooling appliances;
- (g) Many residents of this state suffer from disproportionately high energy burdens, and environmental justice communities face greater barriers to purchasing and installing heat pumps and other energy efficient appliances; and

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(w) The use of plants and food in maintaining social and environmental identity and highways.

SECTION 23. As used in sections 22 to 26 of this 2023 Act:

- (1) "Community green infrastructure project" means a green infrastructure project that provides social, environmental or economic benefits to a particular community and is developed through a collaborative process that helps to define those benefits.
- (2) "Environmental justice community" has the meaning given that term in ORS 192.535.
- (3) "Green communities nursery" means an Oregon nursery certified by the State Department of Agriculture under section 27 of this 2023 Act.
- (4) "Green infrastructure" means:
 - (a) Green infrastructure as defined in ORS 550.160; or
 - (b) Infrastructure that:
 - (A) Mimics natural systems, or enables natural systems to be less stressed through water conservation, water protection or ecosystem restoration, at the neighborhood or site scale as part of an integrated approach in residential, municipal or industrial developments or water infrastructure; and
 - (B) Implements community-based concepts, principles and practices to conserve and manage resources for future generations, sequester carbon and provide environmental and social benefits.
 - (5) "Green infrastructure economic development project" means a community green infrastructure project that employs members of a community that benefits from the community green infrastructure project in the development, construction, planting or maintenance of the project.
 - (6) "Green infrastructure improvement zone" means an area designated by the State Forestry Department under section 28 of this 2023 Act.
 - (7) "Green infrastructure master plan" means a long-term plan developed by a public body or tribal government that involves the creation, protection or enhancement of green infrastructure, including but not limited to:
 - (a) An urban forestry plan;
 - (b) A storm water management plan; and
 - (c) A plan to establish parks or other public green spaces.
 - (8) "Indian tribe" means a federally-recognized Indian tribe in Oregon.
 - (9) "Native plant nursery" means an Oregon nursery that specializes in plants native to Oregon.
 - (10) "Native seed bank" means a store of seeds from native plants that helps to:
 - (a) Preserve genetic diversity in those plant species to increase plant yield and health, including disease resistance and drought tolerance;
 - (b) Hold seeds and plants for the restorative health of a community; or
 - (c) Support the replanting of post-fire successional plants.
 - (11) "Oregon nursery" means:
 - (a) A person that holds a license required by ORS 571.956 issued by the State Department of Agriculture; or
 - (b) A nursery operated by an Indian tribe, an entity wholly owned by an Indian tribe or an enrolled member of an Indian tribe and operated on the tribe's reservation or trust land.
 - (12) "Public body" has the meaning given that term in ORS 174.109.

SECTION 24. (1) The Community Green Infrastructure Grant Program is established as a program administered by the Department of Land Conservation and Development for the purpose of awarding grants for:

 - (a) Offsetting the cost of planning and developing community green infrastructure projects or green infrastructure economic development projects;
 - (b) Developing or supporting native seed banks or native plant nurseries; or
 - (c) Supporting and implementing green infrastructure master plans.

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- (2) The Department of Land Conservation and Development may enter into intergovernmental agreements under ORS chapter 190 with the Oregon Health Authority, the Oregon Business Development Department, the Bureau of Labor and Industries, the State Department of Agriculture, the Oregon Watershed Enhancement Board, the Department of Environmental Quality, the State Parks and Recreation Department or an Indian tribe for the purposes of assistance with:
- (a) The design and implementation of the Community Green Infrastructure Grant Program;
 - (b) Readiness to acquire and administer federal funding related to green infrastructure projects; or
 - (c) Technical advice or feedback on the grant review process established under this section.
- (3) The Department of Land Conservation and Development shall enter into an intergovernmental agreement under ORS chapter 190 with the State Forestry Department for the purposes of assistance with:
- (a) The design and implementation of the Community Green Infrastructure Grant Program;
 - (b) Readiness to acquire and administer federal funding related to green infrastructure projects; and
 - (c) Technical advice or feedback on the grant review process established under this section.
- (4) The Department of Land Conservation and Development shall enter into an intergovernmental agreement under ORS chapter 190 with the Department of Transportation for the purposes of assistance with:
- (a) Technical advice regarding state transportation facilities and rights of way as they relate to the design and implementation of the Community Green Infrastructure Grant Program;
 - (b) Readiness to acquire and administer federal funding related to green infrastructure projects; and
 - (c) Technical advice or feedback on the grant review process established under this section.
- (5)(a) A public body, a local workforce development board as defined in ORS 660.300, a manufactured dwelling park nonprofit cooperative as defined in ORS 62.803, an Indian tribe, a watershed council as defined in ORS 541.890, a nonprofit organization or a faith-based organization may apply for a grant under this section for the purpose of planning or developing a community green infrastructure project or a green infrastructure economic development project.
- (b) An applicant for a grant for a community green infrastructure project or a green infrastructure economic development project may partner with a state agency, a private business with a business site in this state or an owner of rental property in this state.
 - (c) A grant for an approved application for a community green infrastructure project or a green infrastructure economic development project will be awarded and released only to an applicant described in paragraph (a) of this subsection.
 - (d)(A) An application for a community green infrastructure project or a green infrastructure economic development project must be drafted in consultation with the government of the city or county in which the project will be located and with the electric and water utilities in whose service territory the project will be located.
 - (B) An application must include documentation of the consultations described in this paragraph and demonstrate that feedback received as a result of consultation was incorporated into the application materials. If the application does not incorporate feedback from a consulted party into the application, the applicant must provide an explanation of why the

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rate a curriculum or demonstration component to connect students to the project and provide education about:

- (a) Green infrastructure;
- (b) Careers in green infrastructure; and
- (c) Cultural practices to educate, and conserve and manage resources for, future generations.

SECTION 25. (1) The Community Green Infrastructure Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Community Green Infrastructure Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the Department of Land Conservation and Development for the purpose of carrying out section 24 of this 2023 Act, subject to the allocations described in subsection (2) of this section.

(2) Of the moneys in the fund:

- (a) 30 percent shall be allocated for grants to be awarded for planning or developing green infrastructure economic development projects;

- (b) 40 percent shall be allocated for grants to be awarded for entities or projects located in green infrastructure improvement zones; and

- (c) 30 percent shall be allocated for grants to be awarded to entities or projects in tribal, rural, remote or coastal communities.

SECTION 26. (1) The Department of Land Conservation and Development may appoint an Advisory Committee on Community Green Infrastructure Investment to provide consultation on the implementation of section 24 of this 2023 Act. A committee appointed under this section shall consist of at least one representative of each of the following interests:

- (a) City governments;
 - (b) County governments;
 - (c) Special districts, irrigation districts or transportation districts;
 - (d) School districts;
 - (e) Environmental justice communities;
 - (f) The Oregon nursery industry;
 - (g) Educational institutes that train professionals in horticulture, urban forestry or other green infrastructure professions;
 - (h) State or local parks and recreation agencies;
 - (i) Individuals with expertise in designing, constructing and maintaining green infrastructure;
 - (j) Individuals with expertise in the public or community health benefits of green infrastructure;
 - (k) Individuals with expertise in green workforce development or social enterprise models; and
 - (l) Individuals with expertise in green infrastructure projects in tribal, rural, remote or coastal communities.
- (2)(a) The department shall invite each of the federally recognized Indian tribes in Oregon to participate in the advisory committee.
- (b) Invitation to participate in the advisory committee is not in lieu of other forms of tribal consultation, outreach or engagement that the department may engage in as necessary to fulfill the purposes of sections 22 to 26 of this 2023 Act.
- (3) No later than September 15 of each even-numbered year, the advisory committee shall submit a report on the implementation of the Community Green Infrastructure Grant Program to the appropriate interim committees of the Legislative Assembly, in the manner provided by ORS 192.245.

GREEN COMMUNITIES NURSERIES

SECTION 27. (1) As used in this section, "Oregon nursery" has the meaning given that term in section 23 of this 2023 Act.

(2) The State Department of Agriculture shall certify an Oregon nursery as a green communities nursery if the nursery:

- (a) Has practices in pest and disease management that satisfy standards established by the department;
 - (b) Materially demonstrates a history of compliance with the rules and other requirements of state and local agencies with oversight regarding workers' compensation, building codes and occupational safety and health over a period of seven years or the life of the nursery, whichever is shorter;
 - (c) Materially demonstrates a history of compliance with federal and state wage and hour laws over a period of seven years or the life of the nursery, whichever is shorter; and
 - (d) Grows and maintains noninvasive nursery stock for the purposes of partnering with communities or public bodies on green infrastructure projects.
- (3) An Oregon nursery may apply for certification under this section in the form and manner prescribed by the department.

URBAN TREE CANOPIES

SECTION 28. (1) The State Forestry Department shall acquire and maintain a statewide urban tree canopy assessment tool.

(2) The assessment tool must provide geospatial mapping that includes:

- (a) A visualization of urban tree canopies, viewable at the census tract level;
 - (b) Community demographic, economic, social and health data;
 - (c) A comprehensive inventory of tree canopies on public lands;
 - (d) Rights of way and their associated jurisdictions;
 - (e) An urban green space assessment that includes an evaluation of vegetation health and a comparison of pervious surfaces to impervious surfaces within the green space; and
 - (f) An assessment of tree canopy and green space in the urban-rural gradient.
- (3) The department may integrate the urban tree canopy assessment tool with data from other agency mapping tools, including the environmental justice mapping tool developed pursuant to section 12, chapter 58, Oregon Laws 2022.
- (4) The department shall make the urban tree canopy assessment tool available on a website maintained by the department, along with guidance for using the tool to promote environmental, social and economic well-being.
- (5) Using the urban tree canopy assessment tool, the department shall designate as green infrastructure improvement zones areas of this state that have a high level of poverty density and any of the following:
- (a) Low levels of tree canopy cover;
 - (b) Poor vegetation health;
 - (c) High risk of pests, disease or other threats to plant life; or
 - (d) Other needs for revegetation or holistic native plant restoration.

SECTION 29. (1) The State Forestry Department shall develop and implement a program

to provide technical and financial assistance to public bodies as defined in ORS 174.109, tribal governments, watershed councils as defined in ORS 541.890 and community-based organizations for planning for, responding to and recovering from damage to habitats and urban tree canopies due to pests, diseases or other natural or human-created conditions that lead to loss of tree canopy, including but not limited to:

- (a) Emerald ash borer infestation;
- (b) Japanese beetle infestation;
- (c) Sudden Oak Death;
- (d) Pine bark beetle infestation;

- (e) Climate changes;
 - (f) Drought; or
 - (g) Wildfire.
- (3) The program may include, but need not be limited to, assistance for:
- (a) Vulnerability assessments;
 - (b) Tree inventories;
 - (c) Response and recovery plan development;
 - (d) Community engagement and community-led strategies; and
 - (e) Tree removal and replanting with species that are resistant to disease, pest and drought.
- (3) The department shall coordinate with the State Department of Agriculture to support program activities related to any pests or diseases subject to quarantine under the laws of this state or of the United States.

COLLEGE OF FORESTRY, OREGON STATE UNIVERSITY: LOW CARBON FUELS FROM WOODY BIOMASS RESIDUES

- SECTION 30. (1) The College of Forestry at Oregon State University, in collaboration with the Department of Environmental Quality and the State Forestry Department, shall conduct research to develop methodologies and data necessary to establish fuel pathways, consistent with the clean fuels program adopted under ORS 468A.265 to 468A.277, for low carbon fuels derived from woody biomass residues from forestry operations. In carrying out the research under this section, the College of Forestry shall
- (a) Coordinate with the Department of Environmental Quality to ensure that the methodologies and data are consistent with the methodologies and data used to determine lifecycle greenhouse gas emissions and carbon intensity under the clean fuels program.
 - (b) Research any methods to convert biomass feedstocks to low carbon fuels, with particular focus on wood slash piles that would otherwise be burned on lands managed by the State Forester or lands used by the College of Forestry to carry out research.
- (2) No later than July 31, 2025, the College of Forestry shall submit its findings in a report, in the manner provided by ORS 182.245, to the interim committees of the Legislative Assembly related to natural resources. The report must include, but need not be limited to:
- (a) Progress in establishing fuel pathways and carbon intensity values for low carbon fuels derived from woody biomass residues from forestry operations; and
 - (b) The impact converting woody biomass residues to low carbon fuels has on:
 - (A) Greenhouse gas and black carbon emissions;
 - (B) Snowpack in the Cascade Mountains;
 - (C) Water quality and drought; and
 - (D) Wildfire.
 - (3) The College of Forestry may collaborate with the Department of Environmental Quality or any other relevant state agency to prepare the report described in subsection (2) of this section.

SECTION 31. ORS 530.050 is amended to read:

- 530.050. Under the authority and direction of the State Board of Forestry except as otherwise provided for the sale of forest products, the State Forester shall manage the lands acquired pursuant to ORS 530.010 to 530.040 so as to secure the greatest permanent value of those lands to the state, and to that end may:
- (1) Protect the lands from fire, disease and insect pests, cooperate with the counties and with persons owning lands within the state in the protection of the lands and enter into all agreements necessary or convenient for the protection of the lands.
 - (2) Sell forest products from the lands, and execute mining leases and contracts as provided for in ORS 273.561.

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

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

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

(6) Grant easements, permits and licenses over, through and across the lands. The State Forester may require and collect reasonable fees or charges relating to the location and establishment of easements, permits and licenses granted by the state over the lands. The fees and charges collected shall be used exclusively for the expenses of locating and establishing the easements, permits and licenses under this subsection and shall be placed in the State Forestry Department Account.

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

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

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

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

(11) Enter into agreements, each for not more than 10 years duration, for the production of minor forest products.

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

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

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

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

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

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

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

REBATE PROGRAM FOR MEDIUM AND HEAVY DUTY ZERO-EMISSION VEHICLES

SECTION 32. Sections 33 and 34 of this 2023 Act are added to and made a part of ORS chapter 488.

SECTION 33. (1) As used in this section, "qualifying vehicle" means a motor vehicle, as defined in ORS 801.360, or a combination of vehicles operated as a unit, that:

(a) Has a gross vehicle weight rating of 8,501 pounds or greater;

(E) The State Department of Fish and Wildlife;
(F) The State Department of Agriculture; and
(G) Relevant federal agencies, including the United States Department of Defense, the Bureau of Land Management, the United States Forest Service and the Bonneville Power Administration.

(6) A majority of the members of the rules advisory committee constitutes a quorum for the transaction of business.

(7) Official action by the rules advisory committee requires the approval of a majority of the members of the rules advisory committee.

(8) The rules advisory committee may adopt rules necessary for the operation of the rules advisory committee and form subcommittees.

(9) In addition to other scheduled meetings, the rules advisory committee shall also meet at least four times a year in different parts of this state where there is considered, planned or ongoing renewable energy and transmission development.

(10) In performing their duties under this section, the Department of Land Conservation and Development and the rules advisory committee shall coordinate with and support any efforts to establish a statewide energy strategy.

(11) The department shall contract with a third party or parties to provide support to the rules advisory committee, including support related to:

- (a) Facilitating and coordinating meetings; and
- (b) Furnishing data, maps and technical assistance.

(12) A member of the rules advisory committee is entitled to compensation and expenses as provided in ORS 292.496.

SECTION 37a. Sections 36 and 37 of this 2023 Act are repealed on January 2, 2026.

NOTE: Section 38 was deleted by amendment. Subsequent sections were not renumbered.

OREGON CLIMATE ACTION COMMISSION

SECTION 39. ORS 468A.210 is amended to read:

468A.210. As used in ORS [362.823 and] 468A.200 to 468A.260:

(1) "Global warming" means an increase in the average temperature of the earth's atmosphere that is associated with the release of greenhouse gases.

(2) "Greenhouse gas" means any gas that contributes to anthropogenic global warming including, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

[3] "Greenhouse gas cap-and-trade system" means a system that:

[a] *Establishes a total cap on greenhouse gas emissions from an identified group of emitters;*

[b] *Establishes a market for allowances that represent emissions; and*

[c] *Allows trading of allowances among greenhouse gas emitters.*]

SECTION 40. ORS 468A.215 is amended to read:

468A.215. (1) There is created the Oregon [Global Warming] Climate Action Commission. The commission shall consist of [25] 35 members, including [11] 13 voting members appointed by the Governor under this section and [14] 22 [ex officio] nonvoting members specified in ORS 468A.220.

(2) Members of the commission appointed under this section shall be appointed so as to be representative of the social, environmental, cultural and economic diversity of the state and to be representative of the policy, science, education and implementation elements of the efforts to reduce greenhouse gas emissions and to prepare Oregon for the effects of global warming. Of the members appointed by the Governor under this section:

- (a) One member shall have significant experience in manufacturing;
- (b) One member shall have significant experience in energy;
- (c) One member shall have significant experience in transportation;
- (d) One member shall have significant experience in forestry;

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(C) Strengthening education, engagement and technical assistance efforts for land managers, Indian tribes and environmental justice communities;

(D) Providing financial assistance for Indian tribes, local governments or nongovernmental organizations for the purpose of entering into voluntary transactions with willing landowners to acquire natural and working lands to enhance the local benefits of natural climate solutions;

(E) Increasing and deploying natural climate solutions in and around our urban and built environment; and

(F) Optimizing the social, health, ecological, climate resilience and economic benefits of natural climate solutions, including:

(i) Reducing heat island effects;

(ii) Improving air quality;

(iii) Improving flood control;

(iv) Improving soil health and productivity;

(v) Improving wildfire resilience and community protection;

(vi) Improving stream health, wetland recovery and riparian functionality;

(vii) Protecting and recovering drinking watersheds for enhanced water quality and quantity;

(ix) Maintaining or increasing short-term, mid-term and long-term fiber supplies;

(x) Maintaining or increasing food supplies;

(xi) Increasing the climate resilience of fish, wildlife and their habitats;

(xii) Improving protection for coastal communities from the impacts of storm surge; and

(xiii) Improving public health.

SECTION 55. (1) The Natural and Working Lands Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Natural and Working Lands Fund shall be credited to the fund. Moneys in the Natural and Working Lands Fund are continuously appropriated to the Oregon Watershed Enhancement Board for the purpose of transferring moneys to the funds described in subsection (2) of this section as directed by the Oregon Global Warming Commission under section 56 of this 2023 Act.

(2) The board shall annually transfer moneys in the Natural and Working Lands Fund to the following funds in accordance with section 58 of this 2023 Act:

(a) The Agriculture Natural Climate Solutions Fund established under section 64 of this 2023 Act.

(b) The Forestry Natural Climate Solutions Fund established under section 65 of this 2023 Act.

(c) The Watershed Natural Climate Solutions Fund established under section 66 of this 2023 Act.

(d) The Fish and Wildlife Natural Climate Solutions Fund established under section 67 of this 2023 Act.

SECTION 56. (1)(a) The Oregon Global Warming Commission shall annually determine amounts to be allocated from the Natural and Working Lands Fund. The commission shall evaluate the following factors when determining amounts to allocate under this subsection:

(A) The expected ability of each agency to carry out programs or other activities under this section; and

(B) The degree to which moneys allocated to the agency may be used to secure federal funding or other sources of funding.

(b) Prior to determining the allocations under this subsection, the commission shall consult with the State Department of Agriculture, the State Forestry Department, the State Department of Fish and Wildlife and the Oregon Watershed Enhancement Board to determine each agency's proposed uses for moneys allocated from the Natural and Working Lands Fund.

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(c) In accordance with the provisions of ORS chapter 183, the commission may adopt rules for determining the amount of allocations to agencies as provided in this subsection.

(2) The Oregon Watershed Enhancement Board shall transfer moneys under section 55 of this 2023 Act when directed to do so by the commission in the amounts determined by the commission.

(3) The State Department of Agriculture, the State Forestry Department and the Oregon Watershed Enhancement Board shall use moneys allocated from the Natural and Working Lands Fund to establish and implement programs to:

(a) Provide incentives to help landowners, Indian tribes, land managers and environmental justice communities adopt practices that support natural climate solutions; and

(b) Provide financial assistance for technical support for landowners, Indian tribes, land managers and environmental justice communities for the adoption of natural climate solutions.

(4) Of the moneys expended by each agency pursuant to subsection (3) of this section, priority shall be given to expenditures for:

(a) Technical assistance to environmental justice communities or Indian tribes; and

(b) Incentives for programs or activities supported by an environmental justice community or supported by a resolution of an Indian tribe, with priority given to those projects or activities administered or proposed by an environmental justice community or an Indian tribe.

(5) The State Department of Fish and Wildlife shall use moneys allocated from the Natural and Working Lands Fund to promote natural climate solutions and mitigate the future impacts of climate change by:

(a) Conducting research to understand:

(A) The effects of natural climate solutions on natural and working lands;

(B) The climate, ecosystem and carbon benefits of products from natural and working lands;

(C) The contributions of natural climate solutions to reducing greenhouse gas emissions, increasing net carbon sequestration and storage and strengthening climate resilience; and

(D) The cobenefits to communities and Indian tribes that derive from natural climate solutions.

(b)(A) Relying on existing programs where possible, securing federal matching funds or other sources of funding to support investments in natural climate solutions on natural and working lands.

(B) In carrying out this paragraph, the department shall ensure the benefits of natural climate solutions are equitably distributed among landowners, Indian tribes, land managers and environmental justice communities.

(6) The State Department of Agriculture, the State Forestry Department, the State Department of Fish and Wildlife and the Oregon Watershed Enhancement Board, in consultation with the Oregon Global Warming Commission, may adopt rules as necessary to carry out the programs described in this section. Rules adopted by agencies administering programs for financial assistance or incentives may include, but need not be limited to, rules establishing application procedures, eligibility criteria, maximum amounts for individual grant awards and reporting requirements for grant recipients.

(7) The Oregon Global Warming Commission, the State Department of Agriculture, the State Forestry Department, the State Department of Fish and Wildlife and the Oregon Watershed Enhancement Board shall jointly:

(a) Coordinate, to the maximum extent practicable, on the development and implementation of programs and activities related to natural climate solutions to reduce duplication and overlapping or redundant efforts;

(b) Review, at regular intervals, progress made in implementing natural climate solutions and barriers to future implementation;

(c) Identify opportunities for cross-agency coordination on natural climate solutions; and
(d) Identify opportunities for leveraging natural climate solution capacities across agencies.

(8) The Oregon Global Warming Commission shall provide a summary of the uses of the Natural and Working Lands Fund, and identify additional funding needs, in a report to the committees of the Legislative Assembly related to the environment, in the manner provided by ORS 192.245, no later than September 15 of each year.

(9) The State Department of Energy shall provide staff support to the commission for the purpose of carrying out the commissioner's responsibilities under this section. The department may contract with a third party to provide staff support services described in this subsection.

SECTION 57. (1) No later than December 1 of each even-numbered year, the Oregon Global Warming Commission, in consultation with the State Department of Energy, the State Department of Agriculture, the State Forestry Department, the State Department of Fish and Wildlife and the Oregon Watershed Enhancement Board, shall submit a report, in the manner provided by ORS 192.245, to the interim committees of the Legislative Assembly related to the environment and the Governor. The report shall include:

(a) A list of projects funded by the Natural and Working Lands Fund during the previous 24 months and the amount expended for each project.

(b) A summary of state, federal and private sources of funding for natural climate solutions projects funded by the Natural and Working Lands Fund established under section 55 of this 2023 Act.

(c) An assessment of projects described in paragraphs (a) and (b) of this subsection in light of the baseline and metrics adopted under section 58 of this 2023 Act.

(d) A list of projects, grants or other activities that are planned for the upcoming calendar year.

(e) A list of projects deployed in environmental justice communities.

(2) Before finalizing the report under subsection (1) of this section, the commission shall solicit public comment on the report and include a summary of comments received in the final version of the report submitted to the Legislative Assembly and Governor.

(3) The State Department of Energy shall provide staff support to the commission for the purpose of preparing the report under this section. The department may contract with a third party to provide staff support services described in this subsection.

SECTION 58. (1) The State Department of Energy and the Oregon Global Warming Commission shall, in coordination with the State Forestry Department, the State Department of Agriculture, the State Department of Fish and Wildlife, the Oregon Watershed Enhancement Board the Department of State Lands, the State Parks and Recreation Department and the Department of Land Conservation and Development, and in consultation with relevant federal agencies, establish and maintain:

(a) A net biological carbon sequestration and storage baseline for natural and working lands;

(b) Activity-based metrics in accordance with subsection (3) of this section; and
(c) Community impact metrics in accordance with subsection (4) of this section.

(2) The net biological carbon sequestration and storage baseline may use 1990 as a baseline year if the department determines that there is adequate information to support setting the baseline at that year.

(3) Activity-based metrics shall be used to evaluate progress toward increasing net biological carbon sequestration and storage in natural and working lands, as measured against the net carbon sequestration and storage baseline. Activity-based metrics may include, but need not be limited to, acres of lands for which certain management practices have been adopted.

Legislative Action

(4) Community impact metrics shall be used to evaluate the positive and negative effects, over time, of strategies for net biological carbon sequestration and storage in natural and working lands on landowners, land managers and communities. Community impact metrics may include, but need not be limited to:

(a) Metrics to measure the effects of net biological carbon sequestration and storage strategies on jobs, local economies, environmental integrity and public health; and

(b) Metrics to evaluate the accessibility of a diverse range of landowners to net biological carbon sequestration and storage programs.

(3) Before finalizing the net biological carbon sequestration and storage baseline, activity-based metrics and community impact metrics, the State Department of Energy and the commission shall make draft versions publicly available and receive comments from the public, state agencies and the advisory committee established under section 62 of this 2023 Act.

(3) The State Department of Energy and the Oregon Global Warming Commission, in consultation with the State Forestry Department, the State Department of Agriculture, the Oregon Watershed Enhancement Board, the State Department of Fish and Wildlife, shall, no later than January 1, 2025, establish nonbinding biological carbon sequestration and storage goals for Oregon's natural and working lands and update those goals as new information becomes available.

(7) The State Department of Energy may contract with a third party to assist the department in performing its duties under this section.

SECTION 59. (1) The State Department of Energy and the Oregon Global Warming Commission, in coordination with the State Forestry Department, the State Department of Agriculture, the Oregon Watershed Enhancement Board, the Department of State Lands, the Department of Land Conservation and Development and federal land management partners, shall develop a natural and working lands net biological carbon sequestration and storage inventory. The inventory must:

(a) Be based on the best available field-based and remote sensing data on biological carbon sequestration;

(b) To the greatest extent possible, be developed using methods consistent with methods used to assess greenhouse gas fluxes related to land use, land change and forestry for the United States Environmental Protection Agency's Inventory of U.S. Greenhouse Gas Emissions and Sinks; and

(c) Where feasible, utilize information from the environmental justice mapping tool developed under section 12, chapter 58, Oregon Laws 2022.

(2) Before finalizing the inventory, the State Department of Energy and the commission shall make a draft version publicly available and receive comments from the public, state agencies and the advisory committee established under section 62 of this 2023 Act.

(3) The State Department of Energy shall update the inventory and submit a report describing the inventory to the Oregon Global Warming Commission no later than December 1 of each even-numbered year.

(4) The State Department of Energy may contract with a third party to assist the department in performing its duties under this section.

SECTION 60. (1) The State Department of Energy, in coordination with the Oregon Global Warming Commission, shall study the workforce and training programs needed to support adoption of natural climate solutions on natural and working lands.

(2) The department shall provide the results of the study, and may include recommendations for legislation, in a report to the committees of the Legislative Assembly related to the environment, in the manner provided under ORS 192.215, no later than September 15, 2024.

(3) The department may contract with a third party to assist the department in performing its duties under this section.

Legislative Action

SECTION 61. Section 60 of this 2023 Act is repealed on January 2, 2025.

SECTION 62. (1) The Oregon Global Warming Commission may appoint a natural and working lands advisory committee to advise the commission in the performance of the commission's duties under sections 53 to 63 of this 2023 Act. The commission shall seek recommendations for committee members from industry and advocacy associations where appropriate.

(2) The advisory committee shall consist of at least 15 members appointed as follows:

- (a) One member with expertise in tribal culture, customs and government;
- (b) One local government representative from a county whose primary economic activity is derived from the agriculture, forestry, fishing and hunting industries, as described by code 11 of the North American Industry Classification System;
- (c) One member with expertise in urban forestry or parks management;
- (d) Three members with experience in forestry or forest products, including one member who is a private forest landowner with less than 5,000 acres of forestland;
- (e) Two members with expertise in agriculture, including one member who owns a small family farming operation;
- (f) One member with expertise in livestock;
- (g) One member with expertise in blue carbon;
- (h) One member with expertise in environmental justice;

(i) Two members with expertise in conservation or environmental management; and

(j) Two members with expertise in landowner technical assistance.

(3) The commission may appoint additional members as needed to provide additional expertise or represent other interests.

(4) The State Department of Energy shall provide staff support for the advisory committee. The department may contract with a third party to provide staff support services under this subsection.

SECTION 63. The Oregon Global Warming Commission shall establish a process for consultation with representatives of federally recognized Indian tribes in this state to advise the commission on the performance of its duties under sections 53 to 63 of this 2023 Act, including the identification of opportunities to support indigenous practices and knowledge from tribal nations to sequester and store carbon on natural and working lands.

SECTION 64. (1) The Agriculture Natural Climate Solutions Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Agriculture Natural Climate Solutions Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to State Department of Agriculture to:

(a) Carry out the provisions of section 56 (3) of this 2023 Act; and

(b) For the administrative expenses of the department in implementing section 56 of this 2023 Act, except that no more than 10 percent of moneys may be used for administrative expenses.

(2) The Agriculture Natural Climate Solutions Fund consists of moneys transferred to the fund under section 55 of this 2023 Act.

SECTION 65. (1) The Forestry Natural Climate Solutions Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Forestry Natural Climate Solutions Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the State Forestry Department to:

(a) Carry out the provisions of section 56 (3) of this 2023 Act; and

(b) For the administrative expenses of the department in implementing section 56 of this 2023 Act, except that no more than 10 percent of moneys may be used for administrative expenses.

(2) The Forestry Natural Climate Solutions Fund consists of moneys transferred to the fund under section 55 of this 2023 Act.

Legislative Action

the General Fund, the amount of \$525,467 for the purpose of carrying out the provisions of sections 1 to 5 of this 2023 Act.

SECTION 88. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$2,000,000, for deposit into the Energy Efficient Technologies Information and Training Fund established by section 5 of this 2023 Act.

SECTION 89. Notwithstanding any other law limiting expenditures, the amount of \$2,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from the Energy Efficient Technologies Information and Training Fund, established by section 5 of this 2023 Act, by the State Department of Energy for carrying out the provisions of sections 1 to 5 of this 2023 Act.

SECTION 90. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$775,835, for the purpose of carrying out the provisions of sections 41 to 50 of this 2023 Act.

SECTION 91. In addition to and not in lieu of any other appropriation, there is appropriated to the State Department of Energy, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$1,526,146 for the purpose of carrying out the provisions of sections 56 to 60 of this 2023 Act.

SECTION 92. Notwithstanding any other provision of law, the General Fund appropriation made to the State Department of Energy by section 1 (1), chapter —, Oregon Laws 2023 (Enrolled House Bill 5016), for the biennium beginning July 1, 2023, for energy development services, is increased by \$4,982,860 for the purpose of carrying out the provisions of sections 8 to 17 of this 2023 Act.

SECTION 93. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (6), chapter —, Oregon Laws 2023 (Enrolled House Bill 5010), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Consumer and Business Services, for the Building Codes Division, is increased by \$756,051 for the purpose of carrying out the provisions of section 7 of this 2023 Act.

SECTION 94. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter —, Oregon Laws 2023 (Enrolled Senate Bill 5502), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter —, Oregon Laws 2023 (Enrolled Senate Bill 5502), collected or received by the Oregon Department of Administrative Services, for Enterprise Asset Management, is increased by \$669,112 for the purpose of carrying out the provisions of section 18 of this 2023 Act.

SECTION 95. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Land Conservation and Development by section 1 (1), chapter —, Oregon Laws 2023 (Enrolled House Bill 5027), for the biennium beginning July 1, 2023, for the planning program, is increased by \$1,240,433 for the purpose of carrying out the provisions of sections 24, 25, 26, 35 and 36 of this 2023 Act.

SECTION 96. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$6,500,000, to provide grants for green infrastructure projects under section 24 of this 2023 Act.

SECTION 97. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (2), chapter —, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, for forest resources, is

Legislative Action

increased by \$516,248 for the purpose of carrying out the provisions of section 24 of this 2023 Act.

SECTION 98. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (4), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), collected or received by the State Forestry Department, for forest resources, is increased by \$90,000 for the purpose of carrying out the provisions of section 24 of this 2023 Act.

SECTION 99. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Environmental Quality, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$3,000,000, for deposit into the Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund established under section 84 of this 2023 Act.

SECTION 100. Notwithstanding any other law limiting expenditures, the amount of \$3,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from the Zero-Emission Medium and Heavy Duty Vehicle Incentive Fund, established by section 34 of this 2023 Act, by the Department of Environment Quality for carrying out the provisions of sections 33 and 34 of this 2023 Act.

SECTION 101. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Environmental Quality by section 1 (2), chapter __, Oregon Laws 2023 (Enrolled House Bill 5018), for the biennium beginning July 1, 2023, for water quality, is increased by \$376,770 for the purpose of carrying out the provisions of sections 83 and 85 of this 2023 Act.

SECTION 102. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Watershed Enhancement Board, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$10,000,000, for deposit into the Natural and Working Lands Fund established by section 55 of this 2023 Act.

SECTION 103. Notwithstanding any other law limiting expenditures, the amount of \$10,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from the Natural and Working Lands Fund, established by section 55 of this 2023 Act, by the Oregon Watershed Enhancement Board.

SECTION 104. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Health Authority, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$188,664, for the purpose of carrying out sections 83 and 85 of this 2023 Act.

SECTION 105. In addition to and not in lieu of any other appropriation, there is appropriated to the Higher Education Coordinating Commission, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$3,000,000, for distribution to the College of Forestry at Oregon State University to carry out section 30 of this 2023 Act.

SECTION 106. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Health Authority, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$199,007, for the program created under section 7, chapter 86, Oregon Laws 2022.

SECTION 107. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Human Services, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$10,187,615, to provide grants under section 86 of this 2023 Act.

SECTION 108. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (1), chapter __, Oregon Laws 2023 (Enrolled House Bill 5026), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses

Legislative Action

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

Enrolled House Bill 5006

Introduced and printed pursuant to House Concurrent Resolution 23 (2023) (at the request of Oregon Department of Administrative Services)

0 0 0 5 9 7

CHAPTER

AN ACT

Relating to state financial administration; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Notwithstanding any other law limiting expenditures, the following amounts are established for a six-year period beginning July 1, 2023, as the maximum limits for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the state agencies listed, for the acquisition of land and the acquisition, planning, constructing, altering, repairing, furnishing and equipping of buildings and facilities:

(1) Oregon Department of Administrative Services:	
(a) Various Deferred Maintenance Projects	\$ 15,500,000
(b) Construction Project Planning	\$ 3,500,000
(c) Gender Neutral Facilities and Mothers' Rooms	\$ 4,500,000
(d) Building Automation Systems ..	\$ 4,000,000
(e) Security and Systems Investment/Upgrades	\$ 2,500,000
(f) Portfolio Repositioning	\$ 11,250,000
(g) Climate Adaptation and Net Zero Solutions	\$ 2,000,000
(h) Capitol Mall Medium Voltage Design	\$ 500,000
(i) Parking Lot/Lev Charging Stations	\$ 3,000,000
(2) Housing and Community Services Department, Local Innovation and Fast Track (LIIFT)/Permanent Supportive Housing Programs	\$600,000,000
(3) Oregon Military Department (a) Salem Owen Summers Building	

Legislative Action

	(b) Service Life Extension	\$ 2,909,970
	Salmon Owen Summers Building	
	Seismic Strengthening and	
	Life Safety Improvements	\$ 5,500,000
(4)	Department of State Police:	
(a)	Central Point Office	
	Expansion.....	\$ 26,500,000
(b)	Springfield Forensic Lab and	
	Medical Examiner's Office.....	\$ 21,320,000
(c)	Springfield Patrol Area	
	Command Office.....	\$ 7,278,186
(5)	Department of Corrections:	
(a)	Camera System.....	\$ 8,500,000
(b)	Capital Improvement and	
	Renewal.....	\$ 50,000,000
(c)	Wireless Communication	
	System	\$ 12,900,000
(6)	Oregon Youth Authority,	
	Capital Improvements -	
	All Facilities.....	\$ 2,750,000
(7)	Department of Education,	
	Oregon School for the	
	Deaf Capital Improvements	\$ 3,500,000
(8)	State Forestry Department:	
(a)	Klamath Facility Replacement..	\$ 1,500,000
(b)	Salmon Airport Hangar.....	\$ 2,000,000
(9)	State Department of	
	Fish and Wildlife, Capital	
	Improvement and Renewal	\$ 2,500,000
(10)	Oregon Health Authority:	
(a)	Junction City Single Unit	
	Remodel	\$ 5,000,000
(b)	PLC System Replacement.....	\$ 3,000,000
(11)	Oregon Department of Aviation:	
(a)	Aurora Airport Obstruction	
	Removal and Easement.....	\$ 154,000
(b)	Aurora Airport Runway	
	17-35 Rehab.....	\$ 275,000
(c)	Chiloquin Airport	
	Obstruction Removal	\$ 132,000
(d)	Cottage Grove Airport	
	EA and Apron Rehab	\$ 164,389
(e)	Lebanon Airport Taxiway	
	Reconstruct/Drain	\$ 526,436
(12)	Department of Transportation,	
	Maintenance Station	
	Improvements	\$ 38,000,000
(13)	Legislative Administration	
	Committee, Capitol	
	Accessibility, Maintenance	
	and Safety Phase III	\$215,000,000

Legislative Action

(c) Capital Improvements (Other Funds) (section 1 (3)(a), chapter 747, Oregon Laws 2017) June 30, 2025

(6) Higher Education Coordinating Commission, Public University Capital Construction Bonds (Other Funds) (section 3, chapter 747, Oregon Laws 2017) June 30, 2025

(7) State Forestry Department, Toledo Facility Replacement (Other Funds) (section 1 (9), chapter 747, Oregon Laws 2017) June 30, 2025

SECTION 6. The Legislative Assembly approves the proposal of the Oregon Military Department, submitted in accordance with ORS 396.515 (4), for the sale of the Christmas Valley property which consists of 2,655 acres of land in Christmas Valley, Oregon.

SECTION 7. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect July 1, 2023.

Passed by House June 25, 2023


 Timothy G. Sekerak, Chief Clerk of House


 Dan Rayfield, Speaker of House

Passed by Senate June 25, 2023


 Rob Wagner, President of Senate

Received by Governor:

1:50 P.M. June 29, 2023

Approved:

10:10 A.M. August 04, 2023

 Tina Kotek, Governor

Filed in Office of Secretary of State:

N.  2023
 Fabienne Griffin-Blake
 Secretary of State

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

Enrolled

House Bill 2087

Introduced and printed pursuant to House Rule 12.06, Pre-session filed (at the request of House In-
tern Committee on Revenue for Representative Nancy Nathanson)

CHAPTER000491.....

AN ACT

Relating to forest products harvest taxation; amending ORS 321.015, prescribing an effective date;
and providing for revenue raising that requires approval by a three-fifths majority.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 321.015, as amended by section 1, chapter 31, Oregon Laws 2022, is amended
to read:

321.015. (1) For the calendar years beginning January 1, [2022] 2024, and January 1, [2023]
2025, there is levied a privilege tax of 90.00 cents per thousand feet, board measure, upon taxpayers
for the privilege of harvesting of all merchantable forest products harvested on forestlands. Subject
to ORS 321.145, the proceeds of the tax shall be transferred as provided in ORS 321.152 (2) to the
Forest Research and Experiment Account for use for the forest resource research, experimentation
and studies described in ORS 526.215 and for the Forest Research Laboratory established under ORS
526.225.

(2) Except as provided in ORS 477.760, in addition to the tax levied by subsection (1) of this
section, there is levied a forest products harvest tax upon taxpayers of 62.5 cents per thousand feet,
board measure, for the privilege of harvesting all merchantable forest products harvested on
forestlands for the payment of benefits related to fire suppression as provided in ORS 321.005 to
321.185, 321.530 and 477.440 to 477.460.

(3) For the calendar years beginning January 1, [2022] 2024, and January 1, [2023] 2025, in ad-
dition to the taxes levied under subsections (1) and (2) of this section, there is levied a privilege tax
upon taxpayers for the privilege of harvesting all merchantable forest products harvested on
forestlands in the amount of [207.25] 253.46 cents per thousand feet, board measure, for the purpose
of administering the Oregon Forest Practices Act in an amount not to exceed 40 percent of the total
expenditures approved by the Legislative Assembly for this purpose, including salary adjustments
approved by the Legislative Assembly for fiscal years [2022 and 2023] 2024 and 2025.

(4) For the calendar years beginning January 1, [2022] 2024, and January 1, [2023] 2025, in ad-
dition to the taxes levied by subsections (1) to (3) of this section, there is levied a privilege tax of
21 cents per thousand feet, board measure, upon taxpayers for the privilege of harvesting all
merchantable forest products harvested on forestlands. Subject to ORS 321.145, the proceeds of the
tax shall be transferred as provided in ORS 321.152 (5) to the subaccount established pursuant to
ORS 350.520 for use by Oregon State University for the purpose of making investments in profes-
sional forestry education at the College of Forestry.

(5) Subject to subsection (6) of this section, the taxes shall be measured by and be applicable
to each per thousand feet, board measure, on the total quantity of forest products harvested in this

Legislative Action

state measured by use of any log scale which is or may be in general use in the logging industry and which is designed to measure total volume of merchantable forest products in board feet. However, if the Department of Revenue finds that the scale used by any taxpayer in computing the taxes due under ORS 321.005 to 321.185 and 321.560 to 321.600 does not accurately reflect the total quantity of merchantable forest products harvested by the taxpayer, it may require the taxpayer to adopt another log scale in general use in the industry which in the department's opinion will accurately reflect merchantable harvest in board feet.

(6) The first 25,000 feet, board measure, of forest products harvested annually by any taxpayer during each calendar year shall be excluded from the total quantity of harvested forest products that constitutes the measure of the taxes under ORS 321.005 to 321.185 and 321.560 to 321.600.

(7)(a) Not later than March 10 of each odd-numbered year, the Legislative Assembly shall begin considering the biennial forest products harvest tax rates levied under subsections (1), (3) and (4) of this section.

(b) Upon request of the Legislative Revenue Officer or the Legislative Fiscal Officer, the State Forestry Department shall provide the respective officers with relevant timber harvest data for the purposes of paragraph (a) of this subsection.

SECTION 2. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.

Passed by House June 13, 2023

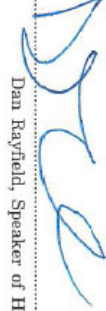
Received by Governor:

10:50 A.M. June 20, 2023


.....
Timothy G. Sakerak, Chief Clerk of House

Approved:

4:09 P.M. July 31, 2023


.....
Dan Rayfield, Speaker of House


.....
Tina Korek, Governor

Passed by Senate June 22, 2023

Filed in Office of Secretary of State:


.....
Rob Wagner, President of Senate

M. 2023

.....
Secretary of State

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

Enrolled
Senate Bill 80

Printed pursuant to Senate Interim Rule 213.26 by order of the President of the Senate in conformance with predecessor filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Natural Resources and Wildlife Recovery)

CHAPTER 000641

AN ACT

Relating to wildfire; creating new provisions; amending ORS 215.485, 431A.410, 431A.412, 455.612, 476.392, 476.396, 476.690, 477.027, 477.490, 477.748 and 526.360 and sections 11 and 12d, chapter 592, Oregon Laws 2021; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

STATEWIDE WILDFIRE HAZARD MAP

SECTION 1. ORS 477.490 is amended to read:

477.490. (1) The State Forestry Department shall oversee the development and maintenance of a comprehensive statewide map of wildfire risk statewide wildfire hazard map that displays the wildfire risk classes hazard zones described in subsection (4) (5) of this section and populates the Oregon Wildfire Risk Explorer.

(2) The purposes of the map are to:
(a) Educate Oregon residents and property owners about the residents' and property owners' wildfire exposure by providing transparent and science-based information.

(b) Assist in prioritizing fire adaptation and mitigation resources for the most vulnerable locations.

(c) Identify where defensible space standards and home hardening codes will apply.

(2) (3) The Oregon Wildfire Risk Explorer must be the official wildfire planning and risk hazard classification mapping tool for the State of Oregon.

(3) (4) The State Board of Forestry shall establish by rule criteria by which the map must be developed and maintained, including criteria concerning the use of the most current wildfire assessments.

(4) (5) In consultation with Oregon State University, the department shall establish five three statewide wildfire risk classes of hazard zones that are titled extreme high, moderate and low and no risk hazard zones. The classes zones must be:

(a) Consistent with CRS 477.027.

(b) Based on weather, climate, topography and vegetation.

(5) (6) The department shall enter into an agreement with the university that provides that the university will develop and maintain the map and make the map publicly available in electronic form through the Oregon Wildfire Risk Explorer.

missioners and the county commissioners' staff in eight in-person meetings throughout this state.

(13) When the draft map is released but before final publication of the map occurs:

(a) The department shall accept public comment on the map.

(b) After the meetings described in subsection (12) of this section, county commissioners, upon request by the county commissioners, must have one additional opportunity, arranged and scheduled by the Association of Oregon Counties, with either in-person attendance or a hybrid of in-person and remote attendance, to discuss concerns about the map and potential changes to the map.

[9] (14) In maintaining the map, the university shall make technical adjustments as needed and update the map consistent with the results of appeals described in subsection [(6)(b)] (7)(b) of this section.

[(10)] (15) The university shall provide technical assistance to representatives of state and local government, and to landowners, that use the map.

(16) Agencies of this state shall, as appropriate, use the map layer described in subsection (9)(d) of this section to:

(a) Direct resources for wildfire hazard reduction and wildfire resiliency to those most in need; and

(b) Assist with identifying communities for extensive, targeted engagement and outreach related to wildfire hazard reduction and wildfire resiliency.

(17) Agencies that use the map layer described in subsection (9)(d) of this section shall conduct outreach:

(a) In partnership with community leaders and community-based organizations;

(b) By using different media;

(c) By disseminating information through local schools, stores, faith-based organizations and medical offices; and

(d) By offering all information in the languages spoken in the relevant community, as practicable.

WILDLAND-URBAN INTERFACE CRITERIA

SECTION 2. ORS 477.027 is amended to read:

477.027. (1) By rule, considering national best practices, the State Board of Forestry shall establish:

(a) A definition of "wildland-urban interface."

(b) Criteria by which the wildland-urban interface must be identified and classified.

(2) The criteria:

(a) Must recognize differences across the state in fire hazard, fire risk and structural characteristics within the wildland-urban interface.

(b) May not exclude a category of land from inclusion in the wildland-urban interface.

(3) Based on the criteria, the board shall establish five classes of wildland-urban interface.]

[(4) The classes] must be integrated into the comprehensive statewide map described in ORS 477.490.

FINANCIAL ASSISTANCE RELATED TO DEFENSIBLE SPACE

SECTION 3. ORS 476.392 is amended to read:

476.392. (1) The State Fire Marshal shall establish minimum defensible space requirements for wildfire risk reduction on lands in areas identified on the statewide map of wildfire risk statewide wildfire hazard map described in ORS 477.490 as within the wildland-urban interface.

(2) The State Fire Marshal:

(a) Shall consult with the Oregon Fire Code Advisory Board to establish the requirements.

provided by law and any gifts, grants, donations, endowments or bequests from any public or private source. Moneys in the fund are continuously appropriated to the State Forestry Department for landscape resilience projects and implementing ORS 477.503.

COMMUNITY RISK REDUCTION FUND

SECTION 5. ORS 476.396 is amended to read:

476.396. The Community Risk Reduction Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Community Risk Reduction Fund shall be credited to the fund. The fund shall consist of all moneys placed in the fund as provided by law and any gifts, grants, donations, endowments or bequests from any public or private source, including individuals and private organizations. Moneys in the fund are continuously appropriated to the State Fire Marshal for the purpose of carrying out community risk reduction and the local government financial assistance described in ORS 476.392.

CLEANER AIR SPACES

SECTION 6. ORS 431A.410, as amended by sections 30 and 30a, chapter 86, Oregon Laws 2022, is amended to read:

431A.410. (1) As used in this section:

(a) "Public education provider" has the meaning given that term in ORS 326.545.
(b) "Smoke filtration system" means an air filtration system capable of removing particulates and other harmful components of wildfire smoke in a public building.

(2) In consultation and coordination with the Oregon Health Authority, the Department of Human Services shall establish and implement a grant program that allows local governments, public education providers, *[and]* federally recognized Indian tribes in Oregon, **nonprofits and faith-based organizations** to:

(a) Establish emergency spaces that provide cleaner air, warming or cooling.

(b) Equip *[public]* buildings with:

(A) Smoke filtration systems so the *[public]* buildings may serve as cleaner air spaces during wildfire smoke and other poor air quality events.

(B) Warming or cooling facilities so the *[public]* buildings may serve as temperate spaces during dangerously hot or cold conditions.

(3) The department shall require grantees to provide access to the spaces at no charge.

(4) Warming or cooling spaces or facilities receiving grants under this section shall notify the 2-1-1 system provided for in ORS 403.400 to 403.430, regarding the space's location and capacity and shall keep the corporation updated with the space's hours and dates of operation.

SECTION 7. ORS 431A.412, as amended by sections 31 and 31a, chapter 86, Oregon Laws 2022, is amended to read:

431A.412. (1) As used in this section[.]:

(a) "Public education provider" has the meaning given that term in ORS 326.545.

(b) **"Support" includes, but is not limited to, providing technical expertise, equipment, staff assistance, training and general assistance.**

(2) The Department of Human Services is the lead state agency for *[operating]* **supporting operations** for spaces that provide cleaner air, warming or cooling. The department shall:

(a) Consult and collaborate with the Oregon Health Authority to align practices for voluntary evacuations and emergency sheltering operations.

(b) Coordinate with the authority in setting priorities for awarding grants described in ORS 431A.410.

(c) Provide support to the local agencies, public education providers, *[and]* federally recognized Indian tribes in Oregon, **nonprofits and faith-based organizations** that take lead roles in operating and planning spaces that provide cleaner air, warming or cooling.

- (L) One member who represents federally recognized Indian tribes with land wholly or partially within the wildland-urban interface.
- (M) One member who represents a utility company.
- (N) One member who represents environmental interests.
- (O) One member who represents forest resiliency interests.
- (P) One member who represents state or regional land use planning organizations.
- (Q) One member who represents land and housing development interests or real estate industry interests.
- (R) One member who represents public health professionals.
- (S) One member who represents the environmental justice community.
- (5) The presiding officers shall provide public notice of an opportunity for interested parties to submit names of interest for appointment to the council.
- (6) At least [30] seven days before appointing a member, the presiding officers shall consult in good faith with the minority leaders of the Senate and House of Representatives on the appointment.
- (7) The term of service for each member is four years.
- (8) The members are eligible for reappointment.
- (9) The council shall elect a chairperson and vice chairperson to serve for one-year terms.
- (10) The members shall serve on the council as volunteers and are not entitled to reimbursement for expenses.
- (11) The Department of Consumer and Business Services, Department of Land Conservation and Development, [office] Department of the State Fire Marshal and State Forestry Department shall each provide 15 percent of the time of a full-time equivalent employee to:
 - (a) Cooperatively staff the council.
 - (b) Attend council meetings as informational resources.
 - (c) Assist with drafting reports at the request of the council.
 - (d) Support the work of the State Wildlife Programs Director.
- (12) The Oregon State University Extension Service shall designate a person to serve as staff for the council.
- (13) Each October the council shall submit a report to the Governor and appropriate committees or interim committees of the Legislative Assembly that describes progress on implementing program activities related to defensible space, building codes, land use and community emergency preparedness and that recommends improvements.

CONFORMING AMENDMENTS

SECTION 9. ORS 215.495, as amended by section 5, chapter 85, Oregon Laws 2022, and section 1, chapter 76, Oregon Laws 2023 (Enrolled Senate Bill 644), is amended to read:

215.495. (1) As used in this section:

- (a) "Accessory dwelling unit" has the meaning given that term in ORS 215.501.
- (b) "Area zoned for rural residential use" has the meaning given that term in ORS 215.501.
- (c) "Single-family dwelling" has the meaning given that term in ORS 215.501.
- (2) Consistent with a county's comprehensive plan, a county may allow an owner of a lot or parcel within an area zoned for rural residential use to construct one accessory dwelling unit on the lot or parcel, provided:
 - (a) The lot or parcel is not located within an area designated as an urban reserve as defined in ORS 195.137.
 - (b) The lot or parcel is at least two acres in size.
 - (c) One single-family dwelling is sited on the lot or parcel;
 - (d) The existing single-family dwelling property on the lot or parcel is not subject to an order declaring it a nuisance or subject to any pending action under ORS 105.560 to 105.600;
 - (e) The accessory dwelling unit will comply with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment;

Legislative Action

Sec. 12d. (1) The Department of Consumer and Business Services shall develop the interactive mapping tool described in *[section 12c of this 2021 Act]* ORS 455.614 not more than 60 days after the *[statewide map of wildfire risk] statewide wildfire hazard map* described in *[section 7 of this 2021 Act]* ORS 477.490 is developed.

(2) Any delay in developing the tool may not affect a deadline concerning the map.

SECTION 11. ORS 455.612 is amended to read:

455.612. (1) For *[extreme and]* the high wildfire *[risk classes]* **hazard zone** in the wildland-urban interface that *[are]* is identified pursuant to ORS 477.490, the Department of Consumer and Business Services shall adopt wildfire hazard mitigation building code standards that apply to new dwellings and the accessory structures of dwellings, as described in section R327 of the 2021 Oregon Residential Specialty Code.

(2) The department shall amend section E327 of the Oregon Residential Specialty Code to include standards for additions to existing dwellings and accessory structures and for replacement of existing exterior elements covered in section R327 of the 2021 Oregon Residential Specialty Code.

(3) The department shall incorporate the standards described in subsections (1) and (2) of this section into any updates to the Oregon Residential Specialty Code.

SECTION 12. ORS 477.748 is amended to read:

477.748. (1) As used in this section, “small forestland owner” means an individual, group, federally recognized Indian tribe in Oregon or association that owns:

(a) Up to 160 acres of nonindustrial private forestland west of the crest of the Cascade Mountains; or

(b) Up to 640 acres of nonindustrial private forestland east of the crest of the Cascade Mountains.

(2) The State Forestry Department shall establish a small forestland grant program for the purpose of providing grants, on a competitive basis, to support small forestland owners in reducing wildfire risk through the restoration of landscape resiliency and the reduction of hazardous fuels on the owners’ property.

(3) In consultation with partners and stakeholders, the department shall set criteria for assessing grant applications and awarding grants. The criteria may include, but need not be limited to:

(a) Prioritization of projects on forestland in *[extreme or]* the high wildfire *[risk classes]* **hazard zone** described in ORS 477.490.

(b) Owner commitment to maintaining fuel reduction treatments.

(c) Owner possession of a forest management plan.

(d) Project proximity to current or past fuel mitigation efforts, supported by any owner or funding source, that would contribute to cross-boundary, landscape-scale forest resiliency.

(e) Whether the project addresses additional resource concerns, such as insect and disease management.

(f) Whether critical facilities and infrastructure may receive enhanced protection due to project outcomes.

SECTION 13. Section 11, chapter 592, Oregon Laws 2021, as amended by section 4, chapter 85, Oregon Laws 2022, is amended to read:

Sec. 11. (1) As used in this section, “defensible space” has the meaning given that term in ORS 476.390.

(2) The Department of Land Conservation and Development shall identify recommended changes to the statewide land use planning program and local comprehensive plans and zoning codes that are needed in order to incorporate wildfire *[risk]* **hazard** maps and minimize wildfire risk, including the appropriate levels of state and local resources necessary for effective implementation.

(3) Recommended changes may include, but need not be limited to, provisions regarding sufficient defensible space, building codes, safe evacuation and development considerations in areas of *[extreme and]* high wildfire risk, allowing for regional differences.

(4) On or before October 1, 2022, the department shall report to a committee or interim committee of the Legislative Assembly related to wildfire, in the manner provided in ORS 192.245, to the

State Wildfire Programs Director and to the Wildfire Programs Advisory Council on the changes recommended by the department.

(6) As necessary to identify recommended changes, the department may consult with the State Fire Marshal, the State Forestry Department, the Department of Consumer and Business Services and local governments.

PREScribed FIRES

SECTION 14. (1) As used in this section:

(a) "Cultural burn" means the intentional application of fire to land by an Indian tribe or cultural fire practitioner to achieve cultural goals or objectives identified by a tribal ordinance, traditional tribal custom or law of an Indian tribe, such as subsistence, ceremonial activities, biodiversity or other benefits.

(b) "Cultural fire practitioner" means a person associated with an Indian tribe with experience in burning to meet cultural goals or objectives, including subsistence, ceremonial activities, biodiversity or other benefits.

(c) "Indian tribe" means a federally recognized Indian tribe in Oregon.

(2) The State Forestry Department shall establish a Prescribed Fire Liability Pilot Program and administer the program.

(3) Notwithstanding subsection (2) of this section, the Department of Consumer and Business Services shall administer reimbursements for claims under the program.

(4) The program must be administered to:

(a) Increase the pace and scale of the use of prescribed fire and cultural burning.

(b) Reduce barriers for conducting prescribed fires and cultural burning.

(c) Support coverage for losses from prescribed fires and cultural burning by nonpublic entities such as cultural fire practitioners, private landowners, nongovernmental entities, Certified Burn Managers as defined in ORS 526.005, companies, contractors and operators.

(d) Support nonpublic entities, such as cultural fire practitioners, private landowners, nongovernmental entities, Certified Burn Managers, companies, contractors and operators, that are alleged to have caused damages resulting from prescribed fires or cultural burning.

(5) Under the program, the Department of Consumer and Business Services may reimburse claims related to:

(a) A prescribed fire conducted or supervised by the State Forester, a forest protective association or a rangeland protection association, pursuant to ORS 477.315 to 477.325.

(b) A prescribed fire in a forest protection district, as described in ORS 477.205 to 477.281, that is conducted or supervised by a Certified Burn Manager pursuant to ORS 526.360.

(c) A cultural burn conducted or supervised by a cultural fire practitioner.

(6) The Department of Consumer and Business Services may only reimburse a claim for recoverable damages, as described in ORS 477.089 (2), or for actual costs, as described in ORS 477.068, subject to the provisions of ORS 477.120, if:

(a) The State Forester, a forest protective association, a rangeland protection association or a Certified Burn Manager reviewed and approved a burn plan before the prescribed fire or cultural burning;

(b) Any necessary permit was obtained before the prescribed fire or cultural burning was conducted;

(c) The prescribed fire or cultural burning complied with any requirements under a burn plan or permit;

(d) The claim was submitted to the Department of Consumer and Business Services not more than 60 days after an incident report was completed or as specified by rule by the State Forestry Department; and

(e) The State Forestry Department has certified that the claim satisfies the requirements of paragraphs (a) to (d) of this subsection.

Legislative Action

(7) The limitations imposed by ORS 30.271 apply to claims under this section for losses arising from a prescribed fire or cultural burn.

(8) The State Forestry Department:

(a) Shall consult with other relevant state agencies, cultural fire practitioners, the State Forester, forest protective associations, rangeland protection associations and Certified Burn Managers to establish guidelines for the program.

(b) Shall adopt the guidelines by rule.

(c) Shall make the guidelines publicly available on a department website.

(d) Notwithstanding subsection (3) of this section, shall adopt rules to determine how claims under the program will be accepted and processed.

(e) Shall adopt by rule a definition of the term "prescribed fire" for purposes of implementing this section.

(f) Shall adopt rules establishing requirements for incident reports for prescribed fires and cultural burning.

(g) May adopt rules imposing requirements for eligibility for reimbursement of a claim under this section that are in addition to eligibility requirements described in subsection (6) of this section.

(9) A person who interacts with an Indian tribe or cultural fire practitioner pursuant to this section shall respect tribal sovereignty, customs and culture.

(10) Notwithstanding any other provision of law, the state's liability for all claims under this section and the guidelines developed by the State Forestry Department pursuant to subsection (8) of this section, shall be limited as described in this section and to the amount in the Prescribed Fire Claims Fund established by section 15 of this 2023 Act.

(11) The provisions of ORS 188.310 to 188.497 do not apply to rules adopted under this section.

(12) This section does not undermine or diminish the exercise of tribal sovereignty.

SECTION 15. (1) There is established in the State Treasury, separate and distinct from the General Fund, the Prescribed Fire Claims Fund. Interest earned by the fund shall be credited to the fund. All moneys in the fund are continuously appropriated to the Department of Consumer and Business Services for the program described in section 14 of this 2023 Act.

(2) The fund shall consist of all moneys credited to the fund, including moneys appropriated or transferred to the fund by the Legislative Assembly.

(3) If the department authorizes the Oregon Insurance Guaranty Association to administer the program, the department shall distribute moneys in the fund to the association as necessary for the program.

SECTION 16. (1) Sections 14 and 15 of this 2023 Act are repealed on January 2, 2028.

(2) Forty-five days before the date specified in subsection (1) of this section, the Department of Consumer and Business Services and the State Forestry Department shall determine the number of claims certified by the State Forestry Department pursuant to section 14 (6)(e) of this 2023 Act that have not been processed.

(3) Any moneys in the Prescribed Fire Claims Fund that are unexpended and unobligated on the date of the repeal of sections 14 and 15 of this 2023 Act by subsection (1) of this section shall revert to the General Fund.

(4) The Department of Consumer and Business Services shall determine the amount of unexpended and unobligated moneys described in subsection (3) of this section, based on the amount remaining in the fund and the number of claims described in subsection (2) of this section.

SECTION 17. (1) On or before April 1, 2028, in consultation with the Department of Consumer and Business Services, the State Forestry Department shall report to the Governor and to a committee or interim committee of the Legislative Assembly related to natural

resources, in the manner prescribed in ORS 192.245, on the performance of the Prescribed Fire Liability Pilot Program described in section 14 of this 2023 Act.

(2) The report must include:

(a) The number of claims that were processed after the program was established and before the date of the report.

(b) The total costs of claims paid.

(c) A reference to an incident report for each claim processed or paid after the program was established and before the date of the report.

(d) Recommendations for revising the program and improving administration of the program if sections 14 and 15 of this 2023 Act are not repealed on January 2, 2028, pursuant to section 16 of this 2023 Act.

SECTION 18. ORS 526.360 is amended to read:

526.360. (1) The State Board of Forestry, the State Forester and forest protective associations may assist to the extent practical in developing, for forestry, grazing or agricultural uses, *all forestland classified pursuant to ORS 526.328 or 526.340* lands within a forest protection district, as described in ORS 477.205 to 477.281, for such uses, including the burning of brush or other flammable material for the purpose of:

(a) Removing a fire hazard to any property;

(b) Preparing seed beds;

(c) Removing obstructions to or interference with the proper seeding or agricultural or grazing development or use of that land;

(d) Promoting the establishment of new forest crops on cutover, denuded or underproductive lands;

(e) **Implementing pest prevention and suppression activities, as provided in ORS 527.310 to 527.370, or**

(f) Promoting improvements to forest health, including improvements to fish and wildlife habitat.

(2) Upon request of the owner or the agent of the owner of *any forestland classified pursuant to ORS 526.328 or 526.340* lands within a forest protection district, the forester or a forest protective association may perform or supervise burning operations thereon for any of the purposes stated in subsection (1) of this section. The owner or the agent of the owner shall supply such personnel and equipment and shall perform such fire control actions and activities as the forester or forest protective association may require while there is danger of the fire spreading. The forester or forest protective association may refuse to perform or supervise burning or to issue any burning permit when, in the judgment of the forester or forest protective association, conditions so warrant.

(3) To accomplish the purposes set forth in subsection (1) of this section, the board shall establish by rule a Certified Burn Manager program.

(4) The rules shall include:

(a) Certification standards, requirements and procedures;

(b) Standards, requirements and procedures to revoke certification;

(c) Actions and activities that a Certified Burn Manager must perform;

(d) Actions and activities that a Certified Burn Manager may not allow or perform;

(e) Limitations on the use of a Certified Burn Manager; and

(f) Any other standard, requirement or procedure that the board considers necessary for the safe and effective administration of the program.

(5) The rules may establish and impose fees for participation in the program.

(6) When a burning for any of the purposes stated in subsection (1) of this section on *forestland classified pursuant to ORS 526.328 or 526.340* lands within a forest protection district is started under the supervision of and supervised by the forester, a forest protective association or a Certified Burn Manager, a person may not be held liable for property damage resulting from that burning unless the damage is caused by the negligence of the person.

APPROPRIATIONS

Legislative Action

SECTION 19. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of the State Fire Marshal, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$3,000,000, for deposit in the Community Risk Reduction Fund established under ORS 476.396.

SECTION 20. Notwithstanding any other law limiting expenditures, the amount of \$3,000,000 is established, for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses by the Department of the State Fire Marshal for community risk reduction activities funded through the Community Risk Reduction Fund established under ORS 476.396.

SECTION 21. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (3), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, for the planning branch, is increased by \$350,000, for implementing the amendments to ORS 477.490 and 477.027 by sections 1 and 2 of this 2023 Act.

SECTION 22. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (9), chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), for the biennium beginning July 1, 2023, for public university statewide programs, is increased by \$846,173, for implementing the amendments to ORS 477.490 by section 1 of this 2023 Act.

SECTION 23. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (10), chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), for the biennium beginning July 1, 2023, for statewide public services, is increased by \$30,000, for implementing the amendments to ORS 477.490 by section 1 of this 2023 Act.

SECTION 24. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Consumer and Business Services, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$5,000,000, for deposit in the Prescribed Fire Claims Fund established by section 15 of this 2023 Act.

SECTION 25. Notwithstanding any other law limiting expenditures, the amount of \$5,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses by the Department of Consumer and Business Services from the Prescribed Fire Claims Fund established by section 15 of this 2023 Act.

SECTION 26. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (2), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, for forest resources, is increased by \$242,037, for the administration of the Prescribed Fire Liability Pilot Program described in section 14 of this 2023 Act.

CAPTIONS

SECTION 27. The unit captions used in this 2023 Act are provided for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2023 Act.

EFFECTIVE DATE

SECTION 28. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on July 1, 2023.

Legislative Action

Passed by Senate June 20, 2023


.....
Lori L. Brooker, Secretary of Senate


.....
Rob Wagner, President of Senate

Passed by House June 21, 2023


.....
Dan Rayfield, Speaker of House

Received by Governor:

11:50 AM June 26, 2023

Approved:

11:20 AM AUGUST 04, 2023


.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

..... M, 2023


.....
Paulanne Giffin-Dalade
Secretary of State

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

Enrolled

Senate Bill 5506

Introduced and printed pursuant to House Concurrent Resolution 23 (2023) (at the request of Oregon Department of Administrative Services)

CHAPTER000605.....

AN ACT

Relating to state financial administration; creating new provisions; amending section 423, chapter 110, Oregon Laws 2022; repealing section 3, chapter ____, Oregon Laws 2023 (Enrolled Senate Bill 104), and sections 7, 8 and 10, chapter ____, Oregon Laws 2023 (Enrolled House Bill 3596); and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$50,000,000, for the purposes for which the Emergency Board lawfully may allocate funds.

SECTION 2. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$330,000,000, to be allocated to state agencies for state employee compensation changes.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2024, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$120,000,000, to be allocated to state agencies for additional compensation changes to support state employee recruitment and retention.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2024, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 4. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$75,000,000, to be allocated to state agencies for compensation changes driven by collective bargaining for workers who are not state employees.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2024, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 5. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$50,000,000, to be allocated to the Oregon Health Authority and the

Legislative Action

Authority, is increased by \$344,400,000, to adjust for revenue savings from the Oregon Health and Science University intergovernmental transfer.

SECTION 215. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 8 (1), chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 12 to 16, chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), collected or received in sections 12 to 16, chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by \$2,500,000, for payments out of the Oregon Cybersecurity Center of Excellence Operating Fund established by section 8, chapter __, Oregon Laws 2023 (Enrolled House Bill 2049).

SECTION 216. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 8 (1), chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 12 to 16, chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by \$2,150,000, for payments out of the Oregon Cybersecurity Workforce Development Fund established by section 9, chapter __, Oregon Laws 2023 (Enrolled House Bill 2049).

SECTION 217. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 8 (1), chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds and funds described in sections 12 to 16, chapter __, Oregon Laws 2023 (Enrolled House Bill 5025), collected or received by the Higher Education Coordinating Commission, for programs and related grants, is increased by \$250,000, for payments out of the Oregon Cybersecurity Grant Program Fund established by section 10, chapter __, Oregon Laws 2023 (Enrolled House Bill 2049).

SECTION 218. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (7), chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5502), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5502), collected or received by the Oregon Department of Administrative Services, for enterprise goods and services, is increased by \$537,447, to provide the Shared Financial Services program with staffing resources to address increasing workload from new client agencies.

SECTION 219. Notwithstanding any other law limiting expenditures, the amount of \$220,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Veterans' Services Fund established under ORS 406.140 to the Department of Veterans' Affairs, to study and make recommendations for policy proposals on the tax treatment of military pensions.

SECTION 220. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), collected or received by the State Forestry Department, for capital improvement, is increased by \$4,820,771.

SECTION 221. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), collected or received by the State Forestry Department, for agency administration, is increased by \$308,422, for general obligation bond costs of issuance.

SECTION 222. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (7), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), collected or received by the State Forestry Department, for debt service, is increased by \$1,137,898.

SECTION 223. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (4), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, for debt service, is increased by \$1,497,550.

SECTION 224. Notwithstanding any other law limiting expenditures, the amount of \$18,763,236 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses by the Department of State Lands from the Oregon Abandoned and Derelict Vessel Fund established by section 3, chapter __, Oregon Laws 2023 (Enrolled House Bill 2914).

SECTION 225. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5527), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the State Parks and Recreation Department, for community support and grants, is increased by \$10,155,705, for the expenditure of lottery bond proceeds and costs of bond issuance related to the Oregon Main Street program.

SECTION 226. In addition to and not in lieu of any other appropriation, there is appropriated to the Water Resources Department, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$100,000, for distribution to Portland State University, for Oregon Consensus, for facilitation of a tribal water work group.

SECTION 227. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (5), chapter __, Oregon Laws 2023 (Enrolled House Bill 5043), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds received under cooperative agreements with or contracts from the Bureau of Reclamation of the United States Department of the Interior, the United States Army Corps of Engineers, the United States Geological Survey, the Bonneville Power Administration and the National Fish and Wildlife Foundation, but excluding lottery funds and federal funds not described in section 3 (5), chapter __, Oregon Laws 2023 (Enrolled House Bill 5043), collected or received by the Water Resources Department, for the director's office, is increased by \$10,000,000, for grants and loans from the Water Supply Development Account established by ORS 541.656.

SECTION 228. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (5), chapter __, Oregon Laws 2023 (Enrolled House Bill

Legislative Action

SECTION 257. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (3), chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5524), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Business Development Department, for infrastructure, is increased by \$150,000,000, for the seismic rehabilitation grant program.

SECTION 258. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (3), chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5524), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Business Development Department, for infrastructure, is increased by \$1,455,000, for the costs of issuing general obligation bonds for the seismic rehabilitation program.

SECTION 259. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Business Development Department by section 1 (2), chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5524), for the biennium beginning July 1, 2023, for debt service, is increased by \$12,648,814.

SECTION 260. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 8 (3), chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5524), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Oregon Business Development Department, for infrastructure, is increased by \$534,259.

SECTION 261. Notwithstanding any other provision of law, the General Fund appropriation made to the State Forestry Department by section 1 (1), chapter __, Oregon Laws 2023 (Enrolled House Bill 5020), for the biennium beginning July 1, 2023, for fire protection, is decreased by \$1,869,713.

SECTION 262. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6 (2), chapter __, Oregon Laws 2023 (Enrolled House Bill 5087), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from federal funds collected or received by the Department of State Lands, for Common School Fund programs, is increased by \$500,000, for the expenditure of federal grant funds received from the United States Department of Housing and Urban Development.

SECTION 263. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$167,008, for the Chief Financial Office, for grant administration.

SECTION 264. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$4,300,000, for deposit in the Universal Representation Fund established by section 1, chapter 88, Oregon Laws 2022, for disbursement to Oregon Worker Relief as the fiscal agent under section 1, chapter 88, Oregon Laws 2022.

SECTION 265. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (15), chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5502), for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal funds not described in section 2, chapter __, Oregon Laws 2023 (Enrolled Senate Bill 5502), collected or received by the Oregon Department of Administrative Services, for special governmental payments,

Legislative Action

receipts, marijuana tax receipts, beer and wine tax receipts, provider taxes and Medicare receipts, but excluding lottery funds and federal funds not described in section 2, chapter , Oregon Laws 2023 (Enrolled Senate Bill 5525), collected or received by the Oregon Health Authority, for public health, is increased by \$4,400,000, for inhalant settlement proceeds.

~~SECTION 312. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2023, out of the General Fund, the amount of \$1,000,000, for distribution to the Willamette Career Academy to fund regional career and technical education programs provided by the Willamette Career Academy.~~ TK

NOTE: Sections 313 to 315 were deleted. Subsequent sections were not renumbered.

SECTION 316. Notwithstanding any other law limiting expenditures, the amount of \$12,000,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and including federal funds from the United States Forest Service for fire protection and for research projects, but excluding lottery funds and federal funds not described in this section, collected or received by the State Forestry Department, for the purchase of a multi-mission capable aircraft.

SECTION 317. Notwithstanding any other law limiting expenditures, the amount of \$24,000 is established for the biennium beginning July 1, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, corporate activity tax funds and federal funds, collected or received by the Department of Human Services, for debt service.

SECTION 318. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium ending June 30, 2023, for the following agencies and programs are changed by the amounts specified:

	<u>2023</u>			
	Oregon Laws			\$
Agency/Program/Funds	Chapter/	Section	Adjustment	
Oregon Advocacy Commissions				
Office:				
Operating Expenses		Ch. 59 1	-88	
Oregon Department of Administrative Services:				
Chief Operating Office				
General Fund		SB 5502 1(1)	-908	
Other funds		SB 5502 2(1)	-54,148	
Debt Service				
General Fund		SB 5502 1(6)	-205,700	
Chief Financial Office				
Other funds		SB 5502 2(2)	-35,470	
Office of the State Chief Information Officer - Policy				

Enrolled Senate Bill 5506 (SB 5506-A)

Legislative Action

Federal funds	HB 5002 4(3)	-7,739
Market Access		
General Fund	HB 5002 1(4)	-70,353
Other funds	HB 5002 2(4)	-57,357
Federal funds	HB 5002 4(4)	-12,500
Parks and Natural Resources Fund		
Lottery funds	HB 5002 3	-25,652
Department of Environmental Quality:		
Air Quality		
General Fund	HB 5018 1(1)	-52,871
Other funds	HB 5018 2(1)	-45,159
Federal funds	HB 5018 5(1)	-29,250
Water Quality		
General Fund	HB 5018 1(2)	-30,339
Other funds	HB 5018 2(2)	-45,630
Lottery funds	HB 5018 3	-15,576
Federal funds	HB 5018 5(2)	-4,051
Land Quality		
Other funds	HB 5018 2(3)	-95,880
Federal funds	HB 5018 5(3)	-4,485
Agency Management		
General Fund	HB 5018 1(4)	-106,032
Other funds	HB 5018 2(4)	-1,075,511
Debt Service		
General Fund	HB 5018 1(6)	-54,000
State Department of Fish and Wildlife:		
Fish Division		
Other funds	SB 5509 2(1)	-61,045
Lottery funds	SB 5509 3(1)	-36
Federal funds	SB 5509 4(1)	-147
Wildlife Division		
General Fund	SB 5509 1(2)	-438
Other funds	SB 5509 2(2)	-31,224
Lottery funds	SB 5509 3(2)	-71
Federal funds	SB 5509 4(2)	-2,126
Administrative Services		
Division		
General Fund	SB 5509 1(3)	+269,384
Other funds	SB 5509 2(3)	+275,683
Debt Service		
General Fund	SB 5509 1(4)	-382,000
Other funds	SB 5509 2(5)	+397,000
Habitat Division		
General Fund	SB 5509 1(7)	-88
Other funds	SB 5509 2(7)	-184
Federal funds	SB 5509 4(5)	-156
State Forestry Department:		
Agency Administration		
Other funds	HB 5020 2(1)	+2,626,169

Enrolled Senate Bill 5506 (SB 5506-A)

Legislative Action

Federal funds	HB 5020 4(1)	-1
Fire Protection		
General Fund	HB 5020 1(1)	-887
Other funds	HB 5020 2(2)	-4,060
Federal funds	HB 5020 4(2)	-32,311
Forest Resources		
General Fund	HB 5020 1(2)	-8,670
Other funds	HB 5020 2(4)	-3,493
Federal funds	HB 5020 4(4)	-1,396
Debt Service		
General Fund	HB 5020 1(4)	-475,849
Other funds	HB 5020 2(7)	-1,023,723
State Forests		
Other funds	HB 5020 2(3)	-20,040
Planning Branch		
Other funds	HB 5020 2(5)	-2,237
Federal funds	HB 5020 4(5)	-1
Equipment Pool		
Other funds	HB 5020 2(8)	-2,414
Facilities Maintenance and Management		
Other funds	HB 5020 2(9)	-68
Department of Land Conservation and Development:		
Planning Program		
General Fund	HB 5027 1(1)	-83,697
Other funds	HB 5027 2	-4,883
Federal funds	HB 5027 3	-27,346
Columbia River Gorge Commission:		
General Fund	HB 5008 1	-2,316

(9) PUBLIC SAFETY.

	2023	
	Oregon Laws	
	Chapter/	\$
Agency/Program/Funds	Section	Adjustment
State Board of Parole and Post-Prison Supervision:		
General Fund	SB 5528 1	-123,987
Department of State Police:		
Patrol Services, Criminal Investigations and Gaming Enforcement		
General Fund	SB 5530 1(1)	-515,411
Other funds	SB 5530 2(1)	-14,457

Legislative Action

roof and the Humboldt Elementary HVAC projects.....	\$ 2,250,000
(32) Oasis Village to support transitional housing in Redmond.....	\$ 350,000
(33) City of Aurora Fire Station	\$ 3,800,000
(34) Salem Housing Authority to support Yaquina Hall.....	\$ 1,500,000
(35) Wallowa History Center to support the restoration of the Bear-Sleds Ranger District Compound.....	\$ 500,000

SECTION 320. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by Senate June 25, 2023

Lori L. Brooker

 Lori L. Brooker, Secretary of Senate

Rob Wagner

 Rob Wagner, President of Senate

Passed by House June 25, 2023

Dan Rayfield

 Dan Rayfield, Speaker of House

Received by Governor:

11:42 AM July 06, 2023

Approved:

10:58 AM August 04, 2023

Tina Kotek

 Tina Kotek, Governor

Vets & Section 32, 74, 300, 312

Filed in Office of Secretary of State:

M, 2023

Palmer Griffin-Blake

 Secretary of State

Enrolled
Senate Bill 5543

Introduced and printed pursuant to House Concurrent Resolution 23 (2023) (at the request of Oregon Department of Administrative Services)

CHAPTER
000022

AN ACT

Relating to state financial administration; amending section 1, chapter 658, Oregon Laws 2021; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 1, chapter 658, Oregon Laws 2021, as amended by section 1, chapter 111, Oregon Laws 2022, is amended to read:

Sec. 1. The amounts authorized, as provided by ORS 286A.035, for issuance of general obligation bonds of the state during the 2021-2023 biennium are as follows:

GENERAL OBLIGATION BONDS

General Fund Obligations

(1) Higher Education Coordinating Commission (Art. XI-G):	
(a) Eastern Oregon University, Inlow Hall Renovation, Phase II	\$ 600,000
(b) Oregon State University: Cascade Student Success Center	\$ 5,105,000
(B) Cordley Hall Renovation, Phase II	\$ 25,375,000
(c) Portland State University, Gateway Center Reuse and Extension	\$ 5,105,000
(d) University of Oregon, Heritage Buildings Renovation (University and Villard Halls)	\$ 5,960,000
(e) Western Oregon University, Student Success Center	\$ 695,000
(f) Blue Mountain Community College, Facility for Agricultural Resource Management	\$ 6,615,000

Legislative Action

	(ii) Cordeley Hall Renovation, Phase II.....	\$	61,690,000
(E)	Portland State University, Gateway Center Reuse and Extension	\$	45,585,000
(F)	University of Oregon, Heritage Buildings Renovation (University and Villard Halls).....	\$	53,285,000
(G)	Western Oregon University, Student Success Center	\$	20,920,000
(H)	FAMIS System Replacement	\$	5,105,000
(h)	Department of Education[;], Oregon School for the Deaf ADA Restrooms, Fire Alarm System Replacement and Windows Upgrade	\$	5,635,000
(A)	<i>Oregon School for the Deaf</i> <i>ADA Restrooms</i>	\$	1,065,000
(B)	<i>Oregon School for the Deaf</i> <i>Fire Alarm System</i> <i>Replacement</i>	\$	3,145,000
(C)	<i>Oregon School for the Deaf</i> <i>Windows Upgrade</i>	\$	1,425,000
(i)	State Forestry Department:		
(A)	Capital Improvements	\$	2,464,209
(B)	Toledo Facility Replacement Phase II	\$	1,136,227
(j)	State Parks and Recreation Department, Capital Improvement and Renewal.....	\$	50,750,000
(k)	Oregon Department of Fish and Wildlife, Capital Improvement and Renewal	\$	5,105,000
(L)	Housing and Community Services Department, Local Innovation and Fast Track (LIFT) Housing and Permanent Supportive Housing.....	\$	413,490,000
(m)	Judicial Department:		
(A)	Benton County Courthouse.....	\$	20,730,000
(B)	Clackamas County Courthouse.....	\$	95,400,000
(C)	Crook County Courthouse	\$	16,330,000
(D)	Linn County Courthouse	\$	16,110,000
(E)	Supreme Court Building Renovation.....	\$	21,950,000
(n)	Legislative Administration Committee:		

Legislative Action

(A)	Document Publishing and Management System.....	\$ 4,310,000
(B)	Capitol Accessibility, Maintenance, and Safety Phase III.....	\$ 19,865,000
(o)	Oregon Department of Emergency Management, Resiliency Grant Fund established under ORS 401.552.....	\$ 5,105,000
<u>Dedicated Fund Obligations</u>		
(7)	Department of Veterans' Affairs (Art. XI-A).....	\$ 180,000,000
(8)	Department of Environmental Quality (Art. XI-H).....	\$ 10,000,000
(9)	Housing and Community Services Department (Art. XI-I(2)).....	\$ 50,000,000
(10)	Higher Education Coordinating Commission (Art. XI-F(1)): Oregon Institute of Technology, New Residence <i>Hall Facility</i>	\$ 55,650,000]
(b)	Hall Facility	\$ 35,440,000
(c)	Oregon State University, Reser Stadium West Grandstands.....	\$ 40,555,000
(11)	Portland State University, Gateway Center Reuse and Extension.....	\$ 18,300,000
<u>(Art. XI-Q): Administrative Services</u>		
(a)	Executive Building Interior and Seismic Renovation.....	\$ 45,620,000
(b)	Justice Building Exterior Renovations.....	\$ 3,555,000
(c)	North Valley Complex Infrastructure Upgrades/Tenant Improvements.....	\$ 74,015,000
(d)	Portland State Office Building Improvements.....	\$ 8,730,000
(e)	Revenue Building Electrical System Upgrades.....	\$ 7,120,000
(f)	Yellow Parking Lot Paving.....	\$ 4,055,000
(g)	State Forestry Department: Capital Improvements.....	\$ 2,420,731
(B)	Toledo Facility Replacement, Phase II.....	\$ 1,578,773
(h)	Oregon Liquor and Cannabis Commission:	
(A)	Liquor Warehouse Conveyor	

Legislative Action

System.....	\$ 15,205,000
(B) Liquor Warehouse Land and Building.....	\$ 131,880,000
(C) Liquor Warehouse Management IT System.....	\$ 27,360,000
(I) Department of Justice, Legal Tools Replacement Project 3.0.....	\$ 5,105,000
<u>Total General Obligation</u>	

[Bonds..... \$ 2,408,360,000]
 Bonds..... \$ 2,388,150,000

SECTION 2. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by Senate March 20, 2023


 Lori L. Brooker, Secretary of Senate


 Rob Wagner, President of Senate

Passed by House March 27, 2023



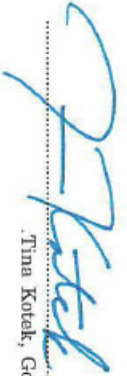
Dan Rayfield, Speaker of House

Received by Governor:

3:12 P.M. MARCH 30, 2023

Approved:

11:05 AM APRIL 06, 2023


 Tina Kotek, Governor

Filed in Office of Secretary of State:

9:45 A.M. April 12, 2023


 Shernia Fagan, Secretary of State

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

Enrolled

House Bill 5045

Introduced and printed pursuant to House Concurrent Resolution 23 (2023) (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending sections 359, 423, 428 and 466, chapter 110, Oregon Laws 2022; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1, chapter 433, Oregon Laws 2021, for the biennium ending June 30, 2023, for the payment of expenses of district attorneys, is increased by \$230,000, for reconciliation of personal services expenses.

SECTION 2. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (5), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, for defense of criminal convictions, is decreased by \$3,200,000, for a caseload adjustment.

SECTION 3. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (6), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, for the General Counsel Division, is decreased by \$1,000,000, for a rebalance.

SECTION 4. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (2), chapter 427, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, for the Appellate Division, is increased by \$1,000,000, for a rebalance.

SECTION 5. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 470, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of State Police, for patrol services, criminal investigations, gaming enforcement and Office of the State Fire Marshal, is increased by \$125,040, for position reclassifications.

SECTION 6. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 557, Oregon Laws 2021, for the biennium ending June 30, 2023, as the maximum limit for payment of expenses from federal funds other than

Legislative Action

(5) LEGISLATIVE BRANCH.

	2021	
Oregon Laws		
Chapter/		\$
Section		Adjustment
Agency/Program/Funds		
Legislative Administration		
Committee:		
Debt service		
General Fund	Ch. 559 1(2)	-38,840

(6) NATURAL RESOURCES.

	2021	
Oregon Laws		
Chapter/		\$
Section		Adjustment
Agency/Program/Funds		
State Forestry Department:		
Debt service		
General Fund	Ch. 605 1(5)	-365,650
Other funds	Ch. 605 2(7)	-402,050
State Parks and Recreation		
Department:		
Debt service		
General Fund	Ch. 669 177	-94,500
Lottery funds	Ch. 561 3	-206,340
State Department of		
Fish and Wildlife:		
Debt service		
General Fund	Ch. 679 1(4)	-23,950
Water Resources Department:		
Debt service		
Lottery funds	Ch. 665 2	-1,530,570

(7) PUBLIC SAFETY.

	2021	
Oregon Laws		
Chapter/		\$
Section		Adjustment
Agency/Program/Funds		
Department of Corrections:		
Debt service		

Enrolled House Bill 5045 (HB 5045-A)

Legislative Action

Department of Human Services:
 Debt service
 General Fund Ch. 606 1(8) -900,000
 Other funds Ch. 606 2(9) +944,250

(5) JUDICIAL BRANCH.

2021
 Oregon Laws

Agency/Program/Funds	Chapter/ Section	Adjustment
Judicial Department:		
Debt service		
General Fund	Ch. 557 1(5)	-273,641

(6) NATURAL RESOURCES.

2021
 Oregon Laws

Agency/Program/Funds	Chapter/ Section	Adjustment
State Forestry Department:		
Debt service		
General Fund	Ch. 605 1(5)	-656
Other funds	Ch. 605 2(7)	+660

(7) PUBLIC SAFETY.

2021
 Oregon Laws

Agency/Program/Funds	Chapter/ Section	Adjustment
Department of Corrections:		
Debt service		
General Fund	Ch. 468 1(5)	-105,000
Other funds	Ch. 669 5	+105,000
Department of Justice:		
Debt service		
General Fund	Ch. 427 1(7)	-52,175

(8) TRANSPORTATION.

Enrolled House Bill 5045 (HB 5045-A)

Legislative Action

82nd Oregon Legislative Assembly – 2023 Regular Session

HB 5020 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Dembrow

Joint Committee On Ways and Means

Action Date: 06/07/23

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 9 - Anderson, Campos, Dembrow, Frederick, Gelser Blouin, Hansell, Knopp, Sollman, Steiner

Nays: 1 - Findley

Exc: 1 - Girod

House Vote

Yeas: 8 - Breese-Iverson, Evans, Gomberg, Lewis, McLain, Pham K, Sanchez, Valderrama

Nays: 3 - Cate, Holvey, Reschke

Exc: 1 - Smith G

Prepared By: Sione Filimoehala, Department of Administrative Services

Reviewed By: Matt Stayner, Legislative Fiscal Office

Department of Forestry

2023-25

Emergency Board

2023-25

This summary has not been adopted or officially endorsed by action of the committee.

HB 5020 A

1 of 12

Legislative Action

Budget Summary*

	2021-23 Legislatively Approved Budget ⁽¹⁾	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 280,836,784	\$ 145,998,749	\$ 151,699,482	\$ (129,137,302)	(46.0%)
General Fund Debt Service	\$ 16,142,720	\$ 15,853,084	\$ 15,853,084	\$ (289,636)	(1.8%)
Lottery Funds Debt Service Limited	\$ 2,564,210	\$ 2,557,080	\$ 2,557,080	\$ (7,130)	(0.3%)
Other Funds Limited	\$ 411,237,407	\$ 323,851,808	\$ 331,108,614	\$ (80,128,793)	(19.5%)
Other Funds Capital Improvement	\$ 9,810,261	\$ 10,222,291	\$ 5,401,519	\$ (4,408,742)	(44.9%)
Other Funds Debt Service Limited	\$ 637,324	\$ 1,302,753	\$ 1,238,524	\$ 601,200	94.3%
Federal Funds Limited	\$ 61,303,485	\$ 43,838,515	\$ 45,311,878	\$ (15,991,607)	(26.1%)
Total	\$ 782,532,191	\$ 543,624,280	\$ 553,170,181	\$ (229,362,010)	(29.3%)

Position Summary

Authorized Positions	1,399	1,371	1,390	(9)
Full-time Equivalent (FTE) positions	1,030.03	1,039.21	1,053.27	23.24

⁽¹⁾ Includes adjustments through January 2023

* Excludes Capital Construction expenditures

Emergency Board

	2021-23 Legislatively Approved Budget ⁽¹⁾	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
				\$ Change	% Change
General Fund	\$ -	\$ -	\$ 14,000,000	\$ 14,000,000	100.0%
Total	\$ -	\$ -	\$ 14,000,000	\$ 14,000,000	100.0%

Summary of Revenue Changes

The Oregon Department of Forestry (ODF) is funded with a mix of General Fund, Lottery Funds, Other Funds, and Federal Funds. ODF's programs are funded through a network of public and private sources including Other Funds revenue from timber sales, Other Funds fire protection assessments paid by public and private forest landowners, and Federal Funds revenue received for fire protection services on federal lands. Lottery Funds support debt service. The 2023-25 budget assumes passage of House Bill 2087, which sets the Forest Products Harvest Tax rates for calendar years 2024 and 2025. Revenue from the harvest tax funds the Forest Practices program, along with large fire protection funding through the Oregon Forest Land Protection Fund.

Legislative Action

In addition to establishing the 2023-25 budget for ODF, House Bill 5020 appropriates \$14,000,000 General Fund to the Emergency Board in a Special Purpose Appropriation (SPA) to be allocated to the Department for fire protection expenses.

Summary of Natural Resources Subcommittee Action

The mission of ODF is to serve the people of Oregon by protecting, managing, and promoting stewardship of Oregon's forests to enhance environmental, economic, and community sustainability. Specific activities of the Department are organized into the following program units: Fire Protection, Forest Resources, State Forests, Administration, Planning Branch, Equipment Pool, and Facilities and Capital Management. The budget recommended by the Subcommittee is \$553,170,181 total funds, which consists of \$167,552,566 General Fund, \$2,557,080 Lottery Funds, \$337,748,657 Other Funds, \$45,311,878 Federal Funds, and 1,390 positions (1,053.27 FTE). The Subcommittee recommended budget is a 1.8 percent increase from 2023-25 Current Service Level.

The bill also establishes a special purpose appropriation (SPA) of \$14 million General Fund to the Emergency Board for ODF fire protection expenses.

Agency Administration

The Agency Administration division's mission is to provide high quality leadership, assessment, policy development, public involvement, communications, and administrative systems support to the Board of Forestry and the Department, providing the foundation for effective implementation of the Department's core business functions. The budget recommended by the Subcommittee is \$50,341,053 total funds and 119 positions (118.50 FTE). The Subcommittee recommended budget includes the following package:

Package 803, Position Actions. This package makes agency-wide position adjustments for reclassifications, reorganizations, and funding allocations. The net result across all divisions and fund types is a reduction in overall expenditures of \$619,956 and the elimination of three positions (2.99 FTE). In the Agency Administration division, the net result of these actions decreases Other Funds expenditure limitation by \$548,883 and eliminates one position (1.00 FTE) in the program.

Fire Protection

ODF is the state's largest fire department. The Fire Protection Division is responsible for providing fire protection on approximately 16 million acres of forest and range land. The program delivers fire protection through a complete and coordinated system with federal agencies, forest landowner operators and contractors, local structural fire agencies, and nearby states. Program services include fire prevention, detection and suppression, equipment cache, communications, weather and smoke management services, mapping, federal grants utilization, central and field program administration, and Emergency Fire Cost management. Services are delivered through three area offices and 12 forest protection districts. The program also provides management direction for prescribed fire use to reduce forest fuels as a prevention measure. The budget

Legislative Action

recommended by the Subcommittee is \$197,873,753 total funds and 792 positions (468.96 FTE). The recommended budget is a 0.1 percent decrease from the 2023-25 Current Service Level. The Subcommittee recommended budget includes the following packages:

Package 108 Federal Forest Restoration Program Infrastructure. This package makes minor adjustments to reconcile position costs in the Fire Protection division in conjunction with the enhanced capacity and funding reallocations made in the Forest Resources division for the Federal Forest Restoration program. In the Fire Protection division, net position reconciliation adjustments result in a \$2 General Fund appropriation increase, a \$4 Other Funds expenditure limitation increase, and an increase of four positions; however, the overall authorized full-time equivalent position authority decreases slightly (0.04 FTE).

Package 803, Position Actions. This package makes agency-wide position adjustments for reclassifications, reorganizations, and funding allocations. The net result across all divisions and fund types is a reduction in overall expenditures of \$619,956 and the elimination of three positions (2.99 FTE). In the Fire Protection division, General Fund is increased by \$211,374, expenditure limitation is decreased by \$362,948 Other Funds and \$56,534 Federal Funds, and one position is eliminated (1.48 FTE).

Equipment Pool

The Equipment Pool provides the Department with the equipment necessary to meet its mission. The program contains two sections: the Transportation Pool and the Radio Communications Pool. The Transportation Pool has approximately 900 pieces of equipment and six fleets decentralized across Salem and field operations. The Radio Communications Pool has approximately 5,600 pieces of major radio communications equipment and provides support and engineering not only for the Department's radio systems, but for other agencies, as well. The Department provides radio communication services for the Department of Fish and Wildlife and the Oregon Parks and Recreation Department. The Subcommittee recommended a budget of \$20,887,363 total funds and 32 positions (33.49 FTE). The recommended budget is the same level from the 2023-25 Current Service Level. The Subcommittee recommended budget included the following package:

Package 803, Position Actions. This package makes agency-wide position adjustments for reclassifications, reorganizations, and funding allocations. The net result across all divisions and fund types is a reduction in overall expenditures of \$619,956 and the elimination of three positions (2.99 FTE). Although offsetting position adjustments result in no change to expenditure limitation or position authority in this division, the package is included in the budget to acknowledge the changes.

State Forests

The State Forests program manages more than 729,000 acres of forestland for the Board of Forestry and the State Land Board. About 95 percent of the state forest acreage is owned by the Board of Forestry and the remaining acres are owned by the State Land Board for the benefit of the Common School Fund. The objective of the Division is to manage State Forests for the Greatest Permanent Value of those lands to the state. "Greatest Permanent Value" has been defined as "healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon." The Subcommittee recommended a

Legislative Action

budget of \$121,709,968 total funds and 213 positions (209.23 FTE). The recommended budget contains one minor change from the 2023-25 Current Service Level. The Subcommittee recommended budget includes the following package:

Package 803, Position Actions. This package makes agency-wide position adjustments for reclassifications, reorganizations, and funding allocations. The net result across all divisions and fund types is a reduction in overall expenditures of \$619,956 and the elimination of three positions (2.99 FTE). In the State Forests division, expenditure limitation is increased by \$1,171 Other Funds and position authority is slightly increased (0.01 FTE).

Forest Resources

The Forest Resources division, previously known as the Private Forests division, provides support to over 10 million acres of private forestland through the administration of the Oregon Forest Practices Act, which governs the removal of Forest Products in the state. The Forest Products Harvest Tax is levied on the harvest of timber products, and accounts for roughly 17 percent of the division budget. The division maintains the Oregon Forest Practices Act through education and technical support, inspections before, during, and after operations, enforcement of civil and other penalties, response to complaints, and through conducting compliance audits and research to measure the efficacy of the Forest Practices Act. The budget recommended by the Subcommittee is \$125,576,718 total funds and 218 positions (207.82 FTE). The recommended budget is a 12.9 percent increase from the 2023-25 Current Service Level. The Subcommittee recommended budget includes the following packages:

Package 090, Analyst Adjustments. This package includes adjustments to the current service level to continue funding for landscape resiliency projects to reduce wildfire risk for the 2023-25 biennium at \$10 million General Fund with the assumption that the date for completion of those projects will be extended to the end of the upcoming biennium from the current sunset of June 30, 2023 under Section 20, Chapter 592, Oregon Laws 2021 (SB 762). Funding for the Small Forestland Grant Program to support small forestland owners in reducing wildfire risk is continued at \$2.5 million General Fund.

A one-time General Fund appropriation of \$6 million is added to support work related to the Private Forest Accord that was authorized and funded in the prior biennium but was not able to be completed. The amounts and projects are:

- \$1,250,000 for contract work on the habitat conservation plan
- \$1,550,000 for technology updates including the Forest Activity Electronic Reporting and Notification System, GIS, and other work
- \$950,000 for hydrology modeling
- \$750,000 for LIDAR analysis
- \$750,000 for vehicle purchases
- \$450,000 for landslide modeling
- \$300,000 for compliance modeling

Legislative Action

This action reestablishes the expenditure authority in the 2023-25 biennium for these unspent funds from the 2021-23 biennium. It is the intent of the Legislature that total expenditures for these items over both biennia do not exceed the original appropriation made in the prior biennium.

Package 106, Private Forests Accord Development. This package makes three investments to support remaining programs established by the Private Forest Accord. There is also an adjustment to the current service level for Forest Practices Act administration costs.

A one-time \$6.7 million General Fund appropriation is provided for the Small Forestland owner Investment in Stream Habitat Program established under section 18 of Senate Bill 1501 (2022), to provide grants to small forestland owners to fund projects that result in environmental benefits to fish or mitigate risks to natural resources arising from the construction, operation or maintenance of forest roads or related activities.

A one-time \$4 million General Fund appropriation is provided for activities of the Adaptive Management Program Committee (AMPC) established under section 36 of Senate Bill 1501 (2022) and Independent Research and Science Team (IRST) established under section 38 of Senate Bill 1501 (2022). The IRST serves as an advisory committee to the Board of Forestry and conducts or oversees research requested by the AMPC.

Ongoing support for prior budgetary decisions related to the Private Forest Accord are included in a \$1.3 million General Fund appropriation. This adjustment to the current service level is for program and position associated Services and Supplies costs not accounted for in the fiscal impact of Senate Bill 1501 (2022).

Although not specific to the Private Forest Accord, an adjustment to program related service and supplies costs for administration of the Forest Practices Act of \$350,000 is also included in the package to add back funding that was erroneously removed from the current service level. Funding for this adjustment is split along the statutorily defined funding allocation of 60 percent, or \$210,000, General Fund and 40 percent, or \$140,000, Other Funds from the Harvest Products Tax.

Package 108 Federal Forest Restoration Program Infrastructure. This package in the Forest Resources division reduces General Fund by \$548,382, increases expenditure limitation by \$6.5 million Other Funds and \$1.6 million Federal Funds, and authorizes the establishment of 13 permanent full-time and five permanent seasonal positions for a total of 18 positions (17.09 FTE) to support the expansion of the Federal Forest Restoration program.

The Infrastructure Investment and Jobs Act significantly expanded investments in restoration work under Good Neighbor Authority. The increase in available funding will allow ODF to further expand its Federal Forest Restoration workforce. ODF accomplishes federal forest restoration work through administration of federally funded restoration programs and as a contractor for federal agencies such as the U.S.

Legislative Action

Forest Service and Bureau of Land Management from which the Department receives a portion of timber sale proceeds. The reduction in General Fund appropriation for the program is a result of shifting initial program costs from General Fund to federal revenue sources.

Package 803, Position Actions. This package makes agency-wide position adjustments for reclassifications, reorganizations, and funding allocations. The net result across all divisions and fund types is a reduction in overall expenditures of \$619,956 and the elimination of three positions (2.99 FTE). In the Forest Resources division, General Fund appropriation is reduced by \$1.4 million, Other Funds expenditure limitation is increased by \$672,695, Federal Funds expenditure limitation is decreased by \$31,303, and four positions are eliminated (3.32 FTE).

Package 804, Sudden Oak Death. This package provides a one-time General Fund appropriation of \$1.7 million General Fund for the Sudden Oak Death containment and eradication program.

Planning Branch

The Planning Branch division is a new division established in the 2023-25 biennium created from existing positions from other divisions. The agency-wide reorganization is created out of the need to move an increasingly complex operating environment away from a dispersed division and into a centralized division. The Planning Branch division is responsive to substantial investments made in the Department under Senate Bill 762 (2021) and the Private Forest Accord under Senate Bills 1501 (2022), 1502 (2022) and House Bill 4055 (2022). The Division provides management support and subject matter expertise to the Department and core partners regarding the planning and partnership development in climate, carbon, ecology, taxation, forest resilience, land use planning, and wood products utilization. The Division also provides support to the Board of Forestry and critical external relationships. The budget recommended by the Subcommittee includes \$5,584,798 total funds and 16 positions (15.27 FTE). The Subcommittee recommended budget includes the following package:

Package 803, Position Actions. This package makes agency-wide position adjustments for reclassifications, reorganizations, and funding allocations. The net result across all divisions and fund types is a reduction in overall expenditures of \$619,956 and the elimination of three positions (2.99 FTE). In the Planning Division, expenditure limitation is increased by \$847,673 Other Funds and three permanent full-time positions are established (2.80 FTE).

Facilities Maintenance & Management

The Facilities Maintenance and Management division supports the Department through an integrated facilities management plan to protect the health and safety of the public and personnel. The Division ensures sufficient funds are available for routine maintenance, the reduction of deferred maintenance, and the implementation of capital construction and improvement projects. The budget recommended by the Subcommittee includes \$6,146,321 total funds and no positions. The recommended budget is the same level from the 2023-25 Current Service Level.

Legislative Action

Debt Service

The Debt Service division acts as a storehouse for all Debt Service paid by the Department. The Division has no positions and is funded through a mix of General Fund, Other Funds, and Lottery Funds. The budget recommended by the Subcommittee includes \$19,648,688, which is a 0.3 percent decrease from the 2023-25 Current Service Level. The Subcommittee recommended budget includes the following package:

Package 801 LFO Analyst Adjustments. This package makes a downward adjustment to the current service level expenditures of \$64,229 Other Funds to remove expenditure authority erroneously carried forward from the prior biennium for costs associated with bond issuance for capital improvement projects.

Capital Improvement

The Capital Improvement division maintains the Department's investments in capital assets through improvements and renewal of obsolete facilities for projects, which are fully capitalized or cost less than \$1 million. The Division has no positions and acts as a storehouse of capital improvement project funds. The budget recommended by the Subcommittee includes \$5,401,519 total funds, which is a 47.2 percent decrease from the 2023-25 Current Service Level. The Subcommittee recommended budget includes the following package:

Package 801 LFO Analyst Adjustments. This package makes a downward adjustment to the current service level expenditures by \$4,820,772 Other Funds to remove expenditure authority erroneously carried forward from the prior biennium for expenditure of bond proceeds for capital improvement projects. Those bonds were not issued and therefore the expenditure limitation is not required by the Department.

Capital Construction

The Capital Construction division acts as a storehouse for capital construction funding for major construction and acquisition projects with a cost of more than \$1 million. The Division has no positions. The budget recommended by the Subcommittee includes \$0 total funds, which is the same level from the 2023-25 Current Service Level.

Summary of Performance Measure Action

See attached Legislatively Adopted 2023-25 Key Performance Measures form.

Legislative Action

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Forestry
Sione Filimoehala – 971-707-8779

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2021-23 Legislatively Approved Budget at Jan 2023 *	\$ 296,979,504	\$ 2,564,210	\$ 421,684,992	\$ -	\$ 61,303,485	\$ -	\$ 782,532,191	1,399	1,030.03
2023-25 Current Service Level (CSL)*	\$ 161,851,833	\$ 2,557,080	\$ 335,376,852	\$ -	\$ 43,838,515	\$ -	\$ 543,624,280	1,371	1,039.21
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
SCR 008 - Agency Administration									
Package 803: Position Actions									
Personal Services	\$ -	\$ -	\$ (522,383)	\$ -	\$ -	\$ -	\$ (522,383)	(1)	(1.00)
Services and Supplies	\$ -	\$ -	\$ (26,500)	\$ -	\$ -	\$ -	\$ (26,500)		
SCR 010 - Fire Protection									
Package 108: FFR Program Infrastructure									
Personal Services	\$ 2	\$ -	\$ 4	\$ -	\$ -	\$ -	\$ 6	4	(0.04)
Package 803: Position Actions									
Personal Services	\$ 81,197	\$ -	\$ (322,460)	\$ -	\$ (52,029)	\$ -	\$ (293,292)	(1)	(1.48)
Services and Supplies	\$ 5,773	\$ -	\$ (40,488)	\$ -	\$ (4,505)	\$ -	\$ (39,220)		
Special Payments	\$ 124,404	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 124,404		
SCR 030 - State Forests									
Package 803: Position Actions									
Personal Services	\$ -	\$ -	\$ 1,171	\$ -	\$ -	\$ -	\$ 1,171	0	0.01
SCR 050 - Forest Resources									
Package 090: Analyst Adjustments									
Services and Supplies	\$ 6,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000,000		
Special Payments	\$ (12,500,000)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (12,500,000)		
Package 106: Private Forest Accord Development									
Services and Supplies	\$ 12,190,940	\$ -	\$ 140,000	\$ -	\$ -	\$ -	\$ 12,330,940		
Package 108: FFR Program Infrastructure									
Personal Services	\$ (548,382)	\$ -	\$ 1,936,094	\$ -	\$ 833,900	\$ -	\$ 2,221,612	18	17.09
Services and Supplies	\$ -	\$ -	\$ 4,571,000	\$ -	\$ 727,300	\$ -	\$ 5,298,300		
Package 803: Position Actions									
Personal Services	\$ (1,332,110)	\$ -	\$ 688,494	\$ -	\$ (28,653)	\$ -	\$ (672,269)	(4)	(3.32)
Services and Supplies	\$ (69,531)	\$ -	\$ (15,799)	\$ -	\$ (2,650)	\$ -	\$ (87,980)		
Special Payments	\$ 48,440	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 48,440		
Package 804: Sudden Oak Death									
Services and Supplies	\$ 1,700,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,700,000		

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Legislative Action

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SCR 060 - Planning Branch									
Package 803: Position Actions									
Personal Services	\$ -	\$ -	\$ 773,473	\$ -	\$ -	\$ -	\$ 773,473	3	2.80
Services and Supplies	\$ -	\$ -	\$ 74,200	\$ -	\$ -	\$ -	\$ 74,200		
SCR 085 - Debt Service									
Package 801: LFO Analyst Adjustments									
Services and Supplies	\$ -	\$ -	\$ (64,229)	\$ -	\$ -	\$ -	\$ (64,229)		
SCR 088 - Capital Improvement									
Package 801: LFO Analyst Adjustments									
Services and Supplies	\$ -	\$ -	\$ (4,820,772)	\$ -	\$ -	\$ -	\$ (4,820,772)		
TOTAL ADJUSTMENTS	\$ 5,700,733	\$ -	\$ 2,371,805	\$ -	\$ 1,473,363	\$ -	\$ 9,545,901	19	14.06
SUBCOMMITTEE RECOMMENDATION *	\$ 167,552,566	\$ 2,557,080	\$ 337,748,657	\$ -	\$ 45,311,878	\$ -	\$ 553,170,181	1,390	1,053.27
% Change from 2021-23 Leg Approved Budget	(43.6%)	(0.3%)	(19.9%)	0.0%	(26.1%)	0.0%	(29.3%)	(0.6%)	2.3%
% Change from 2023-25 Current Service Level	3.5%	0.0%	0.7%	0.0%	3.4%	0.0%	1.8%	1.4%	1.4%

*Excludes Capital Construction Expenditures

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>Emergency Board</u>									
Special Purpose Appropriation: Fire Protection Expenses									
	\$ 14,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,000,000		
TOTAL ADJUSTMENTS	\$ 14,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,000,000		

Legislative Action

Legislatively Approved 2023 - 2025 Key Performance Measures

Published: 6/6/2023 9:06:01 AM

Agency: Department of Forestry

Mission Statement:

To serve the people of Oregon by protecting, managing, and promoting stewardship of Oregon's forests to enhance environmental, economic, and community sustainability.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2024	Target 2025
1. CUSTOMER SERVICE TO COUNTY 'GOVERNMENTS AND FOREST LANDOWNERS - Percent of Oregon's forested counties and forest protective associations rating that ODF programs collectively provide "good" or "excellent" customer service: overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Availability of Information	Approved	75%	95%	95%
	Overall		75%	95%	95%
	Helpfulness		100%	95%	95%
	Expertise		100%	95%	95%
	Timeliness		75%	95%	95%
	Accuracy		100%	95%	95%
2. BOARD OF FORESTRY PERFORMANCE - Percent of total best practices met by the Board of Forestry.		Approved	97%	100%	100%
3. FOREST PRACTICES ACT COMPLIANCE - Percent of forest operations that are in compliance with the Forest Practices Act		Approved	96%	100%	100%
4. URBAN AND COMMUNITY FOREST MANAGEMENT - Percent of Oregon cities actively managing their urban and community forest resources.		Approved	33.60%	50%	50%
5. STATE FORESTS TOTAL REVENUE - Percent increase in total revenue produced by State Forests		Approved	12.20%	5%	5%
6. AIR QUALITY PROTECTION - Total number of smoke intrusions into designated areas per total number of units burned.		Approved	0.001	0	0
7. PERCENTAGE OF PRIVATE FORESTLAND MANAGED AT OR ABOVE FOREST PRACTICES ACT STANDARDS. - Percentage of industrial private forestlands managed under an approved certification system, stewardship agreement, or other approved management plan including wildlife habitat conservation and management plans	a) Percentage of total industrial private forestlands managed under an approved system, agreement, or plan	Approved	70%	90%	90%
	b) Percentage of non-industrial private forestlands managed under an approved system, agreement, or plan		10%	25%	25%
8. FOREST STREAM WATER QUALITY - Percent of monitored stream sites associated predominately with forestland with significantly increasing trends in water quality.	a) Percent of monitored forested stream sites with significantly increasing trends in water quality	Approved	9%	25%	25%
	b) Percent of monitored forested stream sites with significantly decreasing trends in water quality		4%	5%	5%
	c) Percent of monitored forested stream sites with water quality in good to excellent condition		74%	80%	80%
9. VOLUNTARY PUBLIC AND PRIVATE INVESTMENTS MADE TO CREATE HEALTHY FORESTS - Cumulative public and private forest landowner investments made in voluntary projects for the Oregon Plan for Salmon and Watersheds or for the Oregon Conservation Strategy.		Approved	\$110.72	\$112.72	\$115.50 HB 5020 A

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Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2024	Target 2025
10. STATE FORESTS NORTH COAST HABITAT - Complex forest structure as a percent of the State Forests landscape.		Approved	11.23%	30%	30%
11. FIRE SUPPRESSION EFFECTIVENESS - Percent of wildland forest fires under ODF jurisdiction controlled at 10 acres or less.		Approved	93.93%	98%	98%
12. PREVENTION OF HUMAN-CAUSED WILDLAND FOREST FIRES - Number of Oregon residents per human-caused wildland forest fires. (population expressed in thousands of residents) This metric measures the ability to maintain or reduce the number of human-caused wildfires as the population of Oregon increases. An upward trend indicates a positive result.		Approved	4.600	5.300	5.300
13. DAMAGE TO OREGON FORESTS FROM INSECTS, DISEASES, AND OTHER AGENTS - Percent of forest lands without significant damage mortality as assessed by aerial surveys.		Approved	97.67%	99%	99%

LFO Recommendation:

LFO recommends approval of the key performance measures and targets as presented.

SubCommittee Action:

The Subcommittee approved the key performance measures and targets as presented

Legislative Action

82nd Oregon Legislative Assembly – 2023 Regular Session

HB 3409 C BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Lieber

Senate Committee On Rules

Action Date: 06/21/23

Action: Do pass with amendments to the B-Eng bill. (Printed C-Eng.)

Senate Vote

Yeas: 3 - Lieber, Manning Jr, Steiner

Nays: 1 - Knopp

Exc: 1 - Hansell

Prepared By: Adam Crawford, Department of Administrative Services

Reviewed By: April McDonald, Legislative Fiscal Office

Department of Energy

2023-25

Department of Land Conservation and Development

2023-25

Oregon Watershed Enhancement Board

2023-25

Department of Consumer and Business Services

2023-25

Department of Environmental Quality

2023-25

Department of Forestry

2023-25

Department of Human Services

2023-25

Oregon Health Authority

2023-25

This summary has not been adopted or officially endorsed by action of the committee.

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Budget Summary* (continued)

	2021-23 Legislatively Approved Budget	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
				\$ Change	% Change
Oregon Department of Forestry					
General Fund	\$ -	\$ -	\$ 516,248	\$ 516,248	100.0%
Other Funds Limited	\$ -	\$ -	\$ 90,000	\$ 90,000	100.0%
Total	\$ -	\$ -	\$ 606,248	\$ 606,248	100.0%
Higher Education Coordinating Commission					
General Fund	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	100.0%
Total	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	100.0%
Department of Administrative Services					
Other Funds Limited	\$ -	\$ -	\$ 669,112	\$ 669,112	100.0%
Total	\$ -	\$ -	\$ 669,112	\$ 669,112	100.0%

Position Summary

Oregon Department of Energy				
Authorized Positions	0	0	12	12
Full-time Equivalent (FTE) positions	0.00	0.00	9.55	9.55
Department of Land Conservation and Development				
Authorized Positions	0	0	5	5
Full-time Equivalent (FTE) positions	0.00	0.00	4.01	4.01
Oregon Department of Human Services				
Authorized Positions	0	0	2	2
Full-time Equivalent (FTE) positions	0.00	0.00	1.50	1.50
Oregon Health Authority				
Authorized Positions	0	0	2	2
Full-time Equivalent (FTE) positions	0.00	0.00	1.50	1.50

Legislative Action

Position Summary (continued)

Oregon Watershed Enhancement Board

Authorized Positions	0	0	1	1
Full-time Equivalent (FTE) positions	0.00	0.00	0.88	0.88

Department of Consumer and Business Services

Authorized Positions	0	0	2	2
Full-time Equivalent (FTE) positions	0.00	0.00	1.76	1.76

Department of Environmental Quality

Authorized Positions	0	0	3	3
Full-time Equivalent (FTE) positions	0.00	0.00	1.88	1.88

Oregon Department of Forestry

Authorized Positions	0	0	2	2
Full-time Equivalent (FTE) positions	0.00	0.00	1.75	1.75

Higher Education Coordinating Commission

Authorized Positions	0	0	0	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.00	0.00

Department of Administrative Services

Authorized Positions	0	0	1	1
Full-time Equivalent (FTE) positions	0.00	0.00	0.88	0.88

Summary of Revenue Changes

House Bill 3409 provides funding to 10 different agencies to fulfill the statutory direction of the measure, the agencies include: the Oregon Department of Energy (ODOE), Department of Land Conservation and Development (DLCD), Oregon Department of Human Services (ODHS), Oregon Health Authority (OHA), Oregon Watershed Enhancement Board (OWEB), Department of Consumer and Business Services (DCBS), Department of Environmental Quality (DEQ), Oregon Department of Forestry (ODF), Higher Education Coordinating Commission (HECC), and the Department of Administrative Services (DAS). Across all agencies, the measure appropriates \$45,019,045 General Fund, increases Other Funds expenditure limitation by \$16,515,163, and increases Federal Funds expenditure limitation by \$125,081.

This measure also authorizes the Environmental Quality Commission to establish a fee by rule that will be paid by community climate investment entities - or nonprofit organizations entered into an agreement with DEQ to implement projects supported by community climate investment funds.

Legislative Action

The measure establishes the Community Green Infrastructure Fund with moneys in the fund continuously appropriated to DLCD to award grants, with 30 percent for grants for planning and developing green infrastructure economic development projects, 40 percent for grants to entities or projects located in green infrastructure improvement zones, and 30 percent for grants for entities or projects in tribal, rural, remote, or coastal communities. None of the funds are allocated for administration of the grant program. The measure appropriates \$6.5 million General Fund for grants. The Legislative Fiscal Office notes that \$6.5 million Other Funds expenditure limitation will be added to SB 5506 (2023), as well as designating the General Fund appropriated to be deposited in the Community Green Infrastructure Fund, which will allow moneys to be expended in future biennia.

In addition, the measure requires ODF to acquire and maintain a statewide urban tree canopy assessment tool that provides geospatial mapping and make it available on a website maintained by the Department. Lastly, the measure requires ODF to develop and implement a program to provide technical and financial assistance to public bodies, tribal governments, watershed councils, and community-based organizations for planning, responding to, and recovering damage to habitats and urban tree canopies due to pests, diseases, or other natural or human-created conditions that lead to loss of tree canopy.

Department of Land Conservation and Development

In addition to the \$6.5 million General Fund appropriation to DLCD for grants, the measure appropriates \$768,741 General Fund to DLCD in the 2023-25 biennium. The grant funding provided by this measure is a one-time appropriation and if all grant funding is not disbursed in the 2023-25 biennium, DLCD will need to return and request ongoing position authority and expenditure limitation for the 2025-27 biennium.

The funding supports personal services costs of \$626,684 for four new limited duration full-time positions, including one Planner 4 (0.88 FTE) to design and manage the program; an Administrative Specialist 2 (0.75 FTE) to coordinate grants; a Procurement and Contracts Specialist 1 (0.75 FTE) to fulfill grant requirements; and an Accountant 1 (0.75 FTE) to track payments and expenditures. Services and supplies costs are \$142,057 General Fund, which includes position-related expenses as well as legal costs and resources to support the Advisory Committee.

Department of Forestry

The measure provides ODF \$516,248 General Fund for two permanent positions (1.75 FTE) and associated costs for the development and implementation of the technical and financial assistance program in the 2023-25 biennium. The 2023-25 costs include \$362,008 for personal services and \$64,240 for services and supplies, as well as \$90,000 in special payments will be transferred to the ODF Motor Pool for purchase of two vehicles. ODF will also need \$90,000 Other Funds expenditure limitation to expend this General Fund as Other Funds once transferred.

The bill establishes two Natural Resource Specialist 3 positions, which will increase capacity for community assistance activities and to provide program coordination, work with tribal governments, and provide outreach and technical assistance to the federally recognized tribes in Oregon, and will help define and identify the specific locations for increased green infrastructure. ODF notes that the agency will provide a vehicle to each position for in-state travel to meet the requirements of the measure. Although the measure requires the program include

Legislative Action

financial assistance as well as technical assistance, that financial assistance is not defined by the measure, nor is the amount or source of that funding identified.

Funding for the initial purchase, setup, and refinement of the urban tree canopy assessment tool can be absorbed within existing efforts surrounding environmental equity mapping which is funded through a federal United States Forest Service grant at ODF. Federal funding is allocated on an annual basis and may not be available in perpetuity.

College of Forestry, Oregon State University: low carbon fuels from woody biomass residues

This portion of the measure directs the College of Forestry at Oregon State University (OSU) in collaboration with DEQ and ODF to conduct research to develop methodologies and data necessary to establish fuel pathways for low carbon fuels derived from woody biomass residues from forestry operations. The College of Forestry is to report to the interim Committees of the Legislative Assembly related to natural resources no later than July 31, 2025.

Regarding the state forests, the measure permits ODF to establish a forestry renewable woody biomass conversion program to market, register, transfer or sell forestry woody biomass conversion offtakes, in order to secure the greatest permanent value of the lands for the state.

Higher Education Coordinating Commission

The measure appropriates \$3 million General Fund to HECC for distribution to the College of Forestry at OSU. These funds would be used to conduct the research directed under this measure in the 2023-25 biennium, in order to report to the Legislature on topics including progress in establishing fuel pathways and carbon intensity values for low carbon fuels derived from woody biomass residues from forestry operations; and the impact of converting woody biomass residues to low carbon fuels on greenhouse gas and black carbon emissions, snowpack in the Cascade Mountains, water quality and drought, and wildfire.

OSU anticipates these funds would be used to support 15 positions representing a variety of areas of study, including six faculty (totaling 0.77 FTE), eight graduate students (totaling 4.00 FTE), and one post-doctoral student (0.50 FTE). Position costs are anticipated to total \$1.6 million. Positions discussed here are not presented in the tables included in this budget report as the Legislature does not authorize positions within universities.

Other expenses include lab equipment, lab supplies, materials, and travel costs, at approximately \$768,280; approximately \$84,000 for contracting with ODF and DEQ for project support; \$317,849 for graduate student tuition; and \$198,678 for indirect costs.

Rebate program for medium and heavy duty zero-emission vehicles

This portion of the measure creates a rebate program in DEQ for purchase or lease of vehicles that meet certain criteria, including a gross vehicle weight of over 8,500 pounds. DEQ may hire or contract with a third-party nonprofit to administer the program. The Environmental

Legislative Action

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Oregon Department of Forestry									
SCR 050-00 - Forest Resources									
Personal Services	\$ 362,008	\$ -	\$ 90,000	\$ -	\$ -	\$ -	\$ 452,008	2	1.75
Services and Supplies	\$ 64,240	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 64,240		
Special Payments	\$ 90,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 90,000		
Higher Education Coordination Commission									
SCR 210-00 - Public University State Program									
Special Payments	\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000		
Department of Administrative Services									
SCR 060-00 Enterprise Asset Management									
Personal Services	\$ -	\$ -	\$ 189,034	\$ -	\$ -	\$ -	\$ 189,034	1	0.88
Services and Supplies	\$ -	\$ -	\$ 480,078	\$ -	\$ -	\$ -	\$ 480,078		
TOTAL ADJUSTMENTS	\$ 45,019,045	\$ -	\$ 16,515,163	\$ -	\$ 125,081	\$ -	\$ 61,659,289	30	23.71
COMMITTEE RECOMMENDATION	\$ 45,019,045	\$ -	\$ 16,515,163	\$ -	\$ 125,081	\$ -	\$ 61,659,289	30	23.71

Legislative Action

82nd Oregon Legislative Assembly – 2023 Regular Session

HB 5006 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Steiner

Joint Committee On Ways and Means

Action Date: 06/20/23

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 9 - Anderson, Campos, Dembrow, Findley, Frederick, Gelser Blouin, Knopp, Sollman, Steiner

Nays: 2 - Girod, Hansell

House Vote

Yeas: 8 - Evans, Gomberg, Holvey, McLain, Pham K, Sanchez, Smith G, Valderrama

Nays: 3 - Breese-Iverson, Cate, Lewis

Exc: 1 - Reschke

Prepared By: Rhonda Nelson, Department of Administrative Services

Reviewed By: Walt Campbell, Legislative Fiscal Office

Various Agencies – Capital Construction

2023-25

This summary has not been adopted or officially endorsed by action of the committee.

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Legislative Action

Department of Corrections

Camera System: \$8,500,000 Other Funds (Article XI-Q Bonds) is approved to acquire and install updated camera systems at 12 correctional facilities and place additional cameras in strategic locations to improve monitoring of activity.

Capital Improvement and Renewal: \$50,000,000 Other Funds (Article XI-Q Bonds) is approved for capital improvements at multiple facilities, including replacement or improvement of roofs, HVAC, hardscaping, plumbing, electrical systems, communication and security systems, and other building elements.

Wireless Communication System: \$12,900,000 Other Funds (Article XI-Q Bonds) is approved to acquire and install wireless communications systems at five correctional facilities for mobile radio communications.

The Subcommittee approved the extension of the project expiration dates and expenditure limitations to June 30, 2025 for the following projects: Capital Improvements and Renewal (Other Funds); and Technology Infrastructure (Other Funds).

Oregon Youth Authority

Capital Improvements – All Facilities: \$2,750,000 Other Funds (Article XI-Q Bonds) is approved for capital improvements to permanent structures and fixtures at multiple facilities to address needs identified by the Facility Condition Assessment completed on Oregon Youth Authority facilities.

The Subcommittee approved the extension of the project expiration dates and expenditure limitations to June 30, 2025 for the following projects: Rogue Valley Facility Improvements (Other Funds); MacLaren West Cottages Renovation (Other Funds); and Capital Improvements (Other Funds).

Oregon Department of Education

Oregon School for the Deaf Capital Improvements: \$3,500,000 Other Funds (Article XI-Q Bonds) is approved for capital improvements at the Oregon School for the Deaf, including replacing the outdoor running track; installing an HVAC system to provide air conditioning in the high school building; installing solar panels and refurbishing kitchens used to serve residential students.

Department of Forestry

Klamath Facility Replacement: \$1,500,000 Other Funds (insurance proceeds) is approved to design and construct a new Klamath Lake District Headquarters' Fire Cache Facility to replace the facility that was destroyed by fire in 2021.

Legislative Action

Salem Airport Hangar: \$2,000,000 Other Funds (Article XI-Q Bonds) is approved for the renovation or replacement of the aircraft hangar at Salem Municipal Airport (McNary Field). Bond funding was authorized separately to fund the purchase of a new aircraft by the agency. Renovations or replacement of the agency's existing hangar is required to accommodate the new aircraft.

The Subcommittee approved the extension of the project expiration dates and expenditure limitations to June 30, 2025 for the following project: Toledo Facility Replacement (Other Funds).

Oregon Department of Fish and Wildlife

Capital Improvement and Renewal: \$2,500,000 Other Funds (Article XI-Q Bonds) is approved to make capital improvements to replace buildings and address deferred maintenance at various facilities.

Oregon Health Authority

Junction City Single Unit Remodel: \$5,000,000 Other Funds (Article XI-Q Bonds) is approved to remodel a portion of the Junction City campus into a single person unit for patients that need to be isolated from the general hospital population.

PLC System Replacement: \$3,000,000 Other Funds (Article XI-Q Bonds) is approved to replace the Programmable Logic Controller (PLC) system at the Oregon State Hospital with a software that will integrate with access controls, security cameras, video recording, emergency door release, entry door, sally port and hospital duress systems.

Department of Aviation

Aurora Airport Obstruction Removal and Easement: \$154,000 Other Funds (aircraft registration fees) and \$1,386,000 Federal Funds (Federal Aviation Administration) is approved to conduct obstruction removal at the Aurora State Airport. This project includes removal of trees from protected airspace surfaces surrounding the airport, in order to maintain safe operating conditions and meet federal standards.

Aurora Airport Runway 17-35 Rehab: \$275,000 Other Funds (aircraft registration fees) and \$2,475,000 Federal Funds (Federal Aviation Administration) is approved to rehabilitate the only runway at the Aurora State Airport. This project includes grinding and overlaying the airport runway. The rehabilitation will ensure the airports continues to operate safely and meet federal standards.

Chiloquin Airport Obstruction Removal: \$132,000 Other Funds (aircraft registration fees) and \$1,188,000 Federal Funds (Federal Aviation Administration) is approved to conduct obstruction removal at the Chiloquin State Airport. This project includes removal of trees from protected airspace surfaces surrounding the airport, in order to maintain safe operating conditions and meet federal standards.

Legislative Action

82nd Oregon Legislative Assembly – 2023 Regular Session

SB 80 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Golden

Joint Committee On Ways and Means

Action Date: 06/12/23

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Senate Vote

Yeas: 7 - Anderson, Campos, Dembrow, Frederick, Gelser Blouin, Sollman, Steiner

Exc: 3 - Findley, Girod, Knopp

Abs: 1 - Hansell

House Vote

Yeas: 7 - Evans, Gomberg, Holvey, McLain, Pham K, Sanchez, Valderrama

Nays: 3 - Cate, Lewis, Smith G

Exc: 2 - Breese-Iverson, Reschke

Prepared By: Sione Filimoehala, Department of Administrative Services

Reviewed By: Matt Stayner, Legislative Fiscal Office

Department of Consumer and Business Services

2023-25

Department of the State Fire Marshal

2023-25

Higher Education Coordinating Commission

2023-25

Department of Forestry

2023-25

This summary has not been adopted or officially endorsed by action of the committee.

SB 80 B

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Legislative Action

Budget Summary

	2021-23 Legislatively Approved Budget	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
				\$ Change	% Change
Department of Consumer and Business					
General Fund	\$ -	\$ -	\$ 5,000,000	\$ 5,000,000	100.0%
Other Funds	\$ -	\$ -	\$ 5,000,000	\$ 5,000,000	100.0%
Department of the State Fire Marshal					
General Fund	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	100.0%
Other Funds	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	100.0%
Higher Education Coordinating Commission					
General Fund	\$ -	\$ -	\$ 876,173	\$ 876,173	100.0%
Department of Forestry					
General Fund	\$ -	\$ -	\$ 592,037	\$ 592,037	100.0%
Total	\$ -	\$ -	\$ 17,468,210	\$ 17,468,210	100.0%

Position Summary

Department of Consumer and Business

Authorized Positions	0	0	0	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.00	0.00

Department of the State Fire Marshall

Authorized Positions	0	0	0	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.00	0.00

Higher Education Coordinating

Authorized Positions	0	0	0	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.00	0.00

Department of Forestry

Authorized Positions	0	0	1	1
Full-time Equivalent (FTE) positions	0.00	0.00	1.00	1.00

Legislative Action

Summary of Revenue Changes

Senate Bill 80 provides a one-time \$5 million General Fund appropriation and \$5 million Other Funds expenditure limitation to the Department of Consumer and Business Services in the 2023-25 biennium. The measure requires the Department of Consumer and Business Services to establish the Prescribed Fire Claims Fund for claims from losses arising from prescribed cultural burns. The bill provides a one-time \$3 million General Fund appropriation and \$3 million Other Funds expenditure limitation to the Department of the State Fire Marshal in the 2023-25 biennium. The measure requires DSFM to deposit the funds into the Community Risk Reduction Fund for purposes of carrying out community risk reduction and local government financial assistance. The bill provides a one-time \$876,173 General Fund appropriation to the Higher Education Coordinating Commission in the 2023-25 biennium for passthrough to Oregon State University for development of the Oregon Wildfire Risk Explorer, map development, and work with the Wildfire Programs Advisory Council. Finally, the bill provides a \$592,037 General Fund appropriation, of which \$350,000 is one-time-only, to the Oregon Department of Forestry in the 2023-25 biennium for the Prescribed Fire Liability Pilot Program and facilitation and notifications related to the program.

Summary of Capital Construction Subcommittee Action

Senate Bill 80 revises existing statutes regarding the statewide wildfire hazard map, changing the name and number of zone classifications, specifying a new community engagement process, and directing use of the map by state agencies. The measure establishes the Landscape Resiliency Fund which is continuously appropriated to the Oregon Department of Forestry and the Community Risk Reduction Fund is modified to allow additional funding sources to be deposited in the fund. The measure also expands grantee types for the Department of Human Services existing clean air, warming, and cooling shelter grant program, permitting grants to go to nonprofits and faith-based organizations, and for grants to be used for non-public buildings.

A Prescribed Fire Liability Pilot Program is established, administered by the Oregon Department of Forestry, and the Prescribed Fire Claims Fund is established, administered by the Department of Consumer and Business Services.

Department of Consumer and Business Services

Senate Bill 80 establishes the Prescribed Fire Claims Fund and appropriates \$5 million General Fund for deposit into the fund. The bill also provides Other Funds expenditure limitation of \$5 million for claims from losses arising from prescribed fires or cultural burns, on tribal lands, private timber lands, state forest lands, and federal forest lands, when specified conditions related to those burns are met. The Department has indicated work to administer the fund can be absorbed with existing resources.

Department of the State Fire Marshal

The bill appropriates \$3 million General Fund to the Department of the State Fire Marshal for deposit into Community Risk Reduction Fund. The bill also provides \$3 million Other Funds expenditure limitation for the purposes of carrying out community risk reduction and local government financial assistance.

Legislative Action

Higher Education Coordinating Commission

An appropriation of \$876,173 General Fund is made to the Higher Education Coordinating Commission for one-time passthrough funding to Oregon State University for map development, updates to the Oregon Wildfire Risk Explorer, and work with the Wildfire Programs Advisory Council. Of this total, \$30,000 is for Oregon State University Extension Services for work associated with the Wildfire Programs Advisory Council.

Department of Forestry

Finally, Senate Bill 80 appropriates \$592,037 to the Oregon Department of Forestry. These costs include \$242,037 General Fund for one permanent full-time Natural Resource Specialist 3 position (1.00 FTE) to administer the Prescribed Fire Liability Pilot Program and to investigate and compile incident reports for review with the potential of claim approval in the Forest Resources division. The bill appropriates an additional one-time \$350,000 to contract facilitation services for rulemaking and engagement, and to notify property owners in the Planning Branch division. The bill also establishes the Landscape Resiliency Fund with moneys in the fund continuously appropriated the Department for landscape resiliency work, and for implementation of ORS 477.503. ORS 477.503 which directs the Department to design and implement a program to reduce wildfire risk through the restoration of landscape resiliency and reduction of hazardous fuel.

Legislative Action

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Multiple Agencies

Sione Filimoehala - 971-707-8779

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
Department of Consumer and Business Services									
SCR 018 - Division of Financial Regulation									
Special Payments - 6060 Intragency GF Transfer	\$ 5,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000,000		
Special Payments	\$ -	\$ -	\$ 5,000,000	\$ -	\$ -	\$ -	\$ 5,000,000		
Department of the State Fire Marshal									
SCR 035 - Fire & Life Safety Education Division									
Special Payments - 6060 Intragency GF Transfer	\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000		
Special Payments	\$ -	\$ -	\$ 3,000,000	\$ -	\$ -	\$ -	\$ 3,000,000		
Higher Education Coordinating Commission									
SCR 210 - Public University State Programs									
Special Payments	\$ 846,173	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 846,173		
SCR 211 - Statewide Public Services									
Special Payments	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000		
Department of Forestry									
SCR 050 - Forest Resources									
Personal Services	\$ 206,862	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 206,862	1	1.00
Services and Supplies	\$ 35,175	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,175		
SCR 060 - Planning Branch									
Services and Supplies	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000		
TOTAL ADJUSTMENTS	\$ 9,468,210	\$ -	\$ 8,000,000	\$ -	\$ -	\$ -	\$ 17,468,210	1	1.00
SUBCOMMITTEE RECOMMENDATION	\$ 9,468,210	\$ -	\$ 8,000,000	\$ -	\$ -	\$ -	\$ 17,468,210	1	1.00

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Legislative Action

82nd Oregon Legislative Assembly – 2023 Regular Session

SB 5506 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Steiner

Joint Committee On Ways and Means

Action Date: 06/20/23

Action: Do pass with amendments. (Printed A-Eng.)

Senate Vote

Yeas: 8 - Anderson, Campos, Dembrow, Frederick, Gelser Blouin, Knopp, Sollman, Steiner

Nays: 3 - Findley, Girod, Hansell

House Vote

Yeas: 8 - Evans, Gomberg, Holvey, McLain, Pham K, Sanchez, Smith G, Valderrama

Nays: 3 - Breese-Iverson, Cate, Lewis

Exc: 1 - Reschke

Prepared By: Tom MacDonald, Legislative Fiscal Office

Reviewed By: Amanda Beitel, Legislative Fiscal Office

Emergency Board

2023-25

Various Agencies

2023-25

Department of Human Services

2021-23

This summary has not been adopted or officially endorsed by action of the committee.

SB 5506 A

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Legislative Action

Budget Summary

2023-25 Committee
Recommendation

NATURAL RESOURCES PROGRAM AREA

State Department of Agriculture

General Fund	986,516
Lottery Funds	(25,662)
Other Funds	(243,361)
Federal Funds	(23,916)

Columbia River Gorge Commission

General Fund	(2,316)
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State Department of Energy

General Fund	30,951,606
Other Funds	30,326,322
Federal Funds	5,060,596

Department of Environmental Quality

General Fund	(189,842)
General Fund Debt Service	1,771,995
Lottery Funds	(15,876)
Other Funds	4,125,153
Federal Funds	(37,786)

State Department of Fish and Wildlife

General Fund	1,368,858
General Fund Debt Service	(143,729)
Lottery Funds	(107)
Other Funds	14,155,074
Other Funds Debt Service	397,000
Federal Funds	(2,429)

Department of Forestry

General Fund	(1,879,270)
General Fund Debt Service	1,021,701
Other Funds	14,902,279
Other Funds Debt Service	114,170
Other Funds Capital Improvements	4,820,771
Federal Funds	(33,649)

SB 5506 A

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Legislative Action

Other Funds expenditure limitation of \$13.8 million is included to expend lottery bond proceeds authorized to be issued for infrastructure projects improving fish and wildlife passage. Proceeds in the amount of \$8.8 million will be deposited into the Fish Passage Fund (ORS 497.139) for fish passage projects, and proceeds in the amount of \$5 million will be deposited into the Oregon Conservation and Recreation Fund (ORS 496.252) for wildlife passage projects. This investment is included in the statewide drought package. An additional \$181,834 Other Funds expenditure limitation is included for the cost of bond issuance, and due to the sale scheduled in March 2025, debt service costs will not occur during the 2023-25 biennium.

The Subcommittee approved position authority to continue three limited duration positions (3.00 FTE) first approved in 2021-23. Positions include a Facilities Engineer 3 (1.00 FTE), a Construction Project Manager 1 (1.00 FTE), and an Engineering Technician 2 (1.00 FTE). The positions support a capital improvement and renewal project which was approved and financed with \$5 million in Article XI-Q bonds in 2021. Funding for the position comes from the bond proceeds, which have six-year limitation.

Department of Forestry

The Subcommittee established a \$12 million Other Funds expenditure limitation for the Oregon Department of Forestry (ODF) for the purchase of a new multi-mission capable aircraft from the net proceeds of General Obligation bonds anticipated to be issued in the upcoming biennium. The new aircraft is intended to replace the agency's current aircraft that has been in service for 36 years and has been increasingly in need of repairs and is subject to unexpected down time. The aircraft will perform missions that include fire start detection, air attack, large fire direct and logistical support, firefighter transportation, search and rescue, and disaster relief. Agency defined requirements for the new aircraft include twin turbine engines, high fixed wing, type certified at purchase, infrared and night vision equipped (or compatible platform), short take-off and landing performance, minimum 10-passenger capacity, 8,000 foot single-engine service ceiling, cargo rail system, and opening in flight rear cargo door.

Other Funds expenditure limitation increases totaling \$5.1 million for ODF were approved for the expenditure of general obligation bond proceeds for capital improvement projects and bond cost of issuance related to bonds approved for issuance in the upcoming biennium. The agency's General Fund appropriation for debt service is increased by \$1.5 million and debt service expenditure limitation is increased by \$1.1 million Other Funds for the payment of anticipated debt service on bonds approved to be issued in the upcoming biennium for capital improvement projects, the second construction phase of the agency's Toledo facility, and purchase of the new multi-mission aircraft and hanger renovation/replacement.

Additionally, the General Fund appropriation made to ODF for the Fire Protection division is reduced by \$1.9 million to adjust the ongoing budget of the agency due to the decision to not continue the catastrophic fire insurance coverage through Lloyds of London.

Department of Geology and Mineral Industries

In the Department of Geology and Mineral Industries, \$381,097 General Fund and \$37,097 Other Funds supports the establishment of two positions (1.50 FTE) and associated services and supplies to expand the Oregon Mapping Program. This investment was included in the statewide drought package and seeks to create an integrated Oregon Mapping Program through inclusion of a sampling program for water and mineral resources. The two positions include a permanent, full-time Natural Resource Specialist 4 (0.75 FTE) and a permanent, full-time Natural Resource Specialist 2 (0.75 FTE) established in the Geologic Survey and Services division.

Department of Land Conservation and Development

Legislative Action

82nd Oregon Legislative Assembly – 2023 Regular Session

SB 5543 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Girod

Joint Committee On Ways and Means

Action Date: 03/10/23

Action: Do pass with amendments. (Printed A-Eng.)

Senate Vote

Yeas: 11 - Anderson, Campos, Dembrow, Findley, Gelser Blouin, Girod, Hansell, Knopp, President Wagner, Sollman, Steiner

Exc: 1 - Frederick

House Vote

Yeas: 12 - Breese-Iverson, Cate, Evans, Gomberg, Holvey, Lewis, McLain, Pham K, Reschke, Sanchez, Smith G, Valderrama

Prepared By: Renee Klein, Department of Administrative Services

Reviewed By: Walt Campbell, Legislative Fiscal Office

Higher Education Coordinating Commission

2021-23

Department of Education

2021-23

Department of Administrative Services

2019-21

This summary has not been adopted or officially endorsed by action of the committee.

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Legislative Action

Summary of Changes in Bonding Authority

Program Designation	2021-23 Legislatively Approved Budget ⁽¹⁾	2021-23 Committee Recommendation	2023 Session Legislative Adjustments
GENERAL OBLIGATION BONDS			
Dedicated Fund Obligations			
Higher Education Coordinating Comm. (Art. XI-F(1))	\$ 114,505,000	\$ 94,295,000	\$ (20,210,000)
Total General Obligation Bonds	\$ 114,505,000	\$ 94,295,000	\$ (20,210,000)

⁽¹⁾ Includes adjustments through December 2022

Summary of Capital Construction Subcommittee Action

Senate Bill 5543 makes changes to previously approved bond authorizations. No new bonds are authorized.

General Fund Obligations

The Subcommittee approved decreasing the bond authorization for a public university project included in the budget for the Higher Education Coordinating Commission. Article XI-F(1) general obligation bond authority was reduced by \$20,210,000 to reflect a reduced scope for the Oregon Institute of Technology's new residence hall project. SB 5505 (2021) approved \$55,650,000 Article XI-F(1) general obligation bonds to construct a new facility for student housing with approximately 900 beds and study space on the Klamath Falls campus. The amended authorization of \$35,440,000, including \$35,000,000 for project costs and \$440,000 for costs of issuance, supports construction of a smaller residence hall with approximately 500 beds.

Legislative Action

The Subcommittee approved a modification to the previously approved authorizations for the Oregon School for the Deaf included in the budget for the Department of Education. SB 5505 (2021) approved a total of \$5,635,000 Article XI-Q general obligation bonds for three separate projects: \$1,065,000 was approved for ADA restrooms, \$3,145,000 was approved for fire alarm system replacement, and \$1,425,000 was approved for windows upgrade. The bond authorizations were combined into a single project for the ADA restrooms, fire alarm system replacement, and window upgrades, allowing the agency to complete the three projects within the total amount approved. There is no change to the total Article XI-Q general obligation bond authorization.

Other Legislative Changes

The Subcommittee approved modifying the scope of the Department of Administrative Services' (DAS) state fair facilities capital improvements project authorized in HB 5005 (2019). Article XI-Q general obligation bonds of \$5,430,000, including \$5,325,925 for project costs and \$104,075 for costs of issuance, were originally approved to make capital improvements on multiple facilities at the Oregon State Fairgrounds. The original project scope included roof replacements on Cascade Hall and Columbia Hall and soffit replacement on the Jackman Long Building; HVAC replacements for Cascade Hall, Columbia Hall, Floral Building, and Jackman Long Building; interior ceiling improvements in Cascade Hall; exterior wall restoration on Columbia Hall and Jackman Long Building; concrete floor and interior wall improvements for Columbia Hall and interior wall improvements in Jackman Long Building; audiovisual and technology improvements for Cascade Hall; restroom upgrades in Columbia Hall and Jackman Long Building; mezzanine upgrades for Jackman Long Building; exterior doors and frames replacement at Jackman Long Building; interior wall surface upgrades in Cascade Hall and Amphitheater; concrete floor and walkway improvements at Cascade Hall; exterior glu-lam beams replacement for Cascade Hall; and improvements to various parking lots and asphalt areas.

The following components of the projects are no longer being completed to allow DAS and the Oregon State Fair Council to focus on the most essential elements of the project within the approved amount:

- soffit replacement on the Jackman Long Building
- mezzanine upgrades for the Jackman Long Building
- exterior doors and frames replacement on the Jackman Long Building
- improvements to various parking lots and asphalt areas

In addition, the project has also been updated to include the addition of high bay LED lighting in Columbia Hall and Jackman Long Building, which is anticipated to result in energy efficiencies and reduce operating costs.

Legislative Action

82nd Oregon Legislative Assembly – 2023 Regular Session

HB 5045 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Steiner

Joint Committee On Ways and Means

Action Date: 03/10/23

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 11 - Anderson, Campos, Dembrow, Findley, Gelser Blouin, Girod, Hansell, Knopp, President Wagner, Sollman, Steiner

Exc: 1 - Frederick

House Vote

Yeas: 11 - Breese-Iverson, Cate, Evans, Gomberg, Holvey, Lewis, McLain, Pham K, Sanchez, Smith G, Valderrama

Nays: 1 - Reschke

Prepared By: Tom MacDonald, Legislative Fiscal Office

Reviewed By: Amanda Beitel, Legislative Fiscal Office

Various Agencies

2021-23

This summary has not been adopted or officially endorsed by action of the committee.

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Budget Summary*	2021-23 Legislatively Approved Budget	2023 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
			\$ Change	% Change
<u>JUDICIAL BRANCH</u>				
<u>Judicial Department</u>				
Federal Funds	\$ 1,782,035	\$ 2,732,035	\$ 950,000	53.3%
<u>Public Defense Services Commission</u>				
General Fund	\$ 448,160,372	\$ 449,250,967	\$ 1,090,595	0.2%
<u>LEGISLATIVE BRANCH</u>				
<u>Legislative Administration Committee</u>				
General Fund Debt Service	\$ 26,887,744	\$ 26,848,904	\$ (38,840)	-0.1%
<u>NATURAL RESOURCES PROGRAM AREA</u>				
<u>Department of Agriculture</u>				
Federal Funds	\$ 18,626,329	\$ 19,626,329	\$ 1,000,000	5.4%
<u>Department of Environmental Quality</u>				
Other Funds	\$ 302,195,302	\$ 303,195,302	\$ 1,000,000	0.3%
<u>Department of Fish and Wildlife</u>				
General Fund Debt Service	\$ 2,085,829	\$ 2,061,879	\$ (23,950)	-1.1%
Federal Funds	\$ 160,372,898	\$ 160,872,898	\$ 500,000	0.3%
<u>Department of Forestry</u>				
General Fund Debt Service	\$ 16,142,720	\$ 15,777,070	\$ (365,650)	-2.3%
Other Funds Debt Service	\$ 637,324	\$ 235,274	\$ (402,050)	-63.1%
<u>Department of Geology and Mineral Industries</u>				
Other Funds	\$ 6,753,317	\$ 7,493,317	\$ 740,000	11.0%
<u>Department of State Lands</u>				
Other Funds	\$ 56,128,184	\$ 59,435,032	\$ 3,306,848	5.9%
<u>Parks and Recreation Department</u>				
General Fund Debt Service	\$ 2,232,560	\$ 2,138,060	\$ (94,500)	-4.2%
Lottery Funds Debt Service	\$ 3,326,852	\$ 3,120,512	\$ (206,340)	-6.2%
<u>Water Resources Department</u>				
General Fund	\$ 74,089,805	\$ 72,589,805	\$ (1,500,000)	-2.0%
Lottery Funds Debt Service	\$ 9,499,510	\$ 7,968,940	\$ (1,530,570)	-16.1%

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supported by Other Funds, collected through an indirect rate assessment to the other agency programs. The Subcommittee approved a \$1 million increase in Other Funds expenditure limitation to allow for the additional expenditures, using existing agency resources.

Department of Fish and Wildlife

During the September 2022 meeting of the Emergency Board, the Department of Fish and Wildlife received approval to apply for an America the Beautiful Challenge grant, administered by the National Fish and Wildlife Foundation. The subsequent award totaled \$2.8 million, funding the Upper Rogue Oak Initiative project focused on oak habitat restoration. The Subcommittee approved a \$500,000 increase in Federal Funds expenditure limitation for current biennium grant expenditures.

Department of Geology and Mineral Industries

The Department of Geology and Mineral Industries has entered into an interagency agreement with the Department of Forestry to provide Light Detection and Ranging (lidar) services under the Oregon Lidar Consortium. The project totals \$2.2 million for the collection of 4,629 square miles of new lidar data as part of the Private Forest Accord. The Subcommittee approved a \$740,000 increase in Other Funds expenditure limitation to support project expenditures anticipated in the 2021-23 biennium.

Department of State Lands

HB 5045 increases the Other Funds expenditure limitation for the Department of State Lands by \$3.3 million to accommodate the anticipated expenditure of monies from the Common School Fund for removal and cleanup activities related to certain abandoned and derelict vessels on submerged lands owned by the state.

Water Resources Department

The General Fund appropriation made to the Water Resources Department, Field Services Division, is reduced by \$1.5 million. The funding had originally been provided to the agency as one-time investments in two Racial Justice Council recommendations: \$1 million General Fund for equitable water access and \$500,000 General Fund for Indigenous energy resiliency. These items came from recommendations by the Racial Justice Council. Investments focus on exploring the water needs of Black, Indigenous, Tribal, rural and communities of color, addressing Indigenous treaty water rights, water scarcity, hydropower, and ecosystem services. The proposed investments were unlikely to be fully effectuated by the agency in the current biennium. This action allows the Legislature to explore alternative avenues to address the implementation of these recommendations.

PUBLIC SAFETY

Department of Corrections

For the Department of Corrections (DOC), the Subcommittee approved \$1.3 million in Federal Funds expenditure limitation to expend the remaining balance of State Criminal Alien Assistance Program (SCAAP) federal grant. While the Department is no longer eligible to receive