

B-Engrossed Senate Bill 605

Ordered by the House May 17
Including Senate Amendments dated April 10 and House Amendments
dated May 17

Sponsored by Senator ROBLAN; Representative GOMBERG

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Clarifies that Land Conservation and Development Commission must make findings on Territorial Sea Plan and amendments to Territorial Sea Plan or Oregon Ocean Resources Management Plan recommended by Ocean Policy Advisory Council.

Requires council to include commission's revisions in subsequent recommendations when commission does not make required findings.

Sets time limit of 155 days for council to return subsequent recommendations to commission with potential for extension upon mutual agreement.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to ocean resources; amending ORS 196.471; and declaring an emergency.

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

4 **SECTION 1.** ORS 196.471 is amended to read:

5 196.471. (1) The Land Conservation and Development Commission shall review the Territorial
6 Sea Plan and any subsequent amendments recommended by the Ocean Policy Advisory Council to
7 either the Territorial Sea Plan or the Oregon Ocean Resources Management Plan and make findings
8 that the plan or amendments **recommended by the council:**

9 (a) Carry out the policies of ORS 196.405 to 196.515; and

10 (b) Are consistent with applicable statewide planning goals, with emphasis on the four coastal
11 goals.

12 (2) After making the findings required by subsection (1) of this section, the commission shall
13 adopt the Territorial Sea Plan or proposed amendments as part of the Oregon Coastal Management
14 Program.

15 *[(3) If the commission does not make the findings required by subsection (1) of this section, the
16 commission shall return the plan or amendments to the council for revision. The commission may
17 specify any needed revisions.]*

18 **(3)(a) If the commission does not make the findings required by subsection (1) of this
19 section, the commission shall return the plan or amendments to the council for revision. The
20 commission may specify any needed revisions.**

21 **(b) If the council makes subsequent recommendations for amendments, the council must:**

22 **(A) Include the commission's specified revisions in the recommendations; and**

23 **(B) Make the subsequent recommendations for amendments within 155 days after the
24 date that the commission returns the plan or amendments to the council for revision. The**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **commission and the council may mutually agree to extend the time that the council is al-**
2 **lowed under this subparagraph for submitting subsequent recommendations to the commis-**
3 **sion.**

4 **(c) If the council does not make the subsequent recommendations for amendments within**
5 **the time provided for in paragraph (b)(B) of this subsection, the commission may adopt the**
6 **Territorial Sea Plan amendments recommended by the council under subsection (1) of this**
7 **section, including any needed revisions specified by the commission.**

8 (4) Upon adoption of the Territorial Sea Plan or subsequent amendments the commission may,
9 after consultation with affected state agencies, identify amendments to agency ocean or coastal re-
10 source management programs necessary to conform to the provisions of the adopted plan.

11 **SECTION 2. This 2013 Act being necessary for the immediate preservation of the public**
12 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
13 **on its passage.**

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