

Enrolled
Senate Bill 847

Sponsored by Senators ROBLAN, DEVLIN

CHAPTER

AN ACT

Relating to state trust lands.

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

SECTION 1. Sections 2 to 4 of this 2017 Act are added to and made a part of ORS chapter 273.

SECTION 2. As used in sections 2 to 4 of this 2017 Act:

(1) "State agency" means an agency of the executive department, as defined in ORS 174.112, or a public university listed in ORS 352.002.

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

(3) "Trust lands" means state land:

(a) Granted to the state for the use of schools under the Act of February 14, 1859 (11 Stat. 383);

(b) Obtained by the state as the result of an exchange of land granted to the state for the use of schools;

(c) Obtained in lieu of originally granted land for the use of schools; or

(d) Purchased with Common School Fund revolving account moneys pursuant to ORS 273.413.

SECTION 3. It shall be the policy of the State of Oregon to:

(1) Identify, as appropriate, trust lands under the jurisdiction of the State Land Board that, due to management or regulatory impediments, have limited performance potential as assets of the Common School Fund; and

(2) Transfer the identified trust lands to state agencies, federal agencies or tribes that are better positioned than the State Land Board to manage the lands to provide public benefits associated with the public ownership of the identified trust lands.

SECTION 4. (1) The State Land Board may identify tracts of trust lands under the board's jurisdiction that have limited performance potential as assets of the Common School Fund and submit to the Legislative Assembly proposals to transfer the identified tracts of trust lands to another state agency, a federal agency or a tribe.

(2) The state agency, federal agency or tribe to which identified tracts of trust lands are to be transferred may be identified by the board in the proposal authorized under subsection (1) of this section, or may be designated by the Legislative Assembly.

(3) A proposal submitted to the Legislative Assembly under this section must include an independent, third-party valuation of the property to be transferred.

(4) If the Legislative Assembly approves a transfer proposal submitted under subsection (1) of this section and appropriates funds for that purpose, or otherwise approves a financing

mechanism sufficient to accomplish the transfer, the board, by and through the Department of State Lands, shall transfer lands in a manner consistent with the board's trust responsibilities.

(5) The provisions of ORS 270.100, 270.110, 270.130 and 273.275 do not apply to the transfer of trust lands under this section.

(6) The board may adopt rules to carry out the provisions of sections 2 to 4 of this 2017 Act.

(7) Nothing in this section shall be construed to affect the ability of the board or the department to dispose of trust lands in any manner otherwise provided for by law.

Passed by Senate July 4, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House July 7, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State