

A-Engrossed
Senate Bill 847

Ordered by the Senate July 1
Including Senate Amendments dated July 1

Sponsored by Senator ROBLAN

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.

Creates process for State Land Board, Department of State Lands and Legislative Assembly to coordinate transfer of certain trust lands managed for benefit of Common School Fund that have limited performance potential as assets of Common School Fund to certain other public bodies better positioned to manage lands for benefit of public.

[Establishes Trust Lands Transfer Fund.]

A BILL FOR AN ACT

1
2 Relating to state trust lands.

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

4 **SECTION 1. Sections 2 to 4 of this 2017 Act are added to and made a part of ORS chapter**
5 **273.**

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

7 (1) "State agency" means an agency of the executive department, as defined in ORS
8 174.112, or a public university listed in ORS 352.002.

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

10 (3) "Trust lands" means state land:

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

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

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

16 (d) Purchased with Common School Fund revolving account moneys pursuant to ORS
17 273.413.

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

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

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

25 **SECTION 4. (1) The State Land Board may identify tracts of trust lands under the**
26 **board's jurisdiction that have limited performance potential as assets of the Common School**

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 **Fund and submit to the Legislative Assembly proposals to transfer the identified tracts of**
2 **trust lands to another state agency, a federal agency or a tribe.**

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

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

8 **(4) If the Legislative Assembly approves a transfer proposal submitted under subsection**
9 **(1) of this section and appropriates funds for that purpose, or otherwise approves a financing**
10 **mechanism sufficient to accomplish the transfer, the board, by and through the Department**
11 **of State Lands, shall transfer lands in a manner consistent with the board's trust responsi-**
12 **bilities.**

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

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

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

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