Chapter 272

1967 REPLACEMENT PART
(1969 reprint)

Federal Lands

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CROSS REFERENCES

Conveyances to United States of:
- Irrigation district land, 545.078
- Lake-bed lands, 274.510
- Lands for irrigation works, 541.230
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Vesting of right, title and interest in Ft. Stevens in State Highway Commission, 390.230

272.010 Power of United States to acquire title for public improvements by eminent domain. Whenever it is necessary for the United States to acquire title to real property belonging to an individual or corporation, for the purpose of constructing a public improvement authorized by Act of Congress, and such property cannot be purchased from the owner for that purpose, an authorized agent of the United States may enter upon, examine and select a quantity of land sufficient for public improvements, and proceed in the mode prescribed in ORS chapter 35 to have such property appropriated and the compensation therefor determined and paid.
[Amended by 1967 c.421 §180]

272.015 Service of process. All civil or criminal process issued under the authority of this state may be executed by the proper officers of this state upon any person amenable to the process within the limits of lands acquired by the United States under ORS 272.020, 272.030, 272.033 and 272.036 in like manner and to the same effect as if those sections had not been enacted.
[1967 c.421 §181]

272.020 Conveyance of site to United States for aid to navigation. Whenever the United States desires to acquire title to land belonging to this state, and covered by the navigable waters of the United States, for the site of an aid to navigation, and application is made by a duly authorized agent of the United States, describing the site required for such purposes, the Governor may convey the title to the United States and cede to the United States jurisdiction over the site, subject to ORS 272.015. However, no single tract shall contain more than 10 acres.
[Amended by 1967 c.421 §182]

272.030 Acquisition of land for federal buildings. Consent is given to the United States to acquire lands for the purpose of erecting thereon any needful public buildings, under authority of any Act of Congress. The United States may enter upon and occupy such lands which may be purchased or otherwise acquired, and shall have the right of exclusive jurisdiction over the lands, subject to ORS 272.015.
[Amended by 1967 c.421 §183]

272.033 Fort Stevens. Exclusive jurisdiction is ceded to the United States over the military reservation of Fort Stevens, situated on Point Adams, in Clatsop County of this state, subject to ORS 272.015.
[Formerly 272.080]

272.036 Oregon City canal. Consent is given to the United States to acquire the premises and property described in the preamble of chapter 77, Oregon Laws 1913 (Oregon City canal area). The United States may enter upon and use and occupy such lands and premises and shall have the right of exclusive jurisdiction over the lands and premises, subject to ORS 272.015.
[Formerly 272.090]

272.040 Acquisition of land for national forests; retention of jurisdiction for certain purposes. (1) Subject to ORS 272.050, consent is given to the acquisition by the United States by purchase, gift or condemnation with adequate compensation, of such lands as in the opinion of the United States may be needed for the establishment, consolidation and extention of national forests in this state under the provisions of the Act of March 1, 1911 (36 Stat. 961), as amended.

(2) The State of Oregon retains a concurrent jurisdiction with the United States in and over lands so acquired:

(a) So that civil processes in all cases, and such criminal processes as may issue under the authority of this state against any person charged with the commission of any crime without or within such jurisdiction, may be executed thereon in like manner as if this consent had not been granted.

(b) To tax persons and corporations and their property and transactions on such lands so acquired.

(c) For the purpose specified in ORS 376.505 to 376.540, subject, however, to such modification as to the detailed location of any right of way as may be necessary to protect the interests of the United States.
[Amended by 1967 c.421 §186]

272.050 Board of Forest Conservation and county governing body to approve acquisition for national forest. Acquisition authorized under ORS 272.040 shall be contingent on the approval of the Oregon Board of Forest Conservation, which shall consist of the Governor, the State Forestor, the Director of the Department of Revenue and two other members to be appointed by the Governor from the presiding members of the

governing bodies in office in counties of this state containing at least 400,000 acres of forest land. Before approval by the Oregon Board of Forest Conservation of the acquisition of any tract, the consent of the governing body of the county wherein such tract or any portion thereof is situated must be given by an order duly made and entered in the records of such governing body and a certified copy thereof transmitted to the Oregon Board of Forest Conservation.
[Amended by 1965 c.253 §137]

272.060 Federal migratory bird refuges. (1) For the purpose of more effectively cooperating with the United States in the acquisition, development and maintenance of refuges for migratory wild fowl as provided in the Migratory Bird Conservation Act (45 Stat. 1222, 16 U.S.C. §§715 to 715r), as amended, permission is granted to the United States to acquire by purchase, gift or lease, lands and waters which the Secretary of the Interior of the United States may deem necessary and suitable for the purposes provided in such Act.

(2) Jurisdiction of the State of Oregon, both civil and criminal, over persons upon areas acquired under this section shall not be affected or changed by reason of their acquisition and administration by the United States as migratory bird reservations, except so far as the punishment of offenses against the United States is concerned.

(3) Nothing in this section is intended to interfere with the operation of the laws of the State of Oregon applying to migratory game birds in so far as they do not permit what is forbidden by federal law.
[Amended by 1967 c.421 §187]

272.070 Crater Lake National Park. Exclusive jurisdiction is ceded to the United States over all the territory now or hereafter included in that tract of land set aside by the Act of May 22, 1902 (32 Stat. 202, 16 U.S.C. §§121 to 123), as amended, for the purposes of Crater Lake National Park. However, the State of Oregon retains the right to:

(1) Serve civil or criminal process within the limits of the park in any suits or prosecution for or on account of rights acquired, obligations incurred or crimes committed in the state but outside of the park.

(2) Tax persons and corporations, their franchises and property on lands included in the park.
[Amended by 1967 c. 421 §188]

272.080 [Amended by 1967 c.421 §184; renumbered 272.033]

272.090 [Amended by 1967 c.421 §185; renumbered 272.036]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1967.

Robert W. Lundy
Legislative Counsel