

**A-Engrossed**  
**Senate Bill 1060**

Ordered by the Senate February 12  
Including Senate Amendments dated February 12

Sponsored by Senator BATES (Pre-session filed.)

**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.

*[Establishes public right to recreational use of certain waterways. Specifies extent and limitations of right. Limits liability of owners of property immediately adjacent to waterways.]*

*[Requires Department of State Lands to work with Department of State Police and other agencies to resolve issues related to recreational use of waterways.]*

*[Punishes violation of statute or rule regulating public access to waterways by fine of up to \$360.]*

**Creates Task Force on Waterways to study public use of waterways.**  
**Sunsets on date of convening of next regular biennial legislative session.**  
Declares emergency, effective on passage.

**A BILL FOR AN ACT**

Relating to waterways; and declaring an emergency.

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

**SECTION 1. (1) There is created the Task Force on Waterways, consisting of 17 members appointed as follows:**

**(a) The President of the Senate shall appoint:**

**(A) Two members from among members of the Senate.**

**(B) Six members as follows:**

**(i) One member of the general public;**

**(ii) One member representing the interests of ports;**

**(iii) Two members representing the interests of conservation groups and recreational users of waterways; and**

**(iv) Two members representing the interests of business, agriculture, timber and property owners.**

**(b) The Speaker of the House of Representatives shall appoint:**

**(A) Two members from among members of the House of Representatives.**

**(B) Six members as follows:**

**(i) One member of the general public;**

**(ii) One member representing the interests of local government, as that term is defined in ORS 174.116;**

**(iii) Two members representing the interests of conservation groups and recreational users; and**

**(iv) Two members representing the interests of business, agriculture, timber and property owners.**

**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       (c) The State Land Board shall designate one of its members to serve on the task force,  
2 who shall serve as chairperson.

3       (2) The task force shall study the use by the public of waterways, reviewing relevant  
4 considerations including but not limited to the public use doctrine, judicial opinions and the  
5 interests of landowners who own property adjacent to waterways.

6       (3) A majority of the members of the task force constitutes a quorum for the transaction  
7 of business.

8       (4) Official action by the task force requires the approval of a majority of the members  
9 of the task force.

10       (5) The task force shall elect one of its members to serve as vice chairperson who shall  
11 carry out the duties of the chairperson in the absence of the chairperson.

12       (6) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
13 ment to become immediately effective.

14       (7) The task force shall meet at times and places specified by the call of the chairperson  
15 or of a majority of the members of the task force.

16       (8) The task force may adopt rules necessary for the operation of the task force.

17       (9) The task force shall submit a report summarizing the results of the study conducted  
18 under subsection (2) of this section, and shall include recommendations for legislation, in-  
19 cluding proposed language, to the interim legislative committees on environment and natural  
20 resources on or before December 1, 2010.

21       (10) The Department of State Lands shall provide staff support to the task force.

22       (11) Members of the task force are not entitled to compensation or reimbursement for  
23 expenses and serve as volunteers on the task force.

24       (12) All agencies of state government, as defined in ORS 174.111, are directed to assist  
25 the task force in the performance of its duties and, to the extent permitted by laws relating  
26 to confidentiality, to furnish such information and advice as the members of the task force  
27 consider necessary to perform their duties.

28       SECTION 2. Section 1 of this 2010 Act is repealed on the date of the convening of the next  
29 regular biennial legislative session.

30       SECTION 3. This 2010 Act being necessary for the immediate preservation of the public  
31 peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect  
32 on its passage.