**Testimony of
Christopher Castelli, Senior Policy and Legislative Analyst at the
Department of State Lands
on
House Bill 2463-A3
Senate Committee on Environment and Natural Resources
June 1, 2015**

Thank you for the opportunity to testify in support of HB 2463-A3. The
–A3 amendment sets reasonable sideboards in statute to the
Department's notification process prior to removing a structure that is deemed to be
abandoned or derelict. This amendment expands on the existing requirements under
the Administrative Procedures Act. However, the Department recognizes the sensitivity
to the issues of jurisdiction, or deeming a structure "abandoned" or "derelict". We find
the proposed statutory requirements to be reasonable. The Department intends to
further refine the notification process through rulemaking, as directed under Section 4 of
this bill.

For the record, the Department wants to state that it is not the intention of this bill that a
notice of seizure is to be construed as an assertion of title under ORS 274.402(2). The
Department is required in the notice to "Identify, with specificity, the department's
proprietary interest in and jurisdiction over the state-owned submerged or submersible
lands that the structure is on, under or over." This notice is not intended to constitute an
assertion of ownership, and any person with a potential interest may use all legal
remedies available to challenge the Department's proprietary interest.

Lastly, the Department would like to thank Ms. Jennie Bricker and Mr. Matt Markee for
meeting with us to discuss revisions. We appreciate the collaborative effort, and believe
that it is has resulted in a better bill. We also want to thank Assistant Attorney General
Mr. Matt DeVore for his assistance in the amendment process.

Thank you and I would be happy to answer any questions you might have.