

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rural Communities, Land Use, and Water

MEASURE: HB 2461
CARRIER: Rep. Post

Fiscal: No Fiscal Impact
Revenue: No Revenue Impact

Action Date: 02/10/15
Action: Do Pass.
Meeting Dates: 02/05, 02/10

House
Yeas: 7 - Clem, Gilliam, Gomberg, Witt, McLane, Post, Helm

Prepared By: Ian Davidson, Committee Administrator

WHAT THE MEASURE DOES:

Authorizes Department of State Lands to adopt rules allowing additional exemptions to leasing requirements relating to submersible lands. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Impact of lower-cost registration for small, non-commercial structures on state-owned lands
- Background of Senate Bill 600 (2011)

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

With some exceptions, the submerged and submersible land (beds and banks) underlying the navigable and tidally-influenced waters in Oregon are owned by the state. In most cases, this ownership, which was granted by the federal government when Oregon became a state, extends to the line of ordinary high water or high tide. The State Land Board and Department of State Lands (DSL) oversee the lands under the territorial sea, tidally influenced land, and the non-tidally influenced beds and banks of 12 rivers and a number of lakes in the state. DSL is responsible for most of the day-to-day management of these lands. The revenue from leases and authorizations for waterway uses, such as marinas, docks, floating homes and wharfs, is deposited into the Common School Fund to benefit K-12 public schools throughout the state.

In 2011 the Legislature passed Senate Bill 600, creating a number of changes to the statute, including creating new exemptions to leasing requirements. However, language that allowed the DSL to establish lower-cost registrations through rulemaking was removed. Under current law, DSL does not have authority to add exemptions from leasing requirements for state owned submersible lands. HB 2461 would authorize the DSL to adopt rules providing for additional exemptions to the leasing requirements.