

STAFF MEASURE SUMMARY

Senate Committee On Business and Transportation

**Fiscal:** No Fiscal Impact

**Revenue:** No Revenue Impact

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**Action Date:** 04/22/15

**Action:** Do Pass.

**Meeting Dates:** 04/22

**Vote:**

Yeas: 5 - Beyer, Girod, Monroe, Riley, Thomsen

**Prepared By:** James LaBar, Committee Administrator

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**WHAT THE MEASURE DOES:**

Applies definition of “state government” as defined in ORS 174.111 to clarify meaning of “state” regarding utility access to lands belonging to the State of Oregon.

**ISSUES DISCUSSED:**

- Number of contracts with utilities for access on Coos Bay Railroad line
- Port of Coos Bay and its relationship with the State of Oregon

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

Existing law authorizes utilities to place service lines, fixtures, structures and other facilities within public right of way controlled by counties or by the state and over rivers free of charge, provided that such features do not obstruct the road or navigable stream. For rights of way controlled by cities and other governmental bodies, utilities typically enter into agreements to pay for access rights to site facilities on public land.

House Bill 2279 clarifies the definition of “state” within ORS 758.010 to specify that the statute refers to land belonging to “state government” as defined by ORS 174.111. The measure clarifies that “state” refers to land owned by the executive, judicial or legislative branches.