

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 05/13/15

Action: Do Pass.

Meeting Dates: 05/06, 05/13

Vote:

Yeas: 5 - Dembrow, Edwards, Olsen, Prozanski, Thomsen

Prepared By: Beth Reiley, Committee Administrator

WHAT THE MEASURE DOES:

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

ISSUES DISCUSSED:

- Background of Senate Bill 600 (2011)
- Non-commercial property owners who have benefited from lower-cost registrations
- Examples of non-commercial structures on state-owned submerged and submersible lands include docks and boathouses associated with private residences on waterways

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 DSL to adopt rules providing for additional exemptions to the leasing requirements.