

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Environment and Natural Resources

MEASURE: HB 2463 B
CARRIER: Sen. Prozanski

Fiscal: Fiscal impact issued
Revenue: No Revenue Impact

Action Date: 06/03/15
Action: Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)
Meeting Dates: 05/13, 06/03
Vote:

Yeas: 3 - Dembrow, Edwards, Prozanski
Nays: 1 - Thomsen
Exc: 1 - Olsen

Prepared By: Beth Reiley, Committee Administrator

WHAT THE MEASURE DOES:

Authorizes Department of State Lands (DSL) to seize and remove derelict or abandoned structure on, under, or over state-owned submerged land or submersible lands if DSL determines after providing notice and opportunity for hearing that structure is abandoned or derelict and owner has failed to correct identified problems within 20 days or longer reasonable time as specified in notice. Establishes notice requirements. Establishes Submerged Lands Enhancement Fund. Clarifies that marine debris may be removed and disposed of with moneys from Submerged Lands Enhancement Fund. Directs DSL to adopt rules, including procedures for notice and opportunity for hearing prior to seizure and manner by which request to DSL for use of money in Submerged Lands Enhancement Fund may be made and evaluated by DSL. Places liability of costs of removal, salvage, storage, and disposal of seized structure with owner.

ISSUES DISCUSSED:

- Cooperative efforts with Marine Board to address derelict and abandoned structures in waterways
- Removal process
- How ownership of structures is determined

EFFECT OF COMMITTEE AMENDMENT:

Specifies Department of State Lands is authorized to seize structure or if owner has failed to correct problems identified in notice within 20 days or longer reasonable time as specified in notice. Establishes notice requirements.

BACKGROUND:

State-owned submerged and submersible lands are under the management of the Department of State Lands (DSL) to protect them for 'public trust' uses of navigation, recreation, fisheries and commerce. DSL oversees more than 1.2 million acres of state-owned waterways, including many lakes, rivers and the Territorial Sea. Throughout Oregon, there are derelict and abandoned structures, vessels and other debris that can pose a danger to the public and interfere with the public's right to use waterways. Currently, DSL has statutory authority to pursue these situations as trespasses and to remove the structures.

House Bill 2463B would authorize DSL to seize a structure on, under or over state-owned submerged or submersible lands and establish a Submerged Lands Enhancement Fund.