

STAFF MEASURE SUMMARY

Conference Committee on HB 2463

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 07/02/15

Action: House Concur In Senate Amendments, Repass

Meeting Dates: 07/02

Vote:

House

Yeas: 3 - Clem, Gomberg, McLane

Senate

Yeas: 2 - Edwards, Roblan

Exc: 1 - Thomsen

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:

- Provisions of measure

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

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.