

A-Engrossed
House Bill 2460

Ordered by the House April 13
Including House Amendments dated April 13

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of State Lands)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Clarifies that "land" includes submerged land and submersible land for purpose of provision granting easement right and privilege for service line, fixture or other facility.]

[Authorizes Department of State Lands to adopt fee schedule for administrative costs incurred in imposing reasonable requirements on location, construction, operation and maintenance of service lines, fixtures or other facilities.]

Authorizes Department of State Lands to establish and impose one-time application fee on person applying for easement to construct water, gas, electric or communication service line, fixture or other facility on state land.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to easements for service transmission facilities; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 273.**

5 **SECTION 2. (1) Notwithstanding ORS 758.010, the Department of State Lands may es-**
6 **tablish and impose a one-time application fee on a person applying for an easement to con-**
7 **struct a water, gas, electric or communication service line, fixture or other facility on state**
8 **land in the following amounts:**

9 (a) On state land other than that described in paragraph (b) of this subsection, \$750.

10 (b) On state land located within the territorial sea, \$5,000.

11 (2) The department may not impose an application fee established under subsection (1)
12 of this section more than once per application for an easement to construct a water, gas,
13 electric or communication service line, fixture or other facility.

14 (3) For purposes of this section, an application for an easement to construct a water, gas,
15 electric or communication service line must include all crossings of state land within a
16 county. However, if the applicant applies for an easement to construct a water, gas, electric
17 or communication service line for a single crossing of contiguous state land involving two
18 counties, the applicant may submit one application and the department may charge the ap-
19 plicant only one application fee.

20 **SECTION 3. Section 2 of this 2015 Act applies to applications for an easement to con-**
21 **struct a water, gas, electric or communication service line, fixture or other facility received**
22 **on or after the effective date of this 2015 Act.**

23 **SECTION 4. This 2015 Act being necessary for the immediate preservation of the public**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
2 **on its passage.**

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