



CITY MANAGER'S OFFICE

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May 9, 2017

Chair Jeff Barker
Vice-Chair Andy Olson
Vice-Chair Jennifer Williamson
House Judiciary Committee
Oregon State Capitol
900 Court Street NE
Salem, Oregon 97301

SUBJECT: Testimony of the City of Salem in Support of Senate Bill 327A

Dear Chair Barker, Vice-Chairs Andy Olson and Jennifer Williamson, and Committee Members,

Thank you for the opportunity to provide comments regarding A-Engrossed SB 327 (SB 327A) addressing recreational immunity. The City of Salem supports SB 327A, which will serve to confirm that recreational immunity extends to a landowner's officers, employees, volunteers and agents who are working within the scope of their assigned duties.

The Legislative Assembly has declared that "it is the public policy of the State of Oregon to encourage owners of land to make their land available to the public for recreational purposes...by limiting their liability toward persons entering thereon for such purposes..." Oregonians benefit from recreational opportunities on both private and public lands as a result of the Oregon Public Use of Lands Act. However, the Oregon Supreme Court ruling in *Johnson v. Gibson* that recreational immunity does not extend to employees or agents of landowners has left the City of Salem uncertain about its ability to maintain a landscape of diverse recreational opportunities.

Having recreational immunity clearly apply to persons working on behalf of the City of Salem is imperative to the City's ability to provide the fullest range of recreational opportunity on its public lands. Passage of SB 327A will help protect the quality of life our residents value.

Sincerely,

Steve Powers
City Manager

EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

❖ Reasonable accommodation and accessibility services will be provided upon request ❖
Servicios razonables de alojamiento y accesibilidad se facilitarán por petición