

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2019 Regular Session
Legislative Fiscal Office

Measure: HB 2835 - 3

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Krista Dauenhauer
Reviewed by: Tim Walker, Gregory Jolivet, Matt Stayner
Date: 4/3/2019

Measure Description:

Establishes public right to recreational use of certain public use waterways.

Government Unit(s) Affected:

Oregon Department of Transportation (ODOT), Oregon State Marine Board (OSMB), Department of State Lands (DSL), Oregon Parks and Recreation Department (OPRD), Department of Forestry (ODF)

Analysis:

This fiscal impact statement is for the purpose of transmitting the measure from the House Committee on Natural Resources to the Joint Committee on Ways and Means.

The legislation requires that a state agency must, with exceptions specified by the bill, post notice on the agency’s website for 30 days prior to the date that the restriction or closure of a public access site. On or before January 1 of each year, any state agency that restricted, closed, opened or reopened access to a public access site in the previous calendar year must submit a report to the Legislative Assembly that describes the location of the site, reason for closure, and the location an number of public access sites that were open, closed or restricted in the previous year. The Department of Transportation (ODOT) must notify the Department of State Lands (DSL), the State Parks and Recreation Department (OPRD) and the State Marine Board (OSMB) when ODOT recommends a bridge for funding under a draft Statewide Transportation Improvement Program unless the bridge is on a limited access highway or ferry terminal or ODOT determines that siting public access near the bridge is not feasible. After receiving notice, DSL, OPRD, and OSMB may propose changes to the proposed project to enable public access and may provide ODOT with an estimate of funding sources other than the State Highway Fund, the potential for public access sites near the proposed bridge, and the impacts associated with siting public access near the bridge. Before the Oregon Transportation Commission approves a bridge for funding under a Statewide Transportation Improvement Program they must first consider availability of funding from the State Highway Fund and other sources for a public access site near the bridge, likelihood and type of any potential public use of a public access near the bridge, siting impacts, and impacts on traffic, roadways or highway safety from siting public access near the bridge. To the greatest extent practicable, when constructing a project, ODOT may not adversely impact existing, lawful public access.

Further Analysis Required

A more complete fiscal analysis on the measure will be prepared as the measure is considered in the Joint Committee on Ways and Means.