

HB 2549 A STAFF MEASURE SUMMARY
Senate Committee On Energy and Environment

Carrier: Sen. Taylor

Action Date: 05/13/21
Action: Do pass the A-Eng bill.
Vote: 5-0-0-0
Yeas: 5 - Beyer, Dembrow, Findley, Robinson, Taylor
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Beth Reiley, LPRO Analyst
Meeting Dates: 5/4, 5/13

WHAT THE MEASURE DOES:

Requires agencies, with existing reporting requirements, to submit reports on the status of public land sites with public access to public waterways for recreational use that have been restricted, closed, opened, or reopened in the last year to the State Marine Board (Board). Stipulates that reports do not need to include closures or restrictions that lasted less than 24 hours. Directs Board to compile and make information in reports public, including through a website with a map of reported public access sites. Authorizes Board to take action before operative date of January 1, 2022, to enable conformity with provisions of the bill, including at least one opportunity for public comment on the required form of the reports and website. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Experience of being denied access due to closure
- Transparency in public access
- Addition of web-based public access map

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The public has a right to use an Oregon waterway for recreation if the waterway is navigable for title purposes, if the waterway is floatable for purposes of the Public Use Doctrine, or if the waterway is both. In 2019, House Bill 2835 was enacted, requiring state agencies to post notice on agency websites before restricting or closing a public access site to a floatable natural waterway. The measure also required agencies to report annually to the Legislative Assembly on any public access sites that restricted, closed, opened, or reopened during the previous calendar year.

House Bill 2549 A would direct the State Marine Board to compile and make public the information in reports on public access sites, including through the use of a web-based map.