

## HOUSE AMENDMENTS TO HOUSE BILL 3371

By COMMITTEE ON GENERAL GOVERNMENT

April 10

1 On page 1 of the printed bill, delete lines 5 through 19 and insert:

2 **“SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 274.**

3 **“SECTION 2. (1) When deciding to authorize the use of submerged and submersible lands,**  
4 **the Department of State Lands shall consider potential risks, including possible damage to**  
5 **state lands and risks to public health and safety from proposed authorizations.**

6 **“(2) In issuing a new authorization, the renewal of a current authorization or the trans-**  
7 **fer of an existing authorization to a new entity, the department may require authorization**  
8 **holders to take such actions as necessary to reduce the risks of damage to state lands or to**  
9 **procure insurance policies sufficient to protect the state for the possible damage within the**  
10 **authorized area.**

11 **“(3) As used in this section:**

12 **“(a) ‘Authorization holder’ means a person who, with respect to submerged or**  
13 **submersible lands:**

14 **“(A) Holds or requests a lease, including a lease under ORS 274.040, 274.085, 274.530 or**  
15 **274.873; or**

16 **“(B) Holds an easement, or any other property right or exclusive right of use or access,**  
17 **except for the right to construct a wharf under ORS 780.040.**

18 **“(b) ‘Authorized area’ means the area of state-owned submerged and submersible land**  
19 **defined in the waterway use authorization for which the use is authorized.**

20 **“(c) ‘Damage’ means loss or harm resulting from injury to a person or property or**  
21 **compensation in money for loss or injury.”.**

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