

Requested by Representative REARDON

**PROPOSED AMENDMENTS TO
HOUSE BILL 3371**

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**
3 **of ORS chapter 274.**

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

8 **“(2) In issuing a new authorization, the renewal of a current au-**
9 **thorization or the transfer of an existing authorization to a new en-**
10 **tity, the department may require authorization holders to take such**
11 **actions as necessary to reduce the risks of damage to state lands or**
12 **to procure insurance policies sufficient to protect the state for the**
13 **possible damage within the authorized area.**

14 **“(3) As used in this section:**

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

17 **“(A) Holds or requests a lease, including a lease under ORS 274.040,**
18 **274.085, 274.530 or 274.873; or**

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

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

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

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