

Submitter: John MacDonald

On Behalf Of:

Committee: Senate Committee On Judiciary

Measure, Appointment or Topic: SB1545

I am writing to voice my strong support for this bill. Historically, much of Oregon's public lands have been scattered in a checkerboard pattern with private lands across the landscape. This checkerboard pattern has resulted in thousands of acres of landlocked public land, where historically the only access has been across a private landowner's property. Some estimates put this at around 471,000 acres of public land in Oregon that the public cannot access - however the neighboring landowners have full access to those parcels. Typically, 640 acres (one square mile) in size, these parcels are the private playground of the adjacent landowners, who can hunt and recreate on those properties, while the general public cannot.

SB 1545 is a reasonable solution to this unfair situation. Without trampling on the rights of the adjacent landowners, this bill allows members of the public to step across the corner point where two public parcels touch each other, without committing a trespass against the adjacent landowners.

Why is this bill necessary? The law around the rights of the public to access public land by "corner crossing" is not settled, and the legality of corner crossing may depend on which federal circuit in which you reside. The 10th Circuit (Iron Bar Holdings, LLC, case 23-8043) has held that in the states of Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming, corner crossing is legal.

I urge you to make corner crossing legal in Oregon as well.

Thank you for your consideration of my comments.