

HB 2549 -1 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

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Meeting Dates: 3/11, 3/23

WHAT THE MEASURE DOES:

Directs that reports required to be submitted by state agencies to Legislative Assembly on status of sites on public lands where public may access public waterways for recreational use also be submitted to the State Marine Board (Board) Directs Board to compile and make public information in these reports, including through a website with a map of reported public access sites. Directs state agencies to submit reports in the format prescribed by the Board. 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 the 91st day after the 2021 regular session adjourns sine die.

ISSUES DISCUSSED:

- Increased outdoor recreational activity due to COVID-19
- Transparency and accountability in public access
- Addition of web-based public access map

EFFECT OF AMENDMENT:

-1 Adds specification that reports from any state agency that restricted, closed, opened, or reopened a public access site in the previous year need not include closures or restrictions lasting less than 24 hours. Removes requirement that report conform to format prescribed by State Marine Board.

FISCAL: No fiscal impact.

REVENUE: No revenue impact.

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 A 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 restricted, closed, opened, or reopened during the previous calendar year.

House Bill 2549 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.