

HOUSE AMENDMENTS TO HOUSE BILL 2549

By COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

March 29

- 1 On page 1 of the printed bill, delete lines 5 through 30.
- 2 On page 2, delete lines 1 through 18 and insert:
- 3 “**SECTION 1.** ORS 273.500 is amended to read:
- 4 “273.500. (1) As used in this section:
- 5 “(a) ‘Public access site’ means a site on state public lands where the public may access the lands
- 6 for recreational use of a floatable natural waterway.
- 7 “(b) ‘State public lands’ means any land, or improvements thereon, owned by the State of
- 8 Oregon.
- 9 “(2)(a) Before a state agency may restrict or close access to a public access site, the agency
- 10 shall post notice on the agency’s website for 30 days prior to the date that the restriction or closure
- 11 is proposed to take effect.
- 12 “(b) Paragraph (a) of this subsection does not apply to a restriction or closure for:
- 13 “(A) An emergency, including but not limited to an emergency related to a domestic water
- 14 supply source.
- 15 “(B) Fire prevention pursuant to the provisions of ORS 401.165 to 401.236 or 477.535 to 477.550.
- 16 “(C) Critical wildlife management activities.
- 17 “(D) A restriction or closure adopted by rule by the State Land Board.
- 18 “(E) A temporary restriction or closure, if the restriction or closure is for not more than 30
- 19 days.
- 20 “(F) A temporary restriction or closure, if the restriction or closure is for routine maintenance
- 21 or construction and lasts for more than 30 days.
- 22 “(3) On or before January 1 of each year, any state agency that restricted, closed, opened or
- 23 reopened access to a public access site in the previous calendar year, **not including closures or**
- 24 **restrictions lasting less than 24 hours**, shall submit a report to **the State Marine Board and** the
- 25 Legislative Assembly that describes:
- 26 “(a) The number and location of restrictions or closures to public access sites in the previous
- 27 calendar year, including any restrictions or closures that were found to be exempt from public no-
- 28 tice requirements under subsection (2)(b) of this section;
- 29 “(b) The reasons for any restrictions or closures identified under paragraph (a) of this sub-
- 30 section;
- 31 “(c) The number and location of public access sites that the agency opened in the previous
- 32 calendar year;
- 33 “(d) The number and location of public access sites that had been closed and that the agency
- 34 reopened in the previous calendar year; and
- 35 “(e) The number and location of public access sites where access had been restricted and where

1 the agency restored access in the previous calendar year.

2 “(4) **The State Marine Board shall compile and make public information in the reports**
3 **received under subsection (3) of this section, by means including a website with a map of the**
4 **reported public access sites.**

5 “[(4)] (5) Nothing in this section shall be construed to affect the jurisdiction or responsibility
6 of any state agency with respect to the operation of boats, hunting and fishing seasons, method of
7 take or limits for hunting and fishing, water pollution or fire control, except that a state agency
8 shall endeavor to perform the agency’s responsibilities in a manner that is consistent with the pro-
9 visions of this section.

10 “[(5)] (6) State agencies may adopt rules to carry out the provisions of this section.

11 “[(6)] (7) This section may not be interpreted to:

12 “(a) Restrict the federal navigational servitude; or

13 “(b) Restrict or expand any rights a person has under existing common law.”.

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