

Requested by Representative HELM

**PROPOSED AMENDMENTS TO
HOUSE BILL 2549**

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
6 public may access the lands for recreational use of a floatable natural
7 waterway.

8 “(b) ‘State public lands’ means any land, or improvements thereon, owned
9 by the State of Oregon.

10 “(2)(a) Before a state agency may restrict or close access to a public ac-
11 cess site, the agency shall post notice on the agency’s website for 30 days
12 prior to the date that the restriction or closure is proposed to take effect.

13 “(b) Paragraph (a) of this subsection does not apply to a restriction or
14 closure for:

15 “(A) An emergency, including but not limited to an emergency related to
16 a domestic water supply source.

17 “(B) Fire prevention pursuant to the provisions of ORS 401.165 to 401.236
18 or 477.535 to 477.550.

19 “(C) Critical wildlife management activities.

20 “(D) A restriction or closure adopted by rule by the State Land Board.

21 “(E) A temporary restriction or closure, if the restriction or closure is for

1 not more than 30 days.

2 “(F) A temporary restriction or closure, if the restriction or closure is for
3 routine maintenance or construction and lasts for more than 30 days.

4 “(3) On or before January 1 of each year, any state agency that restricted,
5 closed, opened or reopened access to a public access site in the previous
6 calendar year, **not including closures or restrictions lasting less than**
7 **24 hours**, shall submit a report to **the State Marine Board and** the Leg-
8 islative Assembly that describes:

9 “(a) The number and location of restrictions or closures to public access
10 sites in the previous calendar year, including any restrictions or closures
11 that were found to be exempt from public notice requirements under sub-
12 section (2)(b) of this section;

13 “(b) The reasons for any restrictions or closures identified under para-
14 graph (a) of this subsection;

15 “(c) The number and location of public access sites that the agency
16 opened in the previous calendar year;

17 “(d) The number and location of public access sites that had been closed
18 and that the agency reopened in the previous calendar year; and

19 “(e) The number and location of public access sites where access had been
20 restricted and where the agency restored access in the previous calendar
21 year.

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

26 “[4] (5) Nothing in this section shall be construed to affect the juris-
27 diction or responsibility of any state agency with respect to the operation
28 of boats, hunting and fishing seasons, method of take or limits for hunting
29 and fishing, water pollution or fire control, except that a state agency shall
30 endeavor to perform the agency’s responsibilities in a manner that is con-

1 sistent with the provisions of this section.

2 “[5] (6) State agencies may adopt rules to carry out the provisions of
3 this section.

4 “[6] (7) This section may not be interpreted to:

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

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

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