

# House Bill 2265

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary for Office of the Legislative Counsel)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Specifies that state agencies that request closure of waters of state to removal and filling must make request to Department of State Lands instead of Water Resources Commission.

## A BILL FOR AN ACT

1  
2 Relating to the Department of State Lands; creating new provisions; and amending ORS 196.840.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 196.840 is amended to read:

5 196.840. Any agency listed in ORS 196.825 (5) may request [*the Water Resources Commission*]  
6 **that the Department of State Lands** [*by rule to*] close one or more specified waters of this state  
7 to the issuance of permits **under ORS 196.825 and to general authorizations for the removal of**  
8 **material or filling of any waters under ORS 196.850.** [*After a public hearing held in conformity*  
9 *with ORS chapter 183, if the Water Resources Commission*] **If the department** finds that [*issuance*  
10 *of permits with respect to such water resources*] **the removal of material from the beds or banks**  
11 **of the specified waters or filling of the specified waters** would be inconsistent with the pro-  
12 tection, conservation and best use of the water resources of this state as specified in ORS 196.805,  
13 the [*Water Resources Commission*] **department** may by rule close [*such*] **the** waters to the issuance  
14 of permits and to any [*other removals or fills under ORS 196.850*] **general authorization. The de-**  
15 **partment may close the waters** for an indefinite period or during such other times as are stated  
16 in the rule.

17 **SECTION 2.** The amendments to ORS 196.840 by section 1 of this 2005 Act apply to re-  
18 **quests made on or after the effective date of this 2005 Act.**  
19

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.