

**B-Engrossed**  
**Senate Bill 432**

Ordered by the Senate April 11  
Including Senate Amendments dated March 15 and April 11

Sponsored by Senator VERGER; Senator JOHNSON, Representatives BOONE, COWAN, KRIEGER, MORGAN, ROBLAN, WITT

**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.

Allows shipbreaking in Oregon only in dry dock. Prohibits shipbreaking in waters of this state at pier or dismantling slip. **Exempts certain barges.** Allows dismantling for removal of shipwreck if Department of State Lands determines that moving shipwreck to dry dock is impracticable. **Allows partial dismantling of ship for purpose of ship repair.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to shipbreaking; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Dry dock" means a graving dock or a floating dry dock.**

6 (b) **"Floating dry dock" means a vessel that can be flooded to allow a load to be floated**  
7 **in and drained to allow that load to come to rest on a dry platform.**

8 (c) **"Fouling communities" means the matrix consisting of:**

9 (A) **Native or nonnative species attached to the hull of a ship including, but not limited**  
10 **to, barnacles, bivalves, bryozoans, tunicates and seaweeds; and**

11 (B) **Native or nonnative mobile species such as crustaceans, sea stars and worms that**  
12 **may be unattached to the hull, but that inhabit a fouling community or inhabit protected**  
13 **recesses and crevices in the hull, such as sea chests.**

14 (d) **"Fouling organisms" means native or nonnative species that attach to the hull of a**  
15 **ship including, but not limited to, sessile bottom-dwelling invertebrates, algae and**  
16 **microorganisms such as bacteria and diatoms.**

17 (e) **"Graving dock" means a paved excavation in the ground that can be flooded to allow**  
18 **a load to be floated in and drained to allow that load to come to rest on a dry platform.**

19 (f) **"Hazardous materials" includes, but is not limited to, asbestos, polychlorinated**  
20 **biphenyls, oil, fuel, bilge and ballast water, paint and lead.**

21 (g) **"Ship" means a vessel that weighs in excess of 200 gross tons and operates upon**  
22 **navigable waterways.**

23 (h) **"Shipbreaking" means the process of dismantling a ship for scrap or disposal.**

24 (i) **"Shipwreck" means a ship that has been stranded or destroyed by being driven ashore**  
25 **or onto the rocks or the shoal.**

26 (j) **"Waters of this state" has the meaning given that term in ORS 196.800.**

**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.

- 1       **(2) In the State of Oregon, a person:**  
2       **(a) May perform shipbreaking activities only in a dry dock.**  
3       **(b) May not perform shipbreaking activities in the waters of this state:**  
4       **(A) At a pier.**  
5       **(B) At a dismantling slip.**  
6       **(C) In any other manner that allows hazardous materials, fouling communities or fouling**  
7 **organisms that are in or on the ship to enter the waters of this state.**  
8       **(3) Notwithstanding subsection (2) of this section, a person may in the waters of this**  
9 **state:**  
10       **(a) Dismantle for removal a ship that has been shipwrecked if the Department of State**  
11 **Lands determines, in consultation with others as the department finds appropriate including,**  
12 **but not limited to, other state agencies, the United States Coast Guard and the shipowner,**  
13 **that it is physically impracticable to move the shipwreck to a dry dock.**  
14       **(b) Partially dismantle a ship as may be required in the process of ship repair.**  
15       **(4) Subsection (2) of this section does not apply to the shipbreaking of a flat-bottomed**  
16 **barge that is not self-propelled and that operates in the waters of this state.**  
17       **SECTION 2.** **This 2007 Act being necessary for the immediate preservation of the public**  
18 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
19 **on its passage.**

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