

HOUSE AMENDMENTS TO HOUSE BILL 2220

By COMMITTEE ON AGRICULTURE, NATURAL RESOURCES AND RURAL
COMMUNITIES

April 27

1 On page 1 of the printed bill, delete lines 4 through 28 and delete pages 2 and 3 and insert:

2 **“SECTION 1. As used in sections 2 to 4 of this 2009 Act:**

3 **“(1) ‘Aquatic invasive species’ means any aquatic species of wildlife or any freshwater**
4 **or marine invertebrate, as specified by the State Fish and Wildlife Commission by rule, or**
5 **any aquatic noxious weeds as specified by the State Department of Agriculture by rule.**

6 **“(2) ‘Recreational or commercial watercraft’ means any boat, any equipment used to**
7 **transport a boat and any auxiliary equipment for a boat, including but not limited to at-**
8 **tached or detached outboard motors.**

9 **“SECTION 2. (1) The State Department of Fish and Wildlife, the State Marine Board and**
10 **the State Department of Agriculture are authorized to:**

11 **“(a) Operate check stations for the purpose of inspecting recreational or commercial**
12 **watercraft for the presence of aquatic invasive species.**

13 **“(b) Decontaminate, or recommend decontamination of, any recreational or commercial**
14 **watercraft that is inspected at a check station operated under authority of this section.**

15 **“(2) All check stations operated under authority of this section must be plainly marked**
16 **by signs that comply with all state and federal laws and must be staffed by at least one**
17 **uniformed employee of the State Department of Fish and Wildlife, the State Marine Board**
18 **or the State Department of Agriculture trained in inspection and decontamination of recre-**
19 **ational or commercial watercraft.**

20 **“SECTION 3. (1) The State Department of Fish and Wildlife, after consultation with the**
21 **State Marine Board, the State Department of Agriculture and the Department of State Po-**
22 **lice, shall report biennially to the Legislative Assembly on efforts to prevent aquatic invasive**
23 **species from entering this state and may include in the report suggested legislation neces-**
24 **sary to more effectively prevent aquatic invasive species from entering this state.**

25 **“(2) Reports to the Legislative Assembly required under this section must be made in**
26 **accordance with ORS 192.245.**

27 **“SECTION 4. (1) A person is subject to a civil penalty in an amount to be determined by**
28 **the State Fish and Wildlife Director of not more than \$6,250 if the person knowingly trans-**
29 **ports aquatic invasive species on or in a recreational or commercial watercraft. A second**
30 **or subsequent violation of this subsection within a five-year period shall result in a civil**
31 **penalty in an amount not less than \$5,000 and not more than \$15,000.**

32 **“(2) Subsection (1) of this section does not apply to:**

33 **“(a) A person who transports aquatic invasive species in ballast water.**

34 **“(b) A person who complies with all instructions for the proper decontamination of the**
35 **recreational or commercial watercraft given by an employee authorized under section 2 (1)**

1 of this 2009 Act to inspect recreational or commercial watercraft.

2 “(c) A person who transports aquatic invasive species to the State Department of Fish
3 and Wildlife or the State Department of Agriculture, or to another destination designated
4 by the State Fish and Wildlife Commission by rule, in a manner designated by the commis-
5 sion for purposes of identifying or reporting an aquatic invasive species.

6 “(3) The civil penalties authorized in this section shall be imposed as provided in ORS
7 183.745. Any civil penalty recovered under this section shall be deposited in the State Wildlife
8 Fund. The commission by rule shall adopt the formula the State Fish and Wildlife Director
9 shall use in determining the amount of civil penalties under this section.

10 “SECTION 5. The State Department of Fish and Wildlife shall submit the first report
11 required under section 3 of this 2009 Act by March 1, 2011.”
12
