

**SENATE AMENDMENTS TO
HOUSE BILL 2076
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

May 13

1 On page 4 of the printed bill, after line 22, insert:

2 “**SECTION 7a. If House Bill 2118 becomes law, section 7 of this 2019 Act (amending ORS**
3 **830.110) is repealed and ORS 830.110, as amended by section 38, chapter __, Oregon Laws 2019**
4 **(Enrolled House Bill 2118), is amended to read:**

5 “830.110. In addition to the powers and duties otherwise provided in this chapter, the State
6 Marine Board shall have the power and duty to:

7 “(1) Make all rules necessary to carry out the provisions of this chapter. The rules shall be
8 made in accordance with ORS chapter 183.

9 “(2) Devise a system of identifying numbers for boats, floating homes and boathouses. If an
10 agency of the federal government has an overall system of identification numbering for boats within
11 the United States, the system devised by the board shall conform with the federal system.

12 “(3) Cooperate with state and federal agencies to promote uniformity of the laws relating to
13 boating and their enforcement.

14 “(4) Make contracts necessary to carry out the provisions of ORS 830.060 to 830.140, **830.565**
15 **to 830.575**, 830.700 to 830.715, 830.725, 830.730, 830.770, 830.780, 830.785, 830.795 to 830.820 and
16 830.830 to 830.870.

17 “(5) Advise and assist county sheriffs and other peace officers in the enforcement of laws re-
18 lating to boating.

19 “(6) Study, plan and recommend the development of boating facilities throughout the state which
20 will promote the safety and pleasure of the public through boating.

21 “(7) Publicize the advantage of safe boating.

22 “(8) Accept gifts and grants of property and money to be used to further the purposes of this
23 chapter.

24 “(9) Exempt from any provisions of this chapter any class of boats if it determines that the
25 safety of persons and property will not be materially promoted by the applicability of those pro-
26 visions to the class of boats. The board may not exempt from numbering any class of boats unless:

27 “(a) The board determines that the numbering will not materially aid in their identification; and

28 “(b) The secretary of the department of the federal government under which the United States
29 Coast Guard is operating has exempted from numbering the same boats or classes of boats.

30 “(10) Appoint and require the bonding of agents to issue a temporary permit to operate a boat.
31 In addition to the prescribed fees, the agents may charge [*the following*] **a fee prescribed by the**
32 **board** for their services in issuing the temporary permit[.].

33 “[*(a) \$2.50 per transaction for calendar years 2008, 2009 and 2010;*]

34 “[*(b) \$3.75 per transaction for calendar years 2011, 2012 and 2013; and*]

1 “(c) *Beginning in 2014, and* Every three years [*thereafter,*] the board shall issue an order re-
2 vising the fee [*specified in paragraph (b) of*] **imposed under** this subsection on January 1, based on
3 changes in the Consumer Price Index for All Urban Consumers, West Region (All Items), as pub-
4 lished by the Bureau of Labor Statistics of the United States Department of Labor. The board shall
5 round the amount of the fee to the nearest half-dollar. The revised fee takes effect on January 1 and
6 applies for the following three years.

7 “(11) Publish and distribute to the interested public the boating laws of this state and resumes
8 or explanations of those laws.

9 “(12) Publish and distribute forms for any application required under this chapter and require
10 the use of such forms.

11 “(13) Make rules for the uniform navigational marking of the waters of this state. Such rules
12 shall not conflict with markings prescribed by the United States Coast Guard. No political subdivi-
13 sion or person shall mark the waters of this state in any manner in conflict with the markings
14 prescribed by the board.

15 “(14) Make rules regarding marine toilets and their use consistent with the prevention and
16 control of pollution of the waters of this state and not in conflict with the rules of the Oregon
17 Health Authority or the Environmental Quality Commission.

18 “(15) Institute proceedings to enjoin unlawful obstructions injuring free navigation on the waters
19 of this state.

20 “(16) Make rules regulating water ski course markers, ski jumps and other special use devices
21 placed in the waters of this state. Such rules may regulate the installation and use of the devices
22 and may require a permit.

23 “(17) Adopt rules necessary to carry out and enforce the provisions of ORS 830.950 and 830.955.
24 The rules shall include but need not be limited to:

25 “(a) The kinds of protective covering or physical barriers that are acceptable to be used be-
26 tween a submersible polystyrene device and the water.

27 “(b) Guidelines for the use of submersible polystyrene devices for the repair or maintenance of
28 existing docks or floats.

29 “(18) Adopt rules providing for establishment of a Safe Boating Education Course to be made
30 available to courts and law enforcement agencies within this state for use as a sentencing option
31 for those individuals convicted of boating offenses. The board shall specify the content of the Safe
32 Boating Education Course and shall prescribe procedures for making the course available to local
33 courts and law enforcement agencies, including procedures for promptly notifying such courts
34 whether individuals required to enroll in the course have taken and successfully passed the course.
35 Such rules may provide for administration of the course through nonprofit organizations, such as the
36 United States Coast Guard Auxiliary, United States Power Squadrons or similar groups.

37 “(19) For purposes of ORS 830.175, 830.180, 830.185, 830.187 and 830.195, in cooperation with the
38 State Aviation Board, regulate boats that are seaplanes as provided in ORS 830.605 and 835.200.”.

39 On page 7, after line 19, insert:

40 “**SECTION 16a.** If House Bill 2118 becomes law, section 16 of this 2019 Act is amended to read:

41 “**Sec. 16.** The amendments to ORS 830.110 by section [7] **7a** of this 2019 Act apply to fees im-
42 posed on or after January 1, 2020.”.