

Requested by Senator SMITH DB

**PROPOSED AMENDMENTS TO
SENATE BILL 814**

1 On page 1 of the printed bill, delete lines 6 through 28 and delete page
2 2 and insert:

3 **“SECTION 2. (1) The Legislative Assembly finds and declares that:**

4 **“(a) Oregon public ports were created to preserve public ownership**
5 **of public resources, giving local governments the ability and statutory**
6 **authority to support economic development for the benefit of the**
7 **public;**

8 **“(b) Oregon public ports are vital links in the transportation and**
9 **economic infrastructure of this state and perform critical services that**
10 **support and facilitate movement of cargo and passengers within this**
11 **state and in commerce worldwide;**

12 **“(c) Oregon public ports that carry out or seek to carry out oper-**
13 **ations that involve moving cargo or passengers are a vital part of the**
14 **economy and trade infrastructure of this state; and**

15 **“(d) Enabling Oregon public ports to coordinate, reach agreements**
16 **on and implement actions with members of the Northwest Marine**
17 **Terminal Association and other public ports within and outside this**
18 **state with respect to matters within each public port’s authority is an**
19 **important public purpose.**

20 **“(2) The Legislative Assembly declares that the policy of this state**
21 **and the intent of this section is, notwithstanding the applicability of**

1 the antitrust laws of this state or the United States, to displace com-
2 petition under the state action doctrine to the extent specified in
3 subsection (3) of this section.

4 “(3) A public cargo or passenger port located in this state and any
5 other public port, including a member of the Northwest Marine Ter-
6 minal Association, may coordinate, reach agreements on and imple-
7 ment any action that is within the public port’s authority, including
8 actions to specify:

9 “(a) Rates and charges that each public port will assess;

10 “(b) Rules, practices and procedures that each public port will im-
11 plement with respect to cargo and passenger service operations;

12 “(c) Planning, development, management, marketing, operations
13 and uses of public port facilities; and

14 “(d) Other matters that relate to cargo and passenger service op-
15 erations at public ports.

16 “SECTION 3. This 2023 Act being necessary for the immediate
17 preservation of the public peace, health and safety, an emergency is
18 declared to exist, and this 2023 Act takes effect on its passage.”.

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