

## SB 47 A STAFF MEASURE SUMMARY

### Senate Committee On Environment and Natural Resources

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**Action Date:** 03/26/19

**Action:** Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Bentz, Dembrow, Olsen, Prozanski, Roblan

**Fiscal:** Fiscal impact issued

**Revenue:** Revenue impact issued

**Prepared By:** Beth Patrino, LPRO Analyst

**Meeting Dates:** 2/21, 3/26

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#### WHAT THE MEASURE DOES:

Establishes Waterway Access Fund (Fund). Appropriates moneys in Fund to the Oregon State Marine Board (Marine Board) to award grants for nonmotorized boat waterway access, boating safety education, and waterway access for underserved communities. Requires person 14 years of age or older to carry waterway access permit while operating a nonmotorized boat. Establishes permit fees and deposit of a portion of each fee into the Fund and remainder into the Aquatic Invasive Species Prevention Fund Account. Establishes exemptions from requirement to obtain waterway access permit. Eliminates requirement that person operating a nonmotorized boat, at least 10 feet or more, must purchase Aquatic Invasive Species (AIS) permit and stipulates a person operating a sailboat, at least 12 feet, must purchase AIS permit. Makes violation of requirement to obtain a waterway access permit a Class D violation. Requires Marine Board to collaborate with recreation user groups and law enforcement agencies to educate nonmotorized boaters about the requirement to obtain a permit. Requires Marine Board to submit two reports to interim legislative committees on implementation of the permit program; specifies report contents. Makes permit requirement operative on August 1, 2020. Authorizes Marine Board to take actions prior to operative date to enable Board to implement permit program on operative date. Makes conforming amendments to AIS permit statutes. Takes effect on 91st day following adjournment sine die.

#### ISSUES DISCUSSED:

- Growth in nonmotorized recreational boating in Oregon
- Need for additional public access to waterways
- Examples of nonmotorized boating facilities

#### EFFECT OF AMENDMENT:

Exempts from requirement to obtain a waterway access permit (permit) a member of a federally recognized Indian tribe in Oregon who is engaging in tribal fishing or a tribal ceremony. Requires Oregon State Marine Board to collaborate with recreation user groups and law enforcement agencies to educate nonmotorized boaters about the requirement to obtain a permit. Requires Marine Board to submit two reports to interim legislative committees on implementation of the permit program; specifies report contents. Makes permit requirement operative on August 1, 2020. Authorizes Marine Board to take actions prior to operative date to enable Board to implement permit program on operative date.

#### BACKGROUND:

The Oregon State Marine Board is charged with regulating boating activities while promoting the multiple use and enjoyment of waters of the state.

Senate Bill 47A would establish the Waterway Access Fund to improve waterway access and promote boating safety education for the nonmotorized boating community. The measure would also require a person operating a

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nonmotorized boat that is greater than 10 feet in length to obtain a waterway access permit, set permit fees, and eliminate the requirement to purchase an Aquatic Invasive Species permit for the same nonmotorized boat.