

House Bill 2072

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Marine Board)

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 **as introduced**.

Repeals sunset on changes regarding reciprocity for ocean charter vessel and outfitting and guiding licensees of other states.

A BILL FOR AN ACT

1
2 Relating to interstate reciprocity for persons regulated by the State Marine Board; amending ORS
3 704.025 and 830.435; and repealing section 5, chapter 115, Oregon Laws 2005.

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

5 **SECTION 1.** ORS 704.025, as amended by section 3, chapter 115, Oregon Laws 2005, is amended
6 to read:

7 704.025. (1) [*The fees required under ORS 704.020 do not apply to outfitters and guides*] **The State**
8 **Marine Board may adopt rules that exempt persons** who provide outfitting and guiding services
9 on the Columbia River [*and who possess a valid license from the State of Washington as required*
10 *under this section. Reciprocity is provided for outfitting and guiding services on the Columbia River.*
11 *The right of outfitters and guides to conduct*] **from the registration and fee requirements in ORS**
12 **704.020 if:**

13 (a) **The person conducts** outfitting and guiding services on the waters of the Columbia River
14 where that river forms the boundary line between the State of Oregon and the State of
15 Washington;

16 (b) [*by the holder of a valid Oregon outfitter and guide registration or*] **The person possesses** a
17 valid Washington [*guide*] license [*in accordance with the outfitting and guiding laws of each respective*
18 *state is hereby recognized and made lawful.*], **permit or registration that allows the person to**
19 **provide outfitting and guiding services;**

20 (c) **The board determines that the licensing, permitting or registration requirements of**
21 **the State of Washington are comparable to those of Oregon; and**

22 (d) **The State of Washington provides similar reciprocity for holders of valid Oregon**
23 **outfitter and guide registrations.**

24 (2) The purpose of subsection (1) of this section is to avoid the conflict, confusion and difficulty
25 of an attempt to find the exact locations of the state boundary in or on the waters of the Columbia
26 River while providing outfitting and guiding services. [*Reciprocity under subsection (1) of this section*
27 *is contingent upon passage of comparable legislation by the legislature of the State of Washington ad-*
28 *dressing the establishment of minimum guide registration or licensing requirements in the areas of first*
29 *aid training and liability insurance coverage.*]

30 (3) [*The fees required under ORS 704.020 do not apply to outfitters and guides*] **The board may**
31 **adopt rules that exempt persons** who provide outfitting and guiding services on the Snake River

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 *[and who possess a valid license from the State of Idaho as required under this section. Reciprocity is*
 2 *provided for outfitting and guiding services on the Snake River. The right of outfitters and guides to*
 3 *conduct] from the registration and fee requirements in ORS 704.020 if:*

4 **(a) The person conducts** outfitting and guiding services on the waters of the Snake River
 5 where that river forms the boundary line between the State of Oregon and the State of Idaho *[by*
 6 *the holder of a valid Oregon outfitter and guide registration or];*

7 **(b) The person possesses** a valid Idaho *[guide] license [in accordance with the outfitting and*
 8 *guiding laws of each respective state is hereby recognized and made lawful.], permit or registration*
 9 **that allows the person to provide outfitting and guiding services;**

10 **(c) The board determines that the licensing, permitting or registration requirements of**
 11 **the State of Idaho are comparable to those of Oregon; and**

12 **(d) The State of Idaho provides similar reciprocity for holders of valid Oregon outfitter**
 13 **and guide registrations.**

14 (4) The purpose of subsection (3) of this section is to avoid the conflict, confusion and difficulty
 15 of an attempt to find the exact locations of the state boundary in or on the waters of the Snake
 16 River while providing outfitting and guiding services. *[Reciprocity under subsection (3) of this section*
 17 *is contingent upon passage of comparable legislation by the legislature of the State of Idaho addressing*
 18 *the establishment of minimum guide registration or licensing requirements in the areas of first aid*
 19 *training and liability insurance coverage.]*

20 **SECTION 2.** ORS 830.435, as amended by section 4, chapter 115, Oregon Laws 2005, is amended
 21 to read:

22 830.435. (1) Except as otherwise provided in this section, *[it is unlawful to]* **a person may not**
 23 engage in the business of carrying passengers for hire for angling, sightseeing or other recreational
 24 purposes in ocean waters within the jurisdiction of this state without first obtaining an ocean
 25 charter vessel license from the State Marine Board.

26 (2) *[A resident of the State of Washington who holds a license issued by that state]* **The board**
 27 **may adopt rules allowing a person who holds a license or registration issued by the State of**
 28 **Washington** to engage in the business of carrying passengers for hire for angling, sightseeing or
 29 other recreational purposes *[may]* **to** conduct those activities *[in ocean waters within the jurisdiction*
 30 *of this state north of Cape Falcon without the license required by subsection (1) of this section if the*
 31 *vessel] if:*

32 **(a) The person operates a vessel that** leaves from and returns to a port in the State of
 33 Washington;

34 **(b) The person operates the vessel within the jurisdiction of this state in the Pacific**
 35 **Ocean north of Cape Falcon, or in the Columbia River; and**

36 **(c)** *[. The provisions of this subsection do not become operative until laws, rules or regulations*
 37 *of] The State of Washington [become operative that, in substance or effect, contain] adopts* provisions
 38 *[which make lawful] that allow* engaging in the business of carrying passengers for hire for angling,
 39 sightseeing or other recreational purposes with a valid Oregon ocean charter vessel license *[in the*
 40 *waters of the Pacific Ocean] within the jurisdiction of [the State of Oregon or] the State of*
 41 *Washington [between the Oregon-Washington boundary and] in the Pacific Ocean south of*
 42 *Leadbetter Point, or in the Columbia River. [This subsection remains operative only while such*
 43 *laws, rules or regulations remain operative.]*

44 (3) The license required by subsection (1) of this section is in lieu of registration required by
 45 ORS chapter 704 to carry passengers for hire for angling, sightseeing or other recreational purposes

1 in any navigable waters of this state. Payment of the license fee referred to in ORS 830.440 (2)(b)
2 is in lieu of any other fee or tax for the possession, use or operation of the vessel.

3 **SECTION 3. Section 5, chapter 115, Oregon Laws 2005, is repealed.**

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