

SENATE AMENDMENTS TO SENATE BILL 643

By JOINT COMMITTEE ON WAYS AND MEANS

June 14

1 On page 1 of the printed bill, line 2, after “783.625” insert “and section 1, chapter 150, Oregon
2 Laws 2007 (Enrolled Senate Bill 432)”.

3 On page 3, after line 4, insert:

4 “**SECTION 3.** Section 1, chapter 150, Oregon Laws 2007 (Enrolled Senate Bill 432), is amended
5 to read:

6 “**Sec. 1.** (1) As used in this section:

7 “(a) ‘Dry dock’ means a graving dock or a floating dry dock.

8 “(b) ‘Floating dry dock’ means a vessel **or structure** that can be flooded to allow a [*load*] **ship**
9 to be floated in and drained to allow [*that load*] **the ship** to come to rest on a dry platform.

10 “(c) ‘Fouling communities’ means the matrix consisting of:

11 “(A) Native or nonnative species attached to the hull of a ship including, but not limited to,
12 barnacles, bivalves, bryozoans, tunicates and seaweeds; and

13 “(B) Native or nonnative mobile species such as crustaceans, sea stars and worms that may be
14 unattached to the hull, but that inhabit a fouling community or inhabit protected recesses and
15 crevices in the hull, such as sea chests.

16 “(d) ‘Fouling organisms’ means native or nonnative species that attach to the hull of a ship in-
17 cluding, but not limited to, sessile bottom-dwelling invertebrates, algae and microorganisms such as
18 bacteria and diatoms.

19 “(e) ‘Graving dock’ means a paved excavation in the ground that can be flooded to allow a
20 [*load*] **ship** to be floated in and drained to allow that [*load*] **ship** to come to rest on a dry platform.

21 “(f) ‘Hazardous materials’ includes, but is not limited to, asbestos, polychlorinated biphenyls, oil,
22 fuel, bilge and ballast water, paint and lead.

23 “(g) ‘**Ocean shore**’ has the meaning given that term in **ORS 390.605**.

24 “[g] (h) ‘Ship’ means a vessel that weighs in excess of 200 gross tons and operates upon
25 navigable waterways.

26 “[h] (i) ‘Shipbreaking’ means the process of dismantling a ship for scrap or disposal.

27 “[i] (j) ‘Shipwreck’ means a ship that has been stranded or destroyed by being driven ashore
28 or onto the rocks or the shoal.

29 “[j] (k) ‘Waters of this state’ has the meaning given that term in **ORS 196.800**.

30 “(2) In the State of Oregon, a person:

31 “(a) May perform shipbreaking activities only in a dry dock.

32 “(b) May not perform shipbreaking activities in [*the waters of this state*:]

33 “[A] *At a pier.*]

34 “[B] *At a dismantling slip.*]

35 “[C] *In any other*] a manner that allows hazardous materials, fouling communities or fouling

1 organisms that are in or on the ship to enter the waters of this state **or the ocean shore.**

2 “(3) Notwithstanding subsection (2) of this section, a person may in the waters of this state:

3 “(a) Dismantle for removal a ship that has been shipwrecked if the Department of State Lands
4 determines, in consultation with others as the department finds appropriate including, but not lim-
5 ited to, other state agencies, the United States Coast Guard and the shipowner, that it is physically
6 impracticable to move the shipwreck to a dry dock.

7 “(b) Partially dismantle a ship as may be required in the process of ship repair.

8 “(4) Subsection (2) of this section does not apply to the shipbreaking of a flat-bottomed barge
9 that is not self-propelled and that operates in the waters of this state.

10 “**(5) This section does not relieve a person from compliance with other state or local laws**
11 **that apply to shipbreaking, shipwrecks or ship repair including, but not limited to, laws re-**
12 **lating to hazardous materials, fouling communities or fouling organisms.”.**

13 In line 5, delete “3” and insert “4”.

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