

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2220

By JOINT COMMITTEE ON WAYS AND MEANS

June 23

1 On page 1 of the printed A-engrossed bill, line 2, before the period insert “; creating new pro-
2 visions; amending ORS 830.990; appropriating money; and declaring an emergency”.

3 On page 2, after line 28, insert:

4 **“SECTION 6. Sections 7 to 10 of this 2009 Act are added to and made a part of ORS**
5 **chapter 830.**

6 **“SECTION 7. (1) A person may not operate a manually propelled boat that is 10 feet or**
7 **more in length or a motorboat on the waters of this state without first obtaining an aquatic**
8 **invasive species prevention permit from the State Marine Board under section 8 of this 2009**
9 **Act.**

10 **“(2) A person who obtains an aquatic invasive species prevention permit for a manually**
11 **propelled boat may use the permit on any manually propelled boat the person operates on**
12 **the waters of this state.**

13 **“SECTION 8. (1) The State Marine Board shall issue and renew an aquatic invasive spe-**
14 **cies prevention permit to a person who pays the fee for the permit described in section 9 of**
15 **this 2009 Act.**

16 **“(2) The board may appoint agents to issue aquatic invasive species prevention permits.**

17 **“(3) Agents shall issue permits in accordance with procedures prescribed by the board**
18 **by rule and shall charge and collect the aquatic invasive species prevention permit fees pre-**
19 **scribed by law.**

20 **“(4) The board may authorize an agent other than a board employee to charge a service**
21 **fee of \$2, in addition to the permit fee, for the issuance service performed by the agent.**

22 **“(5) The board shall supply the agents with motorboat and manually propelled boat**
23 **aquatic invasive species prevention permits.**

24 **“SECTION 9. Notwithstanding ORS 830.790 (3), fees for issuance and renewal of an**
25 **aquatic invasive species prevention permit are as follows:**

26 **“(1) The biennial fee for a motorboat issued a certificate of number under ORS 830.795**
27 **is \$5.**

28 **“(2) The annual fee for a manually propelled boat 10 feet or more in length is \$5.**

29 **“(3) The annual fee for a motorboat operated by a nonresident is \$20.**

30 **“(4) The annual fee for an operator of a boat livery is:**

31 **“(a) \$30 for an operator who owns 6 to 10 manually propelled boats;**

32 **“(b) \$55 for an operator who owns 11 to 20 manually propelled boats; or**

33 **“(c) \$100 for an operator who owns 21 or more manually propelled boats.**

34 **“SECTION 10. (1) The State Marine Board shall adopt rules for the implementation and**
35 **administration of sections 7 to 9 of this 2009 Act, including but not limited to the exemption**

1 of certain boats from the requirements of section 7 of this 2009 Act.

2 “(2) Nothing in sections 7 to 9 of this 2009 Act prevents the board from contracting any
3 service provided under sections 7 to 9 of this 2009 Act to any private person or entity or
4 other unit of government.

5 “**SECTION 11.** The Aquatic Invasive Species Prevention Fund is established in the State
6 Treasury, separate and distinct from the General Fund. Interest earned by the Aquatic
7 Invasive Species Prevention Fund shall be credited to the fund. Moneys in the fund are con-
8 tinuously appropriated to the State Marine Board for the purpose of administering the
9 aquatic invasive species prevention permit program under sections 7 to 9 of this 2009 Act and
10 preventing and controlling aquatic invasive species.

11 “**SECTION 12.** ORS 830.990 is amended to read:

12 “830.990. (1) A person who violates ORS 830.050, 830.088, 830.090, 830.092, 830.094, 830.230,
13 830.415, 830.710, 830.720, 830.770, 830.780, 830.810, 830.850 or 830.855 or section 7 of this 2009
14 Act, or rules adopted to carry out the purposes of those statutes, commits a Class D violation.

15 “(2) A person who violates ORS 830.220, 830.240, 830.245, 830.250, 830.375, 830.475 (4), 830.480,
16 830.785, 830.805 or 830.825, or rules adopted to carry out the purposes of those statutes, commits a
17 Class C violation.

18 “(3) A person who violates ORS 830.110, 830.175, 830.180, 830.185, 830.195, 830.210, 830.215,
19 830.225, 830.235, 830.260, 830.300, 830.315 (2) and (3), 830.335, 830.340, 830.345, 830.350, 830.355,
20 830.360, 830.362, 830.365, 830.370, 830.410, 830.420, 830.495, 830.775, 830.795 or 830.830, or rules
21 adopted to carry out the purposes of those statutes, commits a Class B violation.

22 “(4) A person who violates ORS 830.305 or 830.390, or rules adopted to carry out the purposes
23 of those statutes, commits a Class A violation.

24 “(5) A person who violates ORS 830.383 or 830.909 commits a Class B misdemeanor.

25 “(6) A person who violates ORS 830.035 (2), 830.053, 830.315 (1), 830.325, 830.475 (1), 830.730 or
26 830.955 (1) commits a Class A misdemeanor.

27 “(7) A person who violates ORS 830.475 (2) commits a Class C felony.

28 “**SECTION 13.** (1) Sections 7 to 11 of this 2009 Act and the amendments to ORS 830.990
29 by section 12 of this 2009 Act become operative on January 1, 2010.

30 “(2) Sections 7 to 11 of this 2009 Act and the amendments to ORS 830.990 by section 12
31 of this 2009 Act apply to operators of motorboats issued a certificate of number under ORS
32 830.795 whose number expires on or after December 31, 2011.

33 “(3) Notwithstanding subsection (1) of this section, prior to January 1, 2010, the State
34 Marine Board may adopt rules and take all other measures determined by the board to be
35 necessary for implementation of sections 7 to 11 of this 2009 Act and the amendments to ORS
36 830.990 by section 12 of this 2009 Act.

37 “**SECTION 14.** This 2009 Act being necessary for the immediate preservation of the public
38 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
39 on its passage.”.